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THESIS

**REGAINING THE TRUST OF THE AMERICAN
PUBLIC: A LAW ENFORCEMENT INITIATIVE**

by

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December 2017

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**REGAINING THE TRUST OF THE AMERICAN PUBLIC: A LAW
ENFORCEMENT INITIATIVE**

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ABSTRACT

While Americans remain confident in law enforcement, there are profound fractures in the relationship between the police and certain communities across the United States. Law enforcement shootings of unarmed individuals—particularly African Americans—inadequate police response, and the subsequent civil unrest raise disturbing and often volatile concerns for public safety. This thesis asserts that, as an industry, law enforcement is experiencing a nationwide crisis. Although law enforcement has been unable to successfully navigate the dynamics of reputation management during a crisis, companies in the private sector have identified effective frameworks, paradigms, and best practices for successfully regaining—and, more importantly, maintaining—the public’s trust.

Consequently, this paper seeks to determine how law enforcement can apply crisis and reputation management techniques developed by the private sector to effectively regain the trust of the American public. The thesis provides law enforcement executives with an opportunity to learn from the private sector and put the most critical lessons learned in crisis and reputation management into practice.

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EXECUTIVE SUMMARY

While public polls indicate over half of Americans remain confident in law enforcement, there are profound fractures in the relationship between the police and certain communities across the United States.¹ In recent years, law enforcement crises such as police shootings of unarmed individuals, incidents of officer misconduct, and widespread protests and riots have demonstrated that the relationship between the public and law enforcement is becoming increasingly strained. These crises have eroded the public's trust, and have negatively impacted law enforcement's legitimacy and ability to effectively police communities.

This thesis asserts that law enforcement fails to implement effective crisis and reputation management strategies in order to proactively address the complicated and evolving challenge of improving its relationship with the American public. It further contends that, in today's technologically advanced and information-rich environment, a more modern approach to public trust building is necessary. Unfortunately, outside of tactical operations and emergency management, very little academic work has been dedicated to developing innovative and effective crisis and reputation management techniques in law enforcement.

While law enforcement has not been able to fruitfully navigate the dynamics of trust and legitimacy with the public, companies in the private sector have identified effective frameworks, paradigms, and best practices for successfully regaining—and, more importantly, maintaining—the public's trust. This thesis employs case study analysis of private-sector crises as an inquiry that empirically evaluates the contemporary public trust phenomenon within a real-world context. The case studies presented are particularly helpful for exploring research questions involving strategies, as “case study research has the ability to detail the exploratory and explanatory function of research,” and can be the basis of significant evaluative generalizations that can be applied to a

¹ “U.S. Confidence in Police Recovers from Last Year's Low,” Gallup, June 14, 2016, www.gallup.com/poll/192701/confidence-police-recovers-last-year-low.aspx?g_source=confidence%20police&g_medium=search&g_campaign=tiles.

variety of disciplines, including law enforcement.² Therefore, an in-depth analysis of each case identifies an effective strategy employed by the private-sector organization, and probes the accepted model or strategy vis-à-vis law enforcement. The strategies and accompanying case studies evaluated in this thesis are:

1. Crisis communication via social media: BP oil spill,
2. Transparency: Volkswagen diesel scandal,
3. Organizational reform: Mattel toy recall crisis, and
4. Shaping the narrative: Target data breach.

The analysis of each case suggests that the issue of reputation is directly linked to an organization's trustworthiness, perceived legitimacy, effectiveness, and more importantly, success. This assertion can be extrapolated to the law enforcement profession. According to the National Institute of Justice, a police force with a good reputation is not just simple rhetoric; a strong reputation creates a police–community partnership that enhances trust, equality, and public safety.³

The concluding chapter of this thesis suggests that the crisis and reputation management strategies exploited by the private sector can be tailored to serve the needs of law enforcement, and can serve as a starting point for meaningful discourse for law enforcement executives. If the evidence is correct and reputation management, particularly during a crisis, is connected to an organization's perceived trust and legitimacy, law enforcement can employ crisis and reputation management strategies to regain the American public's trust.

Ultimately, this work provides law enforcement executives with an opportunity to learn from the private sector, and put the most critical lessons learned in crisis and reputation management into practice. Through critical and realistic self-assessment, law enforcement executives have the chance to evaluate their strengths and vulnerabilities,

² Robert K. Yin, *Case Study Research*, 5th ed. (London: SAGE, 2014), 7.

³ Bertus R. Ferreira, "The Use and Effectiveness of Community Policing in a Democracy," National Criminal Justice Reference Service, accessed October 20, 2017, www.ncjrs.gov/policing/use139.htm.

develop a new skillset of tactics designed to deliver proper response and effective containment of even the most unyielding crises, and address potential crises long before public anger boils over and erupts into civil disturbance.

During an era when one officer-involved shooting has the capacity to disturb the smooth operations of an agency and permanently damage organizational reputation, law enforcement leaders should be prepared to successfully employ effective crisis and reputation–management strategies aimed at reestablishing public trust. The evidence presented nationwide indicates law enforcement crises have resulted in unprecedented problems that cannot be resolved with traditional strategies. New, innovative, and effectual crisis and reputation strategies, supported by academic rigor, could be the key to law enforcement recovering the trust of the American public.

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This thesis is dedicated to my late sister, Sonia Alvarez, who passed away after a courageous, decade-long battle with cancer. You will forever be in my heart and soul.

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I. INTRODUCTION

While public polls indicate that over half of Americans remain confident in the institution of law enforcement, there are profound fractures in the relationship between the police and certain communities.¹ In recent years, outspoken individuals, groups, and organizations, with the assistance of the media, have demonstrated that the relationship between the public and law enforcement is becoming increasingly negative.² Many cities across the United States are currently experiencing large-scale demonstrations, protests, and in some cases riots over the public's perception of police misconduct and use of force. At the 2016 International Association of Chiefs of Police Conference held in San Diego, California, Federal Bureau of Investigation (FBI) Director James Comey asserted that this is a "uniquely difficult time in American law enforcement."³

The growing disenchantment with, and erosion of the public's trust in, law enforcement is problematic because it directly impacts law enforcement's legitimacy and ability to effectively police communities. A strong relationship built upon mutual trust between law enforcement organizations and the communities they serve is critical to maintaining public safety.⁴ It is therefore imperative that police departments actively address the complicated and evolving challenge of improving their relationship with the American public.

According to a 2015 RAND report, many law enforcement executive managers have attempted to create public trust models and strategies to address the growing chasm

¹ "U.S. Confidence In Police Recovers from Last Year's Low," Gallup, June 14, 2016, www.gallup.com/poll/192701/confidence-police-recovers-last-year-low.aspx?g_source=confidence%20police&g_medium=search&g_campaign=tiles.

² Curtis Skinner, "Wave of Anti-police Protests Strains U.S. Law Enforcement," *Reuters*, July 7, 2016, <http://www.reuters.com/article/us-usa-police-protest-idUSKCN0ZN20Q>.

³ Mike Levine, "FBI Director Rejects Talk of Epidemic of Police Violence against Blacks," ABC News, October 16, 2016, <http://abcnews.go.com/US/fbi-director-comey-rejects-talk-epidemic-police-violence/story?id=42846387>.

⁴ "Importance of Police-Community Relationships and Resources for Further Reading," U.S. Department of Justice, accessed October 26, 2017, <https://www.justice.gov/crs/file/836486/download>.

between their organizations and communities across the nation.⁵ Although most strategies vary in name, objective, and implementation, their concepts all fall within the “community-oriented policing” framework.⁶

Law enforcement agencies’ current practices, however, face limitations. First, not every police department across the nation has taken active measures to improve relationships with the communities they serve. For example, some executive managers argue that since the institution of law enforcement consistently ranks high in public confidence and trust, no major reform is required.⁷ Additionally, the community-oriented policing concept was conceived following the political unrest and widespread protests that plagued the 1960s.⁸ With society’s current technologically advanced and information-rich environment, a more modern approach to public trust-building is necessary.

As noted in the aforementioned RAND report, while some agencies have efficaciously rebuilt community relationships, American law enforcement—as a larger institution—has not successfully repaired its relationship with the communities it serves.⁹ This claim is substantiated by the increase in police protests across the nation, the escalation in assaults on officers, and the upsurge of vandalism on law enforcement buildings and equipment.¹⁰ From 1990–1999, there were eleven major protests across the nation, including the Rodney King–fueled protests in Los Angeles.¹¹ From 2000–2009,

⁵ Brian A. Jackson, *Respect And Legitimacy—A Two-Way Street: Strengthening Trust between Police and the Public in an Era of Increasing Transparency* (Santa Monica, CA: RAND, 2015), <http://www.rand.org/pubs/perspectives/PE154.html>.

⁶ Charlotte Gill et al., “Community-Oriented Policing to Reduce Crime, Disorder and Fear and Increase Satisfaction and Legitimacy among Citizens: A Systematic Review,” *Journal of Experimental Criminology* 10, no. 4 (2014): 399–428, doi:10.1007/s11292-014-9210-y.

⁷ Catherine Gallagher et al., *The Public Image of the Police* (Philadelphia: International Association of Chiefs of Police, 2001), <http://www.iacp.org/The-Public-Image-of-the-Police>.

