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**The Need for a Discipline Matrix in Law Enforcement**

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## **ABSTRACT**

A discipline matrix assists law enforcement agencies in meting out fair and judicious punishment to employees. Law enforcement agencies that do not utilize a discipline matrix are often left with the task of reinventing the wheel each time the need for corrective action arises. This places the organization in the unenviable position of being scrutinized by outside agencies as well as facing possible civil litigation from a disciplined or terminated employee.

This research was conducted for the purpose of determining whether law enforcement agencies would benefit by using a discipline matrix. During the course of this research, supervisors from 27 Texas police departments were queried about whether a discipline matrix would be helpful in their respective agency. Information obtained during the course of this research showed that, in law enforcement departments that used the discipline matrix, its use by the department helped to garner a discipline system that functioned at the highest possible level.

The use of a discipline matrix helps ensure consistency in discipline and manages supervisory discretion. The implementation of a discipline matrix provides for a more fair and equitable process by which police departments enforce discipline and maintain integrity.

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## INTRODUCTION

Many supervisors struggle with what range of discipline is appropriate for specific police misconduct. As frustrating as this may be for some supervisors, just as many officers are claiming that traditional mechanisms for administering police discipline breed unfairness. What is the answer? Several law enforcement agencies are adopting a discipline matrix. A discipline matrix is a written guide that lays out appropriate forms of discipline for various infractions. The discipline matrix lists violations and assigns a range of discipline to each one depending on the seriousness of the violation. Deviation from the discipline imposed according to the matrix may be possible in some law enforcement agencies contingent upon approval by a committee or top management.

The research question to be examined will be: Is there a need for a discipline matrix in law enforcement agencies? Very little research has been conducted on the need for a discipline matrix in the law enforcement setting. The methods of inquiry to be used to examine if a need exists for a discipline matrix will be other agency's decisions on whether or not to adopt a discipline matrix. A review of literature and a discipline survey conducted on 27 Texas police supervisors from various agencies will also be utilized.

It is hypothesized that a discipline matrix will prove

to be a necessary component of the overall disciplinary process. This is due to the fact that a discipline matrix provides stability, fairness, and equity in regards to the issuance of discipline, while maintaining discretionary power for administrators. Administrators, supervisors, and officers will be positively affected by the implementation of a disciplinary matrix. The implication will be a fair complaint handling/discipline administering system, which will treat all officers consistently, regardless of the person being investigated.

#### **REVIEW OF LITERATURE**

During the course of this research, very limited resources were available on the subject of discipline matrixes and/or penalty schedules. The number of law enforcement departments that actually use a formal discipline matrix, compared to written directives, is low.

At the request of the Director of the Memphis Police Department, the Memphis Shelby Crime Commission (hereafter known as "commission") conducted independent research regarding the use of penalty schedules in managing police misconduct (Maloney, 1999). In their research, the commission selected a list of cities to review. These cities were chosen based on criteria that included population and crime reduction. The evaluators also looked within these cities for those that utilized disciplinary schedules. Only eight of the cities reviewed had some form

of disciplinary schedules in place. This number suggests that disciplinary schedules have yet to gain the same widespread acceptance as written directives.

In an article printed in the Las Vegas Review-Journal, Glenn Puit described the Las Vegas Police Department's new disciplinary policy. This policy, formally known as the Disciplinary Decision Guide, spells out in writing the department's punishment for the violation of 41 Las Vegas Police Department rules. Joe Greenwood, president of the Las Vegas Police Managers and Supervisors Association, criticized the policy. Greenwood was quoted as saying, "I haven't found anyone who supports this except for those who put it together." On the other side of the argument, Gary Peck, executive director of the American Civil Liberties Union of Nevada, praised the new policy as long overdue (Puit, 2001).

The most significant change in police disciplinary practices in the past 20 years has been the institutionalization of more explicit due process rights of personnel (Carter, 1994). Carter bases this assumption on a qualitative analysis of procedures utilized by 20 major United States police departments. The trend in the use of discipline matrixes has obviously been slow to develop. However, in a study conducted by the Office of Legislative Oversight, they found that an effective complaint handling system is essential for a well-functioning police department (Lacefield, 1999).

In order to be fair, a discipline system must treat all officers consistently and with respect, regardless of rank, race/ethnicity, gender, or personal connections.

"Investigations must be timely, professional, and thorough, and consequences must relate to the severity of the allegations." (Lacefield, 1999). The Human Rights Watch Organization stated that, "Each police department should create a disciplinary matrix or table" (Human Rights Watch Organization, 1998). The Human Rights Watch Organization goes on to state that the table should describe the range of penalties officers should expect when in violation of department rules. The Human Rights Watch Organization's belief that this type of disciplinary matrix would assist in removing a police official's often broad discretionary application of discipline is well noted. Until such time that law enforcement agencies implement a fair and impartial method for the disciplining and correction of police misconduct, officers will continue to be examined under a perceived "good old boy system."

The International Association of Chiefs of Police (IACP) states that, "Written directives effectively provide guidance to the members of the police department as well as establishing a means of accountability." The IACP has determined that, "Written directives serve as a foundation of effective discipline" (Maloney, 1999). Incorporating a disciplinary matrix within a system of written directives provides clear guidance for both officers and their

supervisors. This in turn will help to create a solid discipline system that benefits the community, the department, and the department's members.

