

# Averting Costly Litigation through Law Enforcement Leadership Development

## Challenge

Throughout 2008, tensions were building between the police department of Kansas City, Missouri (KCPD), and the Fraternal Order of Police (FOP). The headstrong disagreements between the organizations led both parties to hire attorneys and the collective bargaining process was shaping up to be drawn-out and contentious. KCPD Chief of Police, James Corwin, was desperate to prevent the seemingly inevitable battle with the FOP. After reading *Leadership and Self-Deception* and attending an Arbinger workshop, Chief Corwin decided to bring Arbinger to police headquarters.

The next KCPD workshop brought together department heads, members of the FOP, and a few other key leaders to engage in Arbinger's intense process that was geared toward law enforcement leadership development. The room was arranged so that members of the FOP and members of the department were sitting among each other. Those present described the workshop's beginning as "icy and hostile." However, as one participant recalls, "it wasn't long before we could see the walls beginning to break down and people starting to connect with the other people in the room."

As the training continued, officers who had not spoken to each other in years started conversing. One of the FOP members sitting in the back of the room had been Chief Corwin's partner in the early days of their careers. Near the end of the first training session, Corwin lamented the distance that had grown between them: "Whatever happened to Jim and Steve?"

Why does it have to be The Chief and Officer Miller? Why do we have to have that?" By the end of the second day, the Chief announced that the department would no longer pursue collective bargaining. Instead, he agreed to a "meet and confer", a good-faith meeting to find solutions without the wasted time, energy, and resources of legal action. By the time the workshop resumed on the third day, both sides were willing to work together.

A week after the workshop, Chief Corwin held a department-wide meeting to announce the mutual decision to forgo collective bargaining. Department members who hadn't attended the Arbinger training on law enforcement leadership development were shocked to see members of the FOP congenially talking and joking with other members of the department. The transformation from animosity to good-will was almost incomprehensible to outside observers. And the positive changes to the KCPD were just beginning.

## **SWAT Solution & Results**

Arbinger-trained facilitators in the regional Leadership Academy knew that continuing to transform the police department would require the buy-in of influential individuals. They invited one such individual, Chip Huth, sergeant of Kansas City's 1910 SWAT Squad, to attend an Arbinger workshop that was also geared toward law enforcement leadership development.

Chip's 1910 Squad was the most complained-about unit in the department, receiving on average three complaints per month. "Most of the complaints we received for the 1910 squad were complaints regarding the use of excessive force," said Pearl Fain, lead attorney and director of the Kansas City Office of Community Complaints. "These complaints are extremely expensive for the department," Mrs. Fain explained. "Simply to process, investigate, and file a case costs the department between seventy to one hundred thousand dollars per complaint,

regardless of whether the case goes to litigation.” But despite the exorbitant costs, many within law enforcement assume community complaints are an inevitable byproduct of high-impact policing activities.

The first step to implementing Arbinger in the 1910 Squad was for Chip to transform his own leadership. He recounted, “I was excited when I first encountered Arbinger because I thought I finally understood what was wrong with everybody else—why everyone else was such a problem! But when I really began to understand Arbinger, it began dawning on me that I had been a problem in ways I hadn’t been seeing.” Through honest self-assessment, Chip began to see how his leadership was not only exacerbating the problems he was trying to solve, it was inviting and creating them as well.

Because of his experience with Arbinger, Chip began holding himself accountable for his impact on both citizens and colleagues in a way that he never had before. He seriously considered the root cause of the community complaints and honestly evaluated the conflicts that spawned them. As his team members witnessed the change in Chip, the entire 1910 squad began to accept a deeper responsibility. They realized how seeing others as objects inevitably invited resistance. The team worked to see those they were charged to serve—and even arrest—as people instead of objects. They found themselves asking “how can I help things go right for these people and this community?” even in dangerous moments of high-impact tactical intervention.

The impact of this shift in mindset has been remarkable. Since introducing Arbinger’s law enforcement leadership development practices to the 1910 SWAT Squad, community complaints have evaporated. The squad has not received a complaint related to a search warrant in 10 years since the transformation process was initiated. The change has also increased efficiency. In the first five years after implementing Arbinger, the 1910 squad recovered more illicit guns, drugs, and money than they

had in the previous decade. For these exceptional results, the 1910 squad earned a special unit citation.

*Arbinger is the path forward to shift mindset in law enforcement. It is the way to transform leadership and performance in any organization. The dramatic changes we experienced can happen anywhere. It's not easy, but it works.*

*Chip Huth – Major | Kansas City Police Department*

## **Firearms Training Solutions & Results**

Sergeant Ward Smith, the firearm training supervisor of the KCPD, is an avid believer in the efficacy of Arbinger tools and training. Smith believes that Arbinger gave him and his team a working language and sense of personal responsibility that positively transformed the culture of the range.

In 2007, Smith became the firearms training supervisor with oversight responsibility for the department's firearm instructors. At the beginning of the year, he noticed difficulties in his department; several "problem shooters" were not improving with time. In fact, in 2007 there were 147 first-time firearm qualification failures. Of these failures, 16 also failed their second and final attempts to qualify. This kind of performance indicated an alarming decrease in field safety, motivation, and morale in the officers.

Sergeant Smith began investigating these results. According to the range instructors, problem shooters failed to improve because they never showed up for optional Friday practice. To the instructors, this clearly indicated that the problem shooters did not want to improve. Smith sensed that the problem might be deeper, so he asked, "How are these shooters treated when they do show up to practice?"

He discovered that the instructors assigned the problem shooters to the left side of the shooting range. The instructors explained that, by limiting these problem shooters to one section of the range, it was then possible to assign two or three instructors to supervise them and ensure that "they didn't do something stupid like shoot themselves in the foot."

Smith also learned that some of his instructors used high-pressure language to "challenge" the shooters while they were shooting. These instructors felt that shooting under pressure was necessary to prepare the officers for situations they might face in the field. Sergeant Smith suspected that their tactics were having a destructive effect on shooter performance and motivation. He wondered, "If we are treating our shooters like this, aren't we sending them a message? If I come to practice and I continually find that I am put on the left side of the range, or berated by an instructor, don't I begin to think of myself as a poor shooter? What are we accomplishing by embarrassing them? Could this be why they aren't showing up to Friday practice to get the help that they might need?"

Smith's diagnosis of the situation was initially resisted, but he started to make changes on his own anyway. He met with problem shooters on his lunch breaks and worked with them individually to develop their skill. Many of them then committed to attend Friday practices.

As Smith's instructors began to follow suit, so did positive results. Before long, all the problem shooters in the department began to improve their shooting skills dramatically and actually enjoy coming to the range. In 2012, five years after Sergeant Smith's application of Arbinger principles, there were only 20 first-time firearm qualification failures; all but one passed the test on their second try.

The cultivation of an outward mindset has helped transform the KCPD's 1910 SWAT division, the Firearms Training Department,

and the department's relationship with the FOP. The department continues to experience positive and profound changes, including improvements in tactical acumen, morale, motivation, productivity, and improved relationships between officers and community members.

*There is a huge difference between the way we used to operate and the way we are now. There is an openness to others and a level of helpfulness that simply didn't exist before.*

*Ward Smith – Firearms Training Supervisor | KCPD*