⁸ Kate Abbey-Lambertz and Joseph Erbenraut, “The Simple Strategies that Could Fundamentally Change How Communities View Their Police,” *Huffington Post*, last modified July 7, 2016, http://www.huffingtonpost.com/2015/02/17/community-policing-police-trust_n_6607766.html.

⁹ Jackson, *Respect and Legitimacy*.

¹⁰ Ashley Fantz and Steve Visser, “Hundreds Arrested in Protests over Shootings by Police,” CNN, last modified August 4, 2016, <http://www.cnn.com/2016/07/10/us/black-lives-matter-protests/>.

¹¹ Wikipedia, s.v. “List of Incidents of Civil Unrest in the United States,” accessed October 20, 2017, https://en.wikipedia.org/wiki/List_of_incidents_of_civil_unrest_in_the_United_States#1990.E2.80.931999.

that figure rose to sixteen incidents of civil unrest.¹² However, between 2010 and the publishing of this thesis, thirty-six incidents of civil unrest have occurred across the nation, 44 percent of which resulted directly from officer-involved use-of-force incidents.¹³ Additionally, in 2001, there were 196 ambush attacks on officers.¹⁴ That figure rose to 206 in 2007, and spiked to 267 in 2012.¹⁵ Consequently, there is little empirical evidence to suggest current strategies are effectively improving the public's trust and perceived legitimacy in law enforcement.

While law enforcement has been unable to fruitfully navigate these dynamics, companies in the private sector have dedicated energy and resources to identify effective frameworks, paradigms, and best practices for successfully regaining, and more importantly maintaining, the public's trust. The result of this effort is a series of reputation and crisis management techniques that have been extensively studied and exploited in the private sector.

This thesis seeks to answer the following research question: Can law enforcement apply crisis and reputation management techniques developed by the private sector to regain the trust of the American public? In answering this question, the thesis identifies and analyzes the best techniques for crisis and reputation management in the private sector through case studies, and adapts components of public trust models that can be tailored to serve the needs of law enforcement agencies.

A. LITERATURE REVIEW

Almost no academic research exists in the study of improving the public's trust in law enforcement vis-à-vis verified reputation and crisis management models. There are, however, a number of reputation and crisis management techniques for regaining the public's trust researched and developed by the private sector. This literature review,

¹² Wikipedia, s.v. "List of Incidents of Civil Unrest in the United States."

¹³ Ibid.

¹⁴ International Association of Chiefs of Police (IACP), Community Oriented Policing Services, and CAN Analysis & solutions, *Ambush Fact Sheet* (Washington, DC: IACP, 2013), http://www.theiacp.org/Portals/0/documents/pdfs/Ambush_Project/IACP_Ambush_Fact_Sheet.pdf.

¹⁵ Ibid.

therefore, synthesizes some of the most relevant research and successful frameworks employed by the private sector to improve the trust and legitimacy of a company with the public, consumers, and their stakeholders.

According to the literature, the volume of research on reputation management is developing and expanding in parallel to that of crisis management.¹⁶ The two disciplines are very much interrelated, and this thesis recognizes them as inherently associated with one another. The literature review is divided into three sections for analysis: crisis communication, transparency, and organizational reform. Within each section is an examination of the major schools of thought or strategies germane to reputation and crisis management.

1. Crisis Communication

Effective crisis communication is absolutely essential to any good crisis response strategy. There are three crisis communication stratagems an organization can employ, depending on the stage of the crisis: instructing information, adjusting information, and internalizing information.¹⁷ According to Coombs, these strategies will either 1) explain how a crisis will or might affect stakeholders, 2) update stakeholders and explain actions that the organization is taking to prevent similar recurrence, or 3) help an organization manage its reputation through the crisis.¹⁸ Nearly all of the literature reviewed suggests that an organization must match an appropriate crisis communication strategy to the specific crisis at hand in order to manage the organization's reputation.

This thesis also explores crisis communication using the Internet and social media as a platform for communication. Social media can either offer a unique opportunity for an organization in its efforts to manage a crisis, or can create substantial challenges. Regardless of the industry, social media is a highly effective platform that has the ability

¹⁶ Conor Carroll, "Defying a Reputational Crisis—Cadbury's Salmonella Scare: Why Are Customers Willing to Forgive And Forget?," *Corporate Reputation Review* 12, no. 1 (2009): 64–82, doi:10.1057/crr.2008.34.

¹⁷ Lan Ye and Eyun-Jung Ki, "Organizational Crisis Communication on Facebook: A Study of BP's Deepwater Horizon Oil Spill," *Corporate Communications: An International Journal* 22, no. 1 (2017): 80–92, doi:10.1108/ccij-07-2015-0045.

¹⁸ W. Timothy Coombs, *Ongoing Crisis Communication*, 1st ed. (Los Angeles: SAGE, 2015).

to stimulate a crisis, help it develop traction, and cause it to become a widely viewed, newsworthy incident. According to Gonzalez-Herrero and Smith, “The internet has revolutionized crisis communications management.”¹⁹ As suggested by Jordan, Upright, and Tice-Owens, in order for organizational leaders to successfully manage a crisis, they must expand active social media platforms and become actively involved during the pre-crisis, crisis, and post-crisis stages.²⁰

An effective and dominant model presented in the literature is called Situational Crisis Communication Theory.²¹ The theory presents a two-step guide to help an organization select the best communication strategy during the pre-crisis, crisis, and post-crisis stages. Step one involves identifying within which of the three “crisis clusters” a crisis falls: the “victim cluster, accidental cluster, or preventable cluster.”²² Victim cluster crises are those that are not normally attributed to, or the responsibility of, the organization, such as natural disasters, inaccurate rumors, and unforeseen workplace violence.²³ Accidental cluster crises are those for which the organization has low to mid-level responsibility, such as technical errors and minor accidents.²⁴ Finally, “the preventable cluster includes human error that results in harm or accidents,” violation of policy or law, “or actions that place people at risk.”²⁵ Step two requires leadership to actively examine the organization’s established reputation to determine which communication strategy should be employed, ranging from an accommodative strategy (in the form of a public apology) to a defensive strategy (in the form of denial or excuses).²⁶

¹⁹ Alfonso Gonzalez-Herrero and Suzanne Smith, “Crisis Communications Management 2.0: Organizational Principles to Manage Crisis in an Online World,” *Organization Development Journal* 28, no. 1 (2010): 97.

²⁰ Tricia Ann Jordan, Paula Upright, and Kristeen Tice-Owens, “Crisis Management in Nonprofit Organizations: A Case Study of Crisis Communication and Planning,” *Journal of Nonprofit Education and Leadership* 6, no. 2 (2016), doi:10.18666/jnel-2016-v6-i2-6996.

²¹ Coombs, *Ongoing Crisis Communication*.

²² *Ibid.*, 157.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

2. Transparency

Unlike for crisis communication, there are no established models or paradigms for transparency. However, nearly all of the reviewed literature suggests that with the increasing call for transparency, corporate leaders need to start accepting the concept, on some level, as an essential component for success and relationship-building. Consequently, this literature review analyzes the academic study of transparency, as well as ideas from varying authors and their expressed levels of transparency in the private sector.

Although transparency has been touted as the key to organization–stakeholder and organization–public relationships, there has been little consensus on the term’s true definition. It is often difficult for organizations to conceptualize and understand the construct of transparency, and how it supports organizational trustworthiness. For the purpose of this thesis, transparency is defined as “the perceived quality of intentionally shared information from a sender.”²⁷ Although seemingly oversimplified, this definition highlights knowledge-sharing as a critical element, suggesting that information exchange between two parties increases awareness, coherence, and comprehensibility. Using this definition, organizations can deduce that transparency—which relies on the concept that organizations must be open and accountable to the public—is an antecedent to public trust.

Researchers have constantly guarded the concept of transparency as the key to “creating, maintaining, or repairing trust, either explicitly or implicitly.”²⁸ This concept, however appealing it sounds, is without value unless it is fairly and forcefully implemented in a timely and appropriate manner. Consequently, in order to achieve desired goals and objectives during a crisis, leadership must develop a concise framework

²⁷ Andrew K. Schnackenberg and Edward C. Tomlinson, “Organizational Transparency: A New Perspective on Managing Trust in Organization-Stakeholder Relationships,” *Journal Of Management* 42, no. 7 (2014): 1788, doi:10.1177/0149206314525202.

²⁸ *Ibid*, 1784.

consisting of specific activities with the understanding that sustainability during the crisis is heavily dependent on societal and social influences.²⁹

Montgomery and Tollett have developed a “six-step transparency model designed to assist companies with corporate transparency.”³⁰ Their report, which was generated by the Global Environmental Management Initiative, is a well-rounded, in-depth review of transparency-related opportunities and risks, supported by case studies, that companies can review with their own organizations in mind to develop and implement tailored transparency strategies. This study is the most academically sound study reviewed in the literature, and focuses on pre-crisis trust-building. The authors stress the need for a company to institutionalize transparency in their corporate culture, and highlight the causes and effects of transparency in relation to pre-crisis and post-crisis environments.

However, not all reviewed sources exploit or endorse transparency. *Harvard Business Review*'s case study of Apple shows how the company, one of the most successful companies in modern history, contradicts the “success through openness” theory. According to the study's authors, Steve Jobs, who arguably belongs in the pantheon of America's greatest innovators and chief executive officers (CEOs), embraced secrecy and purposely withheld information from his consumers and even his employees.³¹ A limitation to the applicability of this study is that the public does not normally accept secrecy in the name of innovation.