### **METHODOLOGY**

The research on this issue shows that the discipline matrix is the most effective model for handling police misconduct. This research is based upon a review of literature and a discipline survey of 27 Texas police supervisors. The agencies questioned varied in size from populations of more than 100,000 to cities with less than 5,000.

Many supervisors struggle with what range of discipline is appropriate for specific police misconduct. The discipline matrix is an excellent tool to assure that discipline is both appropriate and fair. Research conducted with supervisors from 27 Texas police departments showed that, in departments where some form of a discipline structure was used, the discipline meted out was more prudent and was better received by departmental employees.

Supervisors were given a written scenario and provided four choices regarding the discipline they could seek. The scenario involved a situation in which an employee converted found property (specifically a \$16.00 watch) to personal use. In response to the scenario, three of the supervisors chose less than 40 hours suspension without pay, four of the supervisors chose more than 40 hours suspension without pay



and/or demotion, and 20 of the supervisors chose termination. The supervisors were then shown a sample discipline matrix. After utilizing this matrix as a guide, all 27 supervisors then chose a level of discipline of more than 40 hours of suspension and/or demotion.

In all 27 instances each supervisor agreed that a need for a discipline matrix did exist. However, some supervisors felt that the use of a discipline matrix would affect their ability to administer a certain type of discipline. Information obtained in this survey will be used to analyze the potential implementation and impact of discipline matrixes throughout the policing profession.

### **FINDINGS**

Throughout this study, the facts support a need for the implementation of some form of a disciplinary matrix. Disciplinary matrixes are in use by several large agencies throughout the United States. Information gathered from police supervisors, articles compiled by law enforcement agencies, and data assembled by independent sources, point to a need for more fairness and equity in the discipline process.

Studies conducted by major metropolitan police departments have shown that discipline matrixes can effectively control police misconduct while also maintaining a balance between what is fair discipline, and what could amount to discipline doled out through the "good old boy

system." The adoption of a discipline matrix contributes to consistency in discipline, direction, control of supervisory discretion, and ensuring the confidence of the public in department disciplinary procedures. Findings showed that to be true when supervisors were given a scenario that involved an internal theft. The supervisors were given a choice of four possible courses of discipline for this offense. These choices were assigned letters A through D. Choice A was defined as a written reprimand. Choice B was defined as less than 40 hours suspension without pay. Choice C was defined as greater than 40 hours suspension without pay and/or demotion. Choice D called for termination.

Of the 27 police supervisors queried, three chose B, four chose C, and 20 chose D. After these same supervisors were shown a sample disciplinary matrix from the Round Rock, Texas Police Department, all 27 supervisors chose C.

This research indicates that discipline philosophies vary from department to department. The research also shows that when supervisors are provided with a guideline for discipline, the discipline can be decided much more equitably.

The adoption of a discipline matrix is recommended as part of an organization wide commitment to effective management of police misconduct. The adoption of a discipline matrix, coupled with a well-defined set of written directives, is key in encouraging proper adherence to the rules and regulations of a department. Police

departments can enhance this process by allowing department employees at all levels to contribute to the formation of a discipline grid. This contribution can serve to quell employee rumblings of unfairness in the process. To avoid reinventing the wheel, departments should utilize information on this subject from law enforcement agencies across the United States.

The commitment to, and implementation of, a discipline matrix must be embraced at the highest levels of police administration. Police executives must, at all times, set a good example and demand that employees follow suit. Without this example, and the input of the employees most likely to face the use of the discipline matrix, the department will not be able to fully realize the potential of the discipline matrix.

The Houston Police Department, which employs over 6,000 sworn officers, utilizes a discipline matrix. In contrast, the Round Rock Police Department also uses a discipline matrix. The Round Rock Police Department employs approximately 100 sworn officers. This dissimilarity shows that a discipline matrix could be useful for any size department.

As with all change, supervisors and employees can look on the implementation of a discipline matrix as micromanaging. Police executives can ease this transition through proper training and by providing appropriate and timely information to employees and supervisors.

## DISCUSSION/CONCLUSIONS

The problem of the punishment fitting the crime is as relevant when police departments deal with police misconduct, as when police departments deal with offenders. The study's purpose was to determine if a need for a well-defined discipline matrix could be beneficial to law enforcement agencies. The utilization of a discipline matrix has shown to be an excellent way to ensure fair and impartial discipline. Findings have shown that, whatever a department's size, a discipline matrix is a necessary component to the overall discipline process. Departments that use a discipline matrix have shown that police misconduct, public perception, and supervisor discretion, can be controlled. Findings have supported the hypothesis that a discipline matrix, when properly put into practice, substantially decreases the tendency for favoritism. The lack of raw data regarding this subject was somewhat of a hindrance. As more and more law enforcement agencies embrace the idea, the data should continue to reinforce this hypothesis. The study is obviously relevant to any law enforcement agency. The study's relevance extends to all tiers of the law enforcement agency, from the officer on the beat, to the department's senior administrators. Additionally, the study impacts anyone that is affected by the actions of the police, either directly or indirectly. Law enforcement is viewed by a majority of the population as essential and the police enjoy a relatively strong vote of

confidence (Field, 1999). A police department's use of a discipline matrix can only contribute to this popular opinion. Discipline helps to build an organization's prestige and preserves the organization's spirit. Discipline's goal is internal order and individual accountability. (Field, 1999). Police discipline is the key to maintaining high morale and inspiring confidence.

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