On the other side of the transparency spectrum is an innovative form of transparency called “radical openness.” According to Williams and Tapscott, the smartest and most successful organizations are those that shun secretive practices and embrace transparency as a means to speed up a company's metabolism.³² The authors, whose claims appear to be just as polarizing as those in the Apple study, assert that proactively

²⁹ Leslie Montgomery and Robin Tollett, *Transparency: A Path to Public Trust* (Washington, DC: Global Environmental Management Initiative, 2004).

³⁰ *Ibid.*, iii.

³¹ Cameron Craig, “What I Learned From 10 Years of Doing PR For Apple,” *Harvard Business Review*, July 27, 2016.

³² Anthony D. Williams and Don Tapscott, *Radical Openness: Four Unexpected Principles for Success*, 28th ed. (New York: TED Conferences, 2013).

assessing the information needs of a company's consumers and willingly disclosing information essential to building and maintaining public trust are keystones of today's most successful organizations.³³

3. Organizational Reform

Most economists and strategists who study the private sector agree that there is nothing permanent except change.³⁴ At its core, organizational reform can be defined as “modifying or altering existing occupational practices and strategies that affect the whole organization.”³⁵ The studies on organizational change and reform indicate that there are varying levels of change a corporation can successfully achieve. The studies disagree, however, on the suggested model for organizational reform. Bart Tkaczyk, the author of *A Playbook for Positive Organizational Change: Energize, Redesign, and Gel*, examines and promotes a modern, three-step model for organizational change.³⁶ Tkaczyk provides a clear and effective framework that can be generalized as dynamic and continuous, which is particularly beneficial in a hyperactive corporate environment. A limitation of this theoretical perspective is that the framework and its inherent components never stop changing and moving. This makes this model nearly impossible for large organizations to implement.

A competing change model in the literature is the traditional model, which focuses on a three-step framework of “freeze, rebalance, and unfreeze.”³⁷ This model is widely accepted as the most influential one, and has “dominated the theory and practice of organizational change management” since 2000.³⁸ Although this model presents a strong theoretical approach to change, it also comes with inherent limitations. For

³³ Williams and Tapscott, *Radical Openness*, 73.

³⁴ Andy Rockwood, “There Is Nothing Permanent Except Change,” Rock Solid Business Development, accessed October 20, 2017, <http://rocksolidbizdevelopment.com/ourblog/there-is-nothing-permanent-except-change/>.

³⁵ Patrick Dawson, *Understanding Organizational Change*, 1st ed. (London: SAGE, 2003), 16.

³⁶ Bart Tkaczyk, “A Playbook for Positive Organizational Change: Energize, Redesign, and Gel,” *Strategic* 24, no. 6 (2015): 527–540, doi:10.1002/jsc.2041.

³⁷ *Ibid.*, 530.

³⁸ *Ibid.*

example, in reality, one “cannot completely freeze time to subsequently take part in sense-making.”³⁹ Therefore it is often difficult to assess which change strategies are effective and which are ineffective because “the present and the future never cease to materialize.”⁴⁰

Other studies focus on two related, but fundamentally different, forms of organizational reform: radical and incremental. Radical changes are large-scale, abrupt, and fairly comprehensive.⁴¹ The type of organization reform that addresses radical changes is one that corporations employ to deal with extremely unpredictable and uncertain environments. The study of Harley-Davidson President and Chief Operating Officer Rich Teerlink documents a radical change philosophy that turned around a company on the brink of collapse.⁴² In contrast, incremental change requires a reform philosophy that an organization can adopt in a gradual, calculated, and stable manner.⁴³ Researchers describe this type of organizational reform as advanced since it takes an already highly functioning company and implements continuous process improvements and fine-tuning of initiatives.⁴⁴ Both forms of organizational change are intuitive, but neither appears to be supported by any research with empirical data.

The literature reviewed suggests that trust and perceived legitimacy form the fundamental foundation for any successful corporation. In many ways, a company’s economic downturn is, at its core, a crisis of trust. One of many lessons from the literature is that, in a highly competitive market where capitalism has engendered crisis for a company’s bottom line, the issue of public trust has never been so significant. Academics have extensively studied reputation and crisis management strategies in the private sector so that corporations can critically understand how trust is built, maintained,

³⁹ Tkaczyk, “A Playbook for Positive Organizational Change,” 530.

⁴⁰ Ibid.

⁴¹ Lihua Zhang, Xiaoyu Huang, and Cailing Feng, “A Multilevel Study of Transformational Leadership, Dual Organizational Change and Innovative Behavior in Groups,” *Journal of Organizational Change Management* 29, no. 6 (2016): 855–877, doi:10.1108/jocm-01-2016-0005.

⁴² Rich Teerlink and Lee Oxley, *More than a Motorcycle: The Leadership Journey at Harley-Davidson*, 1st ed. (Boston: Harvard Business School Press, 2000).

⁴³ Zhang, Huang, and Feng, “Transformational Leadership.”

⁴⁴ Ibid.

and recovered following a crisis. Building a corporation's reputation for trustworthiness does not consequentially happen, and studies have proven that this requires a considerable amount of effort.

B. RESEARCH DESIGN

This thesis focuses on identifying the best techniques for reputation and crisis management through case studies of the private sector's best practices. Case study analysis is "an empirical inquiry that investigates a contemporary phenomenon (the case) in depth and within its real-world context, especially when the boundaries between the phenomenon and context may not be clearly evident."⁴⁵ Case studies are particularly helpful for exploring research questions involving strategies because they allow the researcher to trace strategic processes and measure their effectiveness. Further, this thesis employs case study analysis because "case study research has the ability to detail the exploratory and explanatory function of research," and can be the basis of significant evaluative generalizations that can be applied to a variety of disciplines.⁴⁶

According to Jonathan Crane, presenting different and varying effective strategies requires an analysis of multiple, single cases separately.⁴⁷ As Crane does in his book, this thesis introduces an effective reputation and crisis management strategy through a separate case study, which is presented in its own chapter. These cases have in common strong evidence for their effectiveness, but vary in their strategies. This approach allows the researcher to draw cross-case generalizable conclusions and present a cross-program analysis in the final chapter.

The case studies selected for this thesis have not been selected at random; they are based on the "typical cross-case" method for case selection and analysis.⁴⁸ As opposed to the deviant, extreme, or diverse models, the typical cross-case study method "focuses on a case, or cases, that represent stable, cross-case examples of an existing model or

⁴⁵ Robert K. Yin, *Case Study Research*, 5th ed. (London: SAGE, 2014), 16.

⁴⁶ *Ibid.*, 7.

⁴⁷ Jonathan Crane, *Social Programs That Work*, 1st ed. (New York: Russell Sage Foundation, 1998).

⁴⁸ Jason Seawright and John Gerring, "Case Selection Techniques in Case Study Research," *Political Research Quarterly* 61, no. 2 (2008): 299, doi:10.1177/1065912907313077.

accepted conclusion that can be representative of a population of cases.”⁴⁹ This model is often used in an exploratory manner, such as in this thesis, for which the goal “is to probe the mechanisms that may either confirm or disconfirm a given theory.”⁵⁰ Therefore, case studies selected for this thesis represent an existing theory in reputation and crisis management, and the research explores whether they could, or should, be applied to law enforcement through a holistic, cross-case relationship.

Each of the four following strategies have been deemed, through case studies, as effective in managing a crisis and subsequently re-branding an organization’s post-crisis reputation. The research design for this thesis involves providing an in-depth analysis of each case presented, identifying the effective strategy employed by the private-sector organization, and probing the accepted model or strategy vis-à-vis law enforcement. Through this cross-case methodology, law enforcement agencies may develop effective crisis and reputation management strategies. The strategies and accompanying case studies evaluated in this thesis are:

1. Crisis communication via social media: BP oil spill
2. Transparency: Volkswagen diesel scandal
3. Organizational reform: Mattel toy recall crisis
4. Shaping the narrative: Target data breach

It should be noted that, regardless of the academically robust research design, there are limitations to this approach, and the applied conclusions and recommendations of this thesis may not significantly repair the currently strained relationship between law enforcement and the American public for a variety of reasons. First, reputation and crisis management techniques relevant to the private sector may not translate to law enforcement at all. For example, the private sector measures the success of an organization’s brand post crisis through increased profits; law enforcement, however, cannot use profits as a trust barometer. And although many progressive law enforcement

⁴⁹ Seawright and Gerring, “Case Selection Techniques,” 299.

⁵⁰ Ibid, 297.

agencies want to know how they are doing from the citizens' perspectives, very few actually make consistent efforts to solicit reliable feedback from citizens about perceptions of police performance following a crisis.

Second, even if the reputation and crisis management strategies analyzed in this thesis can be tailored for law enforcement, there is no guarantee that a successful and measurable trust paradigm can be developed for law enforcement. Because every city, jurisdiction, and population is different, there is no one single model that can be evenly applied across the nation.

Finally, many law enforcement executives resist change on an organizational level. Entrenched in culture and tradition, these agencies limp along from year to year, unable to accept reform as a way to turn a mediocre department into a professional and responsive police organization.

Regardless of these impediments and limitations, the aim of this thesis was to explore case studies to determine whether reputation and crisis management techniques relevant to the private sector can assist law enforcement in successfully regaining the trust of the American public.

II. AUTONOMY OF CRISIS AND REPUTATION MANAGEMENT

The amount of research, and subsequent literature, on reputation management is growing in parallel to crisis management research.⁵¹ In fact, the disciplines of reputation management and crisis management are very much interconnected. According to corporate reputation management experts Laura Tucker and T.C. Melewar, “One of the most important functions of crisis management is reputation management”; this thesis focuses on the interaction between these two disciplines.⁵²

In its simplest form, the definition of organizational reputation is “the extent in which an organization is held in high esteem or regard.”⁵³ Organizational reputation, on a fundamental level, is “the perception that stakeholders have of the organization, and the way in which it is perceived as ‘good’ and ‘bad.’”⁵⁴ The simplicity of this definition can be useful in that there is little potential for misunderstanding or misinterpretation. Further, this definition of reputation is most relevant and important, and even pivotal, during a time of crisis. Because the two concepts have become inherently linked to one another, the definition of reputation could be used to develop an adequate definition for crisis.⁵⁵

In the private sector, the definition of crisis has undergone countless revisions and modernizations, and much debate. However, this thesis utilizes the following definition of a crisis: “a damaging event, or series of events, with emergent properties that extend an organization’s ability to cope with the task demands that it generates, and has considerable implications for the organization and its stakeholders, in that damage can be

⁵¹ Carroll, “Defying A Reputational Crisis.”

⁵² Laura Tucker and T.C. Melewar, “Corporate Reputation and Crisis Management: The Threat and Manageability of Anti-corporatism,” *Corporate Reputation Review* 7, no. 4 (2005): 378, doi:10.1057/palgrave.crr.1540233.

⁵³ Ibid, 378.

⁵⁴ Ibid.

⁵⁵ Ibid, 379.

physical, financial, or reputational in scope.”⁵⁶ Moreover, crises are an inevitable and integral part of any organization’s maturity process. “By their very nature, crises are highly complex and contextualized events, which occur due to a [very] unique set of variables interacting with each other,” and have the capacity to seriously jeopardize the survival of an organization.⁵⁷

Reputation management and crisis management are not mutually exclusive. Reputation managers, or those who care about the organization’s reputation, must fully understand and appreciate the concepts of crises and crisis management. Even small system failures can lead to catastrophic consequences for an organization’s reputation. Moreover, organization reputation “is both a factor and consequence of crisis management”; successful crisis management could lead to an improved reputation, while ineffectual crisis management could lead to a damaged reputation.⁵⁸ Therefore, in order to truly effectively a crisis, reputation-minded managers must recognize and fully understand the anatomy of the crisis.

Although every crisis is different and requires a unique response, crisis management expert John R. Darling claims, “Any given crisis can consist of four different and distinct phases:

1. Preliminary crisis [or pre-crisis] stage;
2. Acute crisis stage;
3. Chronic crisis stage;
4. Crisis resolution [or post-crisis] stage.”⁵⁹

⁵⁶ Carroll, “Defying A Reputational Crisis,” 65.

⁵⁷ Ibid.

⁵⁸ Tucker, “Corporate Reputation and Crisis Management,” 382.

⁵⁹ John P. McCray, Juan J. Gonzalez, and John R. Darling, “Crisis Management in Smart Phones: The Case of Nokia Vs Apple,” *European Business Review* 23, no. 3 (2011): 248, doi:10.1108/09555341111130236.

Although these phases are normally present in all crises, the longevity and intensity of each stage are highly irregular.⁶⁰ The operative challenge in crisis management is recognizing the markers for each phase, and proactively intervening in an appropriate manner.

The following sections describe each phase, using a real-world example for illustration and clarification. The example depicted in this chapter is the shooting of Michael Brown by a police officer in Ferguson, Missouri, on August 9, 2014. Since the shooting, this case has been thoroughly analyzed by industry experts and academics, and the crisis can now be evaluated using the four-stage crisis model.

A. PRELIMINARY CRISIS (PRE-CRISIS) STAGE

In some cases, the preliminary, or pre-crisis, stage is often “oblique and hard to recognize.”⁶¹ At other times, this stage of the crisis is evident, though its timing is inappropriate for action. In either case, “the preliminary crisis stage is the ‘warning phase,’ which may be extremely short and protracted.”⁶² The reason this stage is so important is because it provides an opportunity to proactively address the crisis before it becomes acute. Identifying the warnings of a potential crisis early allows the organization to manage the problem “before it erupts and causes [increased] complications.”⁶³ Because of this, “the ideal crisis management paradigm” would facilitate managing, and even mitigating, any potential crisis during this phase.⁶⁴ Unfortunately, most crisis management research indicates there are direct and indirect warnings and markers that are either left undetected, handled inadequately, or simply ignored altogether during this stage.⁶⁵

⁶⁰ John R. Darling, “Crisis Management in International Business,” *Leadership & Organization Development Journal* 15, no. 8 (1994): 3–8, doi:10.1108/01437739410073047.

⁶¹ McCray, Gonzalez, and Darling, “Crisis Management in Smart Phones,” 249.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Hooshang Kuklan, “Managing Crises: Challenges and Complexities,” *SAM Advanced Management Journal* 51, no. 4 (1986): 39–44.

The pre-crisis stage was evident in the Ferguson case long before the shooting of Michael Brown occurred. However, as noted previously, most analysts point out that the city of Ferguson and the Ferguson Police Department ignored many of the social and historical warning indicators that led to the crisis.⁶⁶ Although most citizens in St. Louis County are white, the city of Ferguson, in addition to its neighboring cities, comprises a predominantly black population.⁶⁷ The demographic composition shifted in the early 2000s as most of the white population relocated to nearby suburbs, leaving a highly segregated, economically repressed community, with one in four residents living below the poverty line.⁶⁸

This nearly all-black community was policed by a nearly all-white police department. Of the fifty-three commissioned police officers, only four officers were black at the time of the incident.⁶⁹ Race relations between the police and community are even more pronounced when considering African Americans accounted for 86 percent of all Ferguson Police Department traffic stops, and 92 percent of all arrests.⁷⁰ A U.S. Department of Justice report on the Ferguson Police Department and its practices indicates racial tension and disparity existed in Ferguson for decades prior to the incident.⁷¹ The Department of Justice report did not simply identify evidence of unintentional racist practices; on the contrary, the report found “discriminatory intent” in Ferguson’s police department.⁷² The U.S. government accused the police department of focusing on revenue over public safety needs, and generating a culture of racial bias and

⁶⁶ Nathan Palmer, “Bringing Ferguson into Context,” *Sociology In Focus*, August 25, 2014, <http://sociologyinfocus.com/2014/08/bringing-ferguson-into-context/>.

⁶⁷ Larry Buchanan et al., “What Happened In Ferguson?,” *New York Times*, last modified August 10, 2015, <https://www.nytimes.com/interactive/2014/08/13/us/ferguson-missouri-town-under-siege-after-police-shooting.html>.

⁶⁸ Palmer, “Bringing Ferguson Into Context.”

⁶⁹ Buchanan et al., “What Happened In Ferguson.”

⁷⁰ Palmer, “Bringing Ferguson into Context.”

⁷¹ Ta-Nehisi Coates, “The Residents of Ferguson Do Not Have a Police Problem. They Have a Gang Problem,” *Atlantic*, March 5, 2015, <https://www.theatlantic.com/politics/archive/2015/03/The-Gangsters-Of-Ferguson/386893/>.

⁷² U.S. Department of Justice, *Investigation of the Ferguson Police Department* (Washington, DC: U.S. Department of Justice, 2015), https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.

stereotyping that led to unconstitutional policing practices and techniques.⁷³ The report also obtained data from the Ferguson Police Department that established clear racial disparities, “resulting in actions that have sown deep mistrust between parts of the community and the police department.”⁷⁴

The Department of Justice report highlights that pre-crisis warnings had manifested for years; however, as discussed in the description of the pre-crisis phase, the city of Ferguson and its police department did nothing to proactively manage or address the pending crisis.

B. ACUTE CRISIS STAGE

The beginning of the acute crisis stage marks “the point of no return” with respect to crisis management.⁷⁵ The acute crisis stage is delineated by an identifiable incident or occurrence with “a great deal of potential negative impact.”⁷⁶ One of the most challenging aspects of the acute crisis stage is the “avalanche-like speed and intensity” the crisis unfolds.⁷⁷ Although this stage is often the shortest of the four, it is the stage most organizations feel is the longest due to its magnitude and momentum. The key to the acute crisis stage is “to [proactively] control and manage the crisis,” with the goal of dissipating negative consequences.⁷⁸ If the acute crisis cannot be completely controlled, the organization should, at the very least, “attempt to exert some level of influence over where, how, and when the crisis erupts further.”⁷⁹ Most interesting, if an organization heeds the warnings identified in the preliminary crisis stage, and proactively prepares for the acute crisis stage, there is a strong possibility for the organization to rapidly transition from “the acute crisis stage directly to the crisis resolution, [or post-crisis,] stage.”⁸⁰

⁷³ Department of Justice, *Investigation of the Ferguson Police Department*.

⁷⁴ *Ibid.*

⁷⁵ McCray, Gonzalez, and Darling, “Crisis Management in Smart Phones,” 250.

⁷⁶ *Ibid.*

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*, 251.

However, if the organization does not make plans to adequately handle the acute crisis stage, it enters arguably the most difficult of the crisis stages: the chronic crisis stage.

In the Ferguson case, the acute crisis stage struck at approximately 12:00 p.m. on August 9, 2014, when Officer Darren Wilson of the Ferguson Police Department shot and killed Michael Brown, an unarmed 18-year-old.⁸¹ This incident unleashed years of repressed aggression from the community, culminating in violent protests that ultimately led Missouri Governor Jay Nixon to declare a state of emergency.⁸² As predicted in the definition of this stage, the Ferguson Police Department was ill-equipped to handle the crisis. Combined with the department's failure to heed pre-crisis warnings, the negative consequences associated with this incident snowballed with avalanche-like speed. Since the organization could not manage or resolve the acute crisis stage, it moved into the chronic crisis stage almost immediately following the shooting.

C. CHRONIC CRISIS STAGE

"In the chronic crisis stage, the crisis may come under some degree of control, but may be long in duration and require a significant amount of resources."⁸³ Additionally, the adverse effects of the crisis clearly still remain, along with the negative consequences for the organization's reputation. This stage also marks the beginning of "recovery, self-analysis, self-doubt, and healing."⁸⁴ Most organizations that do not have a crisis management plan in place spend a tremendous amount of time in the chronic crisis stage for any given crisis. If an organization cannot regain control during the chronic stage, it will remain in this stage for an indeterminate amount of time. As the chronic crisis stage comes to an end, an organization should prepare to move into the resolution, or post-crisis stage.

⁸¹ U.S. Department of Justice, *Department of Justice Report Regarding the Criminal Investigation into the Shooting Death of Michael Brown by Ferguson, Missouri Police Officer Darren Wilson* (Washington, DC: U.S. Department of Justice, 2015), https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/doj_report_on_shooting_of_michael_brown_1.pdf.

⁸² Max Ehrenfreund, "What We Know about What Happened In Ferguson," *Washington Post*, November 25, 2014, <https://www.washingtonpost.com/news/wonk/wp/2014/11/25/get-completely-caught-up-on-whats-happened-in-ferguson/>.

⁸³ McCray, Gonzalez, and Darling, "Crisis Management in Smart Phones," 251.

⁸⁴ *Ibid.*, 252.

The chronic crisis stage in the Ferguson case is marked by widespread protests in the city of Ferguson.⁸⁵ It should be noted this incident also served as a flashpoint for protests across the nation; for the purposes of this analysis, however, the focus remains on Ferguson, Missouri. Protests in the city of Ferguson continued during the weeks following the shooting, as well as following the announcement that the grand jury declined to charge Officer Wilson with murder.⁸⁶ Since the Ferguson Police Department clearly did not have a crisis plan in place, the department remained trapped in the chronic crisis stage for months following the shooting before finally moving into the crisis resolution stage.

D. CRISIS RESOLUTION (POST-CRISIS) STAGE

The crisis resolution stage is an evaluative phase during which the organization's goal is to determine if the crisis can be transformed into an opportunity.⁸⁷ Truly strong and capable organizations are able to adapt and facilitate future growth and development. "The term transformational is used in this context to signify crisis, when viewed and managed as opportunities, can often provide a basis for creative change and development in the life of an organization."⁸⁸ The goal of this stage, therefore, is for an organization to use the crisis to create positive organizational changes that will improve its reputation.

The Ferguson Police Department is currently in the post-crisis stage, and will most likely remain there for years to come. With a number of governmental and non-governmental agencies evaluating its policing practices and techniques, the department was forced to identify ways to transform and develop into a more sophisticated, legitimate law enforcement agency. Unfortunately, this phase has proven difficult; although the crisis occurred in 2014, the Ferguson Police Department still struggles to

⁸⁵ "Ferguson Unrest: From Shooting to Nationwide Protests," BBC News, August 10, 2015, <http://www.bbc.com/news/world-us-canada-30193354>.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ M.J. Keeffe, "Transformational Crisis Management in Organization Development: The Case of Talent Loss at Microsoft," *Human Resource Management International Digest* 17, no. 3 (2009): 44, doi:10.1108/hrmid.2009.04417cad.010.

recruit and retain qualified individuals willing to fill double-digit vacancies.⁸⁹ Financial constraints related to the shooting and death of Michael Brown caused the city to reduce the amount of money it allocates to the police department, including decreased starting salaries for new officers.⁹⁰ Although the goal of the post-crisis stage is to create positive changes stemming from lessons learned during a crisis, it is unknown whether the Ferguson Police Department will be able to adapt and grow in a meaningful way that will result in an improved organizational reputation.

Much like the Ferguson case, crises are an unavoidable part of any organization's life. According to Hooshang Kuklan, "No firm, regardless of its size, nature of operations, or type of industry, is immune to crisis."⁹¹ Additionally, as insisted by crisis expert Steven Fink, "If you are not now in a crisis, you are instead in a pre-crisis situation and should make immediate preparations for the crisis that looms on the horizon."⁹² No two crises are alike; some are minor, some are major. Some crises take a long time to surface, while others seem to explode in front of an organization. Some crises can be life threatening to the organization, while others do not necessarily mean failure and catastrophe. The only element consistent among crises is that they are a pivotal moment for the reputation of an organization. Therefore, it is crucial for any organization to be prepared to manage, endure, and learn from a crisis that will inevitably surface.

⁸⁹ Jim Salter, "Ferguson Police Can't Hire Enough Officers Two Years after Michael Brown's Shooting Death," *Business Insider*, September 1, 2016, <http://www.businessinsider.com/ap-filling-police-vacancies-is-latest-struggle-for-ferguson-2016-9>.

⁹⁰ Ibid.

⁹¹ Kuklan, "Managing Crises," 41.

⁹² Steven Fink, "Coping with Crises," *Nation's Business* 72, no. 8 (1984): 52.

III. CRISIS COMMUNICATION VIA SOCIAL MEDIA

According to leading reputation management expert W. Timothy Coombs, understanding the role of communication during a crisis is essential to protecting an organization's reputation.⁹³ Acknowledging that "a crisis is an inherent threat to an organization's reputation," and reputation is the single most valuable intangible asset a company owns, effective crisis communication is a widely researched and employed reputation management strategy.⁹⁴ However, against the backdrop of improved information technology, the concept of crisis communication has dramatically changed. Communication through social media and similar online services is at the top of the agenda for many scholarly and innovative crisis communication experts.⁹⁵ In fact, as society harnesses and exploits the power of social media, organizations "are at a distinct strategic disadvantage" when they fail to employ communication platforms such as Facebook, Twitter, or YouTube.⁹⁶

Unfortunately, many law enforcement agencies find themselves in the crosshairs of this distinct strategic disadvantage. Although many law enforcement executives agree that social media can lead to increased legitimacy, improved community communication, and more effective community policing, intertwining law enforcement and social media in a meaningful manner is still not a widely accepted practice.⁹⁷ Even fewer police departments have actively leveraged social media as an avenue for crisis communication, resulting in an industry that has yet to capitalize on social media as a means to create new

⁹³ W. Timothy Coombs, "Protecting Organization Reputations during a Crisis: The Development and Application of Situational Crisis Communication Theory," *Corporate Reputation Review* 10, no. 3 (2007): 163–176, doi:10.1057/palgrave.crr.1550049.

⁹⁴ *Ibid.*, 163.

⁹⁵ Alton Y.K. Chua and Snehasish Banerjee, "Customer Knowledge Management via Social Media: The Case of Starbucks," *Journal of Knowledge Management* 17, no. 2 (2013): 237–249, doi:10.1108/13673271311315196.

⁹⁶ *Ibid.*, 238.

⁹⁷ Mikes Biles, "Thinking outside the Box: Police Use of Social Media to Catch Criminals," *Policeone*, February 13, 2017, <https://www.policeone.com/police-products/investigation/Investigative-Software/articles/290047006-Thinking-outside-the-box-Police-use-of-social-media-to-catch-criminals/>.

possibilities for interpersonal, participatory, and interactive communications.⁹⁸ With this in mind, this chapter presents and analyzes a case study in which communication on social media proved to be an effective crisis and reputation management strategy.

A. INTRODUCTION TO THE CASE

British Petroleum (BP) was originally founded in 1909 under the company name Anglo-Persian Oil Company, Ltd., and “became one of the world’s largest oil companies” after merging with the U.S. company Amoco Corporation in 1998.⁹⁹ The oil rig Deepwater Horizon was owned by an offshore oil drilling company called Transocean, and leased by BP.¹⁰⁰ On April 20, 2010, the Deepwater Horizon oil rig suffered a catastrophic explosion off the Gulf of Mexico, resulting “in the loss of 11 lives and the largest marine oil spill in the history of the United States.”¹⁰¹ During the eighty-four days following the explosion, an immense amount of Louisiana sweet crude oil, methane, and other gases were released from 1,480 meters below the ocean’s surface.¹⁰² The U.S. government estimated that nearly 5 million barrels of oil flooded the Gulf of Mexico.¹⁰³ It took scientists and experts nearly three months—until July 15, 2010—to cap the oil well.¹⁰⁴ The public largely blamed BP for the crisis and, following an investigation, the company was widely criticized for its cost-cutting decisions leading up to the explosion.

⁹⁸ Thomas Heverin and Lisl Zach, “Twitter For City Police Department Information Sharing,” *Proceedings of the American Society for Information Science and Technology* 47, no. 1 (2010): 1–7, doi:10.1002/meet.14504701277.

⁹⁹ *Encyclopedia Britannica*, s.v. “BP PLC: History & Facts,” accessed October 20, 2017, <https://www.britannica.com/topic/BP-PLC>.

¹⁰⁰ Richard Pallardy, “Deepwater Horizon Oil Spill Of 2010,” *Encyclopedia Britannica*, accessed October 20, 2017, <https://www.britannica.com/event/Deepwater-Horizon-oil-spill-of-2010>.

¹⁰¹ Raffaella Abbriano et al., “Deepwater Horizon Oil Spill: A Review of the Planktonic Response,” *Oceanography* 24, no. 3 (2011): 295, doi:10.5670/oceanog.2011.80.

¹⁰² *Ibid.*

¹⁰³ *Encyclopedia Britannica*, “BP PLC.”

¹⁰⁴ Yonggang Liu et al., “Tracking the Deepwater Horizon Oil Spill: A Modeling Perspective,” *Eos, Transactions American Geophysical Union* 92, no. 6 (2011): 45, doi:10.1029/2011eo060001.

B. PROBLEMS FACED FOLLOWING THE CRISIS

For the ten years prior to the explosion, BP's corporate brand position emphasized the company's focus on environmental concerns, good corporate citizenship, and "green" credentials.¹⁰⁵ For over a decade, BP had solidified a corporate reputation that communicated a friendly, unobtrusive, and demonstrably non-corporate American (despite the company's true name) character. However, after the explosion of the Deepwater Horizon platform, BP's strong reputation and position as one of the globe's most responsible and successful oil companies was jeopardized. BP's financial viability also came under threat; BP ultimately paid "\$4.5 billion in fines and penalties to the government, and pled guilty to 14 criminal charges."¹⁰⁶ In 2015, following a civil trial, BP agreed to pay \$20 billion to companies and individuals affected by the spill.¹⁰⁷

C. REPUTATION AND CRISIS STRATEGY

BP's executive management recognized they were experiencing a slow-moving, long-term crisis that threatened the company's reputation. BP executives, along with many public relations experts, soon realized BP's traditional crisis communication efforts such as official statements, press releases, and morning show appearances were not as effective as they once were.¹⁰⁸ In response to this realization, BP integrated a social media component into its crisis communication campaign that included Facebook, Twitter, and YouTube.¹⁰⁹

BP used social media to establish two-way, participatory communication with the public, augmented by photos, videos, and maps that tracked the spill and cleanup efforts.¹¹⁰ The company, in coalition with other entities involved in the cleanup process,

¹⁰⁵ John M T Balmer, "The BP Deepwater Horizon D eb acle and Corporate Brand Exuberance," *Journal of Brand Management* 18, no. 2 (2010): 97-104, doi:10.1057/bm.2010.33.

¹⁰⁶ *Encyclopedia Britannica*, "BP PLC."

¹⁰⁷ *Ibid.*

¹⁰⁸ Christopher Beam, "What P.R. Experts Think of BP's Response to the Oil Spill," *Slate*, May 5, 2010, http://www.slate.com/articles/news_and_politics/politics/2010/05/oil_slick.html.

¹⁰⁹ Robin Wauters, "When Social Media Becomes the Message: The Gulf Oil Spill and @Bpglobalpr," *Techcrunch*, June 26, 2010, <https://techcrunch.com/2010/06/26/bp-pr-bpglobalpr/>.

¹¹⁰ Beam, "BP's Response."

even created an entirely new website, the now-defunct deepwaterhorizonresponse.com, so the group could provide updates, respond to incoming inquiries, and share new developments.¹¹¹ An in-depth analysis of BP's social media movement during the Deepwater Horizon oil spill revealed the following activities employed by BP as part of its crisis communication strategy:

- BP created a section on its corporate website dedicated to the explosion that specifically detailed mitigation efforts;
- BP employed bloggers who were tasked with updating followers on the spill and the cleanup process;
- BP dedicated its entire Facebook page to daily updates, allowing the public to respond and/or comment on the company's activity;
- BP completely repurposed its Twitter account to include regular updates, messages, and contact information for representatives responsible for responding to media and public inquiries;
- BP created a YouTube channel solely for streaming videos that addressed affected wildlife in the areas surrounding the Gulf;
- BP utilized Flickr to showcase images of the Gulf of Mexico; and finally,
- BP ran a twenty-four-hour live stream of the oil leak and resulting spill.¹¹²

During the eight-and-a-half-month timeframe, BP posted 3,497 Facebook messages, over 90 percent of which provided hyperlinks to detailed information for the public.¹¹³ BP also tweeted over 1,000 spill-related messages on Twitter between the day

¹¹¹ Beam, "BP's Response."

¹¹² Jessica Lee, "Digital Marketing Optimization—BP, Crisis Communications and Social Media," *Bruce Clay, Inc. Blog*, July 1, 2010, <https://www.bruceclay.com/blog/bp-crisis-communications-and-social-media/>.

¹¹³ *Ibid.*

of the explosion and the day the leak was stopped.¹¹⁴ Nearly 100 videos were uploaded to BP's official YouTube channel, showing an evolution from explosion, to disaster control, and finally to tourism advocacy.¹¹⁵ By all accounts, it appeared BP transformed its crisis communication strategy from irregular, sterile press releases to transparent and interactive electronic communications that exploited major social media platforms and mediums.

Before discussing the results of BP's crisis communication strategy, it should be noted the BP case study is particularly unique because BP did not have a social media presence or dedicated social media staff prior to the oil rig explosion.¹¹⁶ In fact, since joining Facebook in 2007, BP had only posted four messages on its BP America Facebook page prior to the incident.¹¹⁷ Although it had an active Twitter account, BP America's Twitter page had only two to three tweets per month.¹¹⁸ BP America did not even have a YouTube channel prior to the explosion.¹¹⁹ This is particularly important because the company, which did not have any established expertise or skill for social media communication, chose social media as its main component for crisis communication, and maximized the value of the tools. Therefore, this case presents a near-pure analysis of an organization's effort to contain a crisis and manage its reputation through social media.

D. STRATEGY RESULTS

A number of crisis communication and public relations experts have evaluated BP's reputation management and crisis communication strategies. According to the experts, BP's information-giving efforts on Facebook was not only effective, but

¹¹⁴ Laura R. Walton, Skye C. Cooley, and John Nicholson, "A Great Day for Oiled Pelicans: BP, Twitter, and the Deep Water Horizon Crisis Response," Institute for Public Relations, accessed October 20, 2017, <http://www.instituteforpr.org/wp-content/uploads/BP-Twitter-The-Deep-Water-Horizon.pdf>.

¹¹⁵ "A History of BP's Ads Since the Gulf Spill," *Huffpost*, April 16, 2013, http://www.huffingtonpost.com/2013/04/16/bp-oil-spill-ads-since-deepwater-horizon_n_3093185.html.

¹¹⁶ Elizabeth Shogren, "BP: A Textbook Example of How Not to Handle PR," NPR, April 21, 2011, <http://www.npr.org/2011/04/21/135575238/bp-a-textbook-example-of-how-not-to-handle-pr>.

¹¹⁷ Ye and Ki, "Organizational Crisis Communication on Facebook."

¹¹⁸ Lee, "Digital Marketing Optimization."

¹¹⁹ "About BP YouTube," accessed October 20, 2017, <https://www.youtube.com/user/BPplc/about>.

achieved favorable responses from the public following the explosion and subsequent mitigation efforts.¹²⁰ Although some experts agree that it took BP too long to engage its crisis communication strategy on social media platforms, ultimately, BP received 57,344 “likes” and 180,744 positive comments during the eight-and-a-half-month evaluation period.¹²¹ Most of the positive comments were generated when BP initiated Facebook posts that gave informational updates, particularly when the company took responsibility and indicated corrective actions taken, and when it made those affected by the crisis a priority.¹²² According to Forbes, the global media company that focuses on business, leadership, and entrepreneurship, BP’s “candid language delivered in a remorseful tone” successfully and undoubtedly portrayed BP’s commitment to restoring its reputation with the general public.¹²³

Today, seven years after the spill, BP continues to attract investment, and continues to sell oil in great quantities. Although still working under the Deepwater Horizon cloud, BP shares continued to increase, up by 25 percent in June 2016, and even inched up to 27 percent following the Brexit vote.¹²⁴ Some analysts claim BP shares will be worth more in 2018 than they were in 2010, immediately before the explosion.¹²⁵ According to BP CEO, Tony Hayward, Facebook greatly assisted in BP’s apology campaign and provided the road to recovering the general public’s trust.¹²⁶ Additionally, communication experts claim BP performed exceptionally when it came to mitigating the crisis on social media and the Internet.¹²⁷ Throughout the entire event, Hayward and BP used Facebook and Twitter to post updates, photos, videos, and hyperlinks to regain

¹²⁰ “About BP YouTube.”

¹²¹ Ibid.

¹²² Ibid.

¹²³ Steve Olenski, “Nearly Four Years After Deepwater Horizon, Has BP’s Brand Image Recovered,” *Forbes*, January 24, 2014, <https://www.forbes.com/sites/steveolenski/2014/01/24/nearly-four-years-after-deepwater-horizon-has-bps-brand-image-recovered/#36f8516161f6>.

¹²⁴ Lee Wild, “Why BP Is Heading To 600P,” *Interactive Investor*, July 15, 2016, www.iii.co.uk/articles/339214/why-bp-heading-600p.

¹²⁵ Ibid.

¹²⁶ “BP Apology Campaign Begins Airing,” CNN, June 3, 2010, <http://www.cnn.com/2010/US/06/02/oil.spill.bp.apology/>.

¹²⁷ Beam, “BP’s Response.”

public trust in small, incremental steps, while maintaining the viability and profitability of the company.

E. ANALYSIS

Social media and the Internet have not only become the preferred platform for information dissemination and communication for customers, stakeholder, and the media, but they have also revolutionized reputation and crisis management. Increasingly, corporations and organizations view managing their reputation during a crisis through online monitoring and strategies as an essential part of their vitality.¹²⁸ Organizations have learned that crises, much like viruses, can now spread and mutate in dynamic ways through social forums like Facebook or video distribution sites such as YouTube.¹²⁹ One thing is for certain: communication experts agree that managing a crisis and an organization's reputation in the brick-and-mortar world is in no way similar to reputation and crisis management in the virtual world.¹³⁰

BP's success stemmed from its CEO's willingness to engage the public on social media platforms. BP recognized that social media provided a pulpit for interactive communication with its stakeholders and the public, and used this pulpit to deliver its message rapidly in order to potentially diminish any further negative effects associated with the oil spill.¹³¹ More importantly, feedback BP received from Facebook and Twitter users enabled the organization to assess whether stakeholders and the public accepted its crisis management responses and strategies.¹³²

Using BP's strategy following the Deepwater Horizon explosion as a model for crisis communication via social media, an organization, regardless of industry, should recognize that social media has the ability to influence an organization's reputation

¹²⁸ Brian Jones, John Temperley, and Anderson Lima, "Corporate Reputation in the Era of Web 2.0: The Case Of Primark," *Journal of Marketing Management* 25, no. 9–10 (2009): 927–939, doi:10.1362/026725709x479309.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Ye and Ki, "Organizational Crisis Communication on Facebook."

¹³² Ibid.

directly and indirectly. Social media can influence an organization directly by acting as a source of information for stakeholders and investors, thus affecting how they decide to interact with the company.¹³³ Conversely, social media can indirectly affect an organization's reputation by influencing "intangible assets," such as consumers' attitudes toward the organization, which in turn govern organizational performance.¹³⁴

¹³³ Ye and Ki, "Organizational Crisis Communication on Facebook."

¹³⁴ Ibid.

IV. TRANSPARENCY

In the late 1990s, public relations experts and researchers in the private sector began focusing their efforts on an organization's ability to create mutually beneficial relationships with the public and stakeholders.¹³⁵ The critical characteristic for long-term relationships, according to much of the research, is transparency.¹³⁶ The concept of transparency readily creates an avenue for an organization "to understand, listen, and develop a dialogue" with the public and stakeholders, and is "viewed as a relational condition that promotes accountability, collaboration, cooperation, and commitment."¹³⁷

Transparency becomes particularly relevant during a seemingly never-ending and uninterrupted surge of corporate crises. During a crisis, transparency is invoked as a salve for distressed relationships between an organization and important stakeholders, including the public, and has the ability to reestablish trust in the company.¹³⁸ Whether implicitly or explicitly, researchers who adopt transparency as the foundation for relationships between an organization and the public have routinely advocated its importance in "creating, maintaining, and repairing trust during a crisis."¹³⁹

It is important to note, for the purposes of this thesis, that being transparent does not necessarily mean there is no place for secrecy, particularly in government work. "Although the term transparency and its apparent antonym, secrecy, have assumed a prominent role in [contemporary] discourse," some researchers counterclaim the two are symbiotic rather than inimical to each other.¹⁴⁰ Although some public relations experts stress the need to choose between transparency and secrecy, this thesis does not view the two concepts as irreconcilable approaches to navigating a crisis. The ability to find

¹³⁵ Julia Jahansoozi, "Organization-Stakeholder Relationships: Exploring Trust and Transparency," *Journal of Management Development* 25, no. 10 (2006): 942–955, doi:10.1108/02621710610708577.

¹³⁶ Ibid.

¹³⁷ Ibid, 942.

¹³⁸ Schnackenberg and Tomlinson, "Organizational Transparency."

¹³⁹ Ibid, 1784.

¹⁴⁰ Clare Birchall, "Introduction to Secrecy and Transparency: The Politics of Opacity and Openness," *Theory, Culture & Society* 28, no. 7–8 (2011): 8, doi:10.1177/0263276411427744.

balance between transparency and secrecy during a crisis is a sign of an organization's cultural and moral authority.

Unfortunately, secrecy continues to dominate many contemporary law enforcement agencies, particularly during a crisis. Although law enforcement executives agree that transparency can lead to improved trust and increased legitimacy, nationwide studies of police departments suggest that law enforcement, as an industry, fails to be transparent in a way that allows the public to meaningfully measure and assess departmental operations and activities.¹⁴¹ As a stimulus, the President's Task Force on 21st Century Policing recommends that law enforcement "embrace a culture of transparency" when a critical incident occurs.¹⁴² Since there is no widespread consensus that transparency is fully espoused by law enforcement during a crisis, this chapter analyzes a case study in which transparency proved to be an effective crisis and reputation management strategy.

A. INTRODUCTION TO THE CASE

In the spring of 1976, Volkswagen began production of its first vehicle equipped with a diesel engine.¹⁴³ The new generation of transmission engines proved to be a system that was both cost effective and more efficient than its gasoline-powered counterpart.¹⁴⁴ Volkswagen even went so far as to politically promote its "clean diesel" as an alternative to hybrid and electric vehicles, marching in Washington, DC, with a

¹⁴¹ Radley Balko, "New Study Looks at the Transparency of Police Departments," *Washington Post*, May 9, 2014, https://www.washingtonpost.com/news/the-watch/wp/2014/05/09/new-study-looks-at-the-transparency-of-police-departments/?utm_term=.584311ba1346.

¹⁴² President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, 2015), https://cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf.

¹⁴³ Jaime VonDrusca, "25 Years of VW Diesels," StealthTDI, accessed October 20, 2017, <http://www.stealthtdi.com/VWDieselHistory.html>.

¹⁴⁴ Diesel Service and Supply, "Why Use Diesel? Advantages and Benefits—How Diesel Engines and Generators Work," Diesel Service and Supply, accessed October 20, 2017, www.dieselserviceandsupply.com/why_use_diesel.aspx.

fleet of Audi TDI models.¹⁴⁵ By 2015, Volkswagen successfully cornered 70 percent of the passenger diesel vehicle market in the United States.¹⁴⁶

Concurrent to Volkswagen's climbing success, the International Council on Clean Transportation, in response to public pressure and concerns, proposed on-road emission tests for diesel vehicles in the United States.¹⁴⁷ Although diesel vehicles were known to deliver higher mileage and power, it was discovered that diesel vehicles had a number of drawbacks, one being that diesel vehicles permitted higher nitrogen oxide emissions.¹⁴⁸ Nitrogen oxide, a smog-forming, free-radical gas, is a pollutant scientifically linked to cancer and tumor growth.¹⁴⁹ In order to regulate the nitrogen oxide emission in vehicles, manufacturers were installing a nitrogen oxide trap in the exhaust system. However, manufacturers soon realized the nitrogen oxide trap negatively impacted fuel consumption and vehicular acceleration.¹⁵⁰

In order to circumvent on-road emission tests, Volkswagen surreptitiously rolled out software on more than "a half-million vehicles in the United States, and roughly 10.5 million more vehicles worldwide," that detected testing equipment and parameters set by the Environmental Protection Agency (EPA).¹⁵¹ The defeat devices were specifically designed to detect when a Volkswagen vehicle was placed into testing mode, and artificially lowered emission levels. Therefore, in test mode, Volkswagen was in complete compliance with federal emission levels; in normal drive situations on the road,

¹⁴⁵ Diesel Service and Supply, "Why Use Diesel."

¹⁴⁶ Clifford Atiyeh, "Everything You Need to Know about the VW Diesel-Emissions Scandal," *Car and Driver* (blog), May 11, 2017, <http://blog.caranddriver.com/everything-you-need-to-know-about-the-vw-diesel-emissions-scandal/>.

¹⁴⁷ Jae C. Jung and Su Bin "Alison" Park, "Case Study: Volkswagen's Diesel Emissions Scandal," *Thunderbird International Business Review* 59, no. 1 (2016): 127–137, doi:10.1002/tie.21876.

¹⁴⁸ Atiyeh, "VW Diesel-Emissions Scandal."

¹⁴⁹ Sheetal Korde Choudhari et al., "Nitric Oxide And Cancer: A Review," *World Journal of Surgical Oncology* 11, no. 1 (2013): 118, doi:10.1186/1477-7819-11-118.

¹⁵⁰ Jung and Park, "Case Study: Volkswagen."

¹⁵¹ Atiyeh, "VW Diesel-Emissions Scandal."

however, the vehicle emitted nitrogen oxide at a level nearly forty times higher than the federal threshold.¹⁵²

In 2012, the International Council on Clean Transportation awarded a small group of scientists at West Virginia University a grant to test diesel vehicles.¹⁵³ More specifically, the university was hired to provide environmental oversight agencies, such as the EPA, with independent data on diesel vehicles operated within the United States.¹⁵⁴ Since Volkswagen was aggressively promoting diesel vehicles that were both fuel efficient and environmentally friendly, West Virginia University scientists tested two different Volkswagen models. At the conclusion of the project, scientists were unable to validate Volkswagen's low emissions claims on either of the two Volkswagen vehicles during road tests.¹⁵⁵

The data, which was turned over to the EPA and the California Air Resource Board, was clear: the company that had the boldest emission claims and highest diesel sales for six years in a row was cheating the system.¹⁵⁶ In 2015, just as Volkswagen cornered 70 percent of the diesel market, a global-scale crisis erupted that negatively impacted not only millions of Volkswagen consumers worldwide, but jeopardized Volkswagen's position as the global leader of diesel vehicle sales.¹⁵⁷

B. PROBLEMS FACED FOLLOWING THE CRISIS

A preliminary investigation into the defeat devices revealed that Volkswagen installed software into their vehicles that detected when the vehicle was placed into

¹⁵² Jung and Park, "Case Study: Volkswagen."

¹⁵³ Sonari Glinton, "How a Little Lab in West Virginia Caught Volkswagen's Big Cheat," NPR, September 24, 2015, <http://www.npr.org/2015/09/24/443053672/how-a-little-lab-in-west-virginia-caught-volkswagens-big-cheat>.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Zeynep Tufekci, "Volkswagen and the Era of Cheating Software," *New York Times*, September 23, 2015, <https://www.nytimes.com/2015/09/24/opinion/volkswagen-and-the-era-of-cheating-software.html>.

¹⁵⁷ Atiyeh, "VW Diesel-Emissions Scandal."

emission test mode and shifted to a lean-burning, low-pollution mode.¹⁵⁸ This mode enacted a very different engine setting than when the vehicle was in during normal road operations.

Within days of these findings becoming public knowledge, Volkswagen's stock was sold on massive levels, wiping out more than \$16.9 billion of the company's market value.¹⁵⁹ This equated to a 30 percent plunge of the company's market value, leaving Volkswagen 50 percent below its market high in March of 2015.¹⁶⁰

In the months following the scandal, Volkswagen suffered further economic loss in the form of worldwide recalls, massive decrease in sales, and the largest nosedive in stock market value the company had ever seen.¹⁶¹ Just four months after the company publicly admitted, "11 million diesel vehicles in the world were equipped with defeat devices," the United States Department of Justice filed the first suit on behalf of the EPA.¹⁶² Forced to settle with three federal agencies, Volkswagen paid \$14.7 billion for its excessive emissions scandal, more than any company has ever paid for violations of the Clean Air Act.¹⁶³

In January 2017, the Department of Justice arrested six Volkswagen executives for their knowledge of and role in the scandal, and the company was fined an additional \$4.3 billion for criminal and civil penalties.¹⁶⁴ In April 2017, the company was officially sentenced in a Michigan federal court for the violations; as probation, a corporate compliance company was charged to monitor Volkswagen for three years.¹⁶⁵

¹⁵⁸ "Volkswagen Is Global Leader in Car Sales," *Deutsche Welle*, July 25, 2016, <http://www.dw.com/en/volkswagen-is-global-leader-in-car-sales/a-19426433>.

¹⁵⁹ Atiyeh, "VW Diesel-Emissions Scandal."

¹⁶⁰ Paul Monica, "Volkswagen Stock Has Plunged 50%. Will it Ever Recover?," CNN, September 25, 2015, <http://money.cnn.com/2015/09/24/investing/volkswagen-vw-emissions-scandal-stock/index.html>.

¹⁶¹ Jung and Park, "Case Study: Volkswagen."

¹⁶² Atiyeh, "VW Diesel-Emissions Scandal."

¹⁶³ Ibid.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid.

Since the news of the scandal in 2015, over “one quarter of the company’s market cap has been wiped out,” and Volkswagen publicly “abandoned its goal of becoming the world’s largest automaker by 2018.”¹⁶⁶

C. REPUTATION AND CRISIS STRATEGY

Volkswagen is arguably one of the strongest and oldest automakers in the world, with some of the world’s most noteworthy brands, including Lamborghini, Bugatti, and Bentley.¹⁶⁷ However, its respected prominence came to an abrupt end when Volkswagen proved it could not be trusted. The defeat device scandal was a calculated and deliberate lie designed to cheat the government for no other reason than to sell more vehicles. Worse, according to a Gallup survey conducted in October 2015, 75 percent of Americans knew about the scandal, and disapproved of Volkswagen’s actions.¹⁶⁸

With worldwide concern and resentment growing, Volkswagen needed to respond appropriately if it intended to regain the public’s trust and return to making profits. Brand rehab expert Jonathan Bernstein of Bernstein Crisis Management stated, “VW ... more than anything, needs to take all the necessary steps to transform their culture into one of transparency and honesty. All the PR in the world won’t help otherwise.”¹⁶⁹

Initially, Volkswagen failed to commit to this transformation. When presented with the EPA’s findings, Volkswagen originally chose to dispute the results, citing “various technical issues.”¹⁷⁰ This public relations defense mechanism, which only fueled the government, Volkswagen’s critics, and the media, left more questions than answers from Volkswagen executive management. Recognizing that denying and deflecting were crisis management missteps, Volkswagen finally publicly admitted to

¹⁶⁶ Atiyeh, “VW Diesel-Emissions Scandal.”

¹⁶⁷ Paul A. Eisenstein, “VW Is Now the World’s Best-Selling, Despite Diesel Scandal and Fines,” NBC News, January 30, 2017, <http://www.nbcnews.com/business/autos/scandal-ridden-car-company-now-world-s-best-selling-automaker-n714266>.

¹⁶⁸ “The Key to Solving Volkswagen’s Identity Crisis,” Gallup, December 22, 2015, <http://www.gallup.com/opinion/gallup/187907/key-solving-volkswagen-identity-crisis.aspx>.

¹⁶⁹ Fred Meier, “Can Volkswagen Earn Back Shoppers’ Trust?,” Cars.com, February 7, 2017, <https://www.cars.com/articles/can-volkswagen-earn-back-shoppers-trust-1420693343278/>.

¹⁷⁰ Danielle Zarrella, “Lessons Learned from the Volkswagen Emissions Scandal,” *Communiqué PR Strategic Public Relations Blog*, September 28, 2015, <http://www.comuniquepr.com/blog/?p=7969>.

installing the cheat software. In a bold move, Volkswagen refocused its actions on restructuring the company's management, and publicly committed itself to transparency.¹⁷¹ First, Volkswagen CEO Martin Winterkorn announced his retirement.¹⁷² In a statement, Winterkorn stated, "I accept responsibility for the irregularities that have been found in diesel engines. Volkswagen needs a fresh start—also in terms of personnel. I am clearing the way for this fresh start with my resignation."¹⁷³

The new CEO, Matthias Muller, promised to rebuild the company which was once held in high regard, stating, "My most urgent task is to win back trust for the Volkswagen Group by leaving no stone unturned and with maximum transparency, as well as drawing the right conclusions from the current situation."¹⁷⁴ Muller reinforced those words with calculated and public actions. He apologized to both the public and shareholders for betraying their trust.¹⁷⁵ Additionally, Muller publicly announced an internal investigation led by an external entity, the Jones Day law firm, to determine how Volkswagen developed engine software specifically designed to defeat federal emission regulators.¹⁷⁶

Richard Chambers, president and CEO of the Institute of Internal Auditors, stated, "VW's candor at the onset of the scandal was surprising. It's not often when officials of a global company admit to potentially illegal and plainly unethical behavior. But once committed to transparency, Muller and VW [willingly] took on an obligation to find and share the truth about the scandal."¹⁷⁷

¹⁷¹ Jung and Park, "Case Study: Volkswagen."

¹⁷² Jordan Golson, "How Volkswagen Can Salvage its Wrecked Reputation," *Wired*, September 22, 2015, <https://www.wired.com/2015/09/volkswagen-can-salvage-wrecked-reputation/>.

¹⁷³ Ibid.

¹⁷⁴ Jung and Park, "Case Study: Volkswagen."

¹⁷⁵ "VW Makes Amends. A Model in Rebuilding Trust?," *Christian Science Monitor*, June 28, 2016, <https://m.csmonitor.com/Commentary/the-monitors-view/2016/0628/VW-makes-amends.-A-model-in-rebuilding-trust>.

¹⁷⁶ Ibid.

¹⁷⁷ Richard Chambers, "Has VW Put its Transparency Efforts In Reverse?," *Internal Auditor* (blog), January 18, 2016, <https://iaonline.theiia.org/blogs/chambers/2016/Pages/Has-VW-Put-Its-Transparency-Efforts-in-Reverse.aspx>.

Muller vowed the internal investigation results would be shared with Volkswagen investors and the public, and he, as the new CEO, would be fully transparent and accountable.¹⁷⁸ Muller promised the public he would reveal exactly what happened, hold those responsible accountable for their wrongdoings, and implement reform to ensure a similar incident never occurred again.¹⁷⁹

In order to regain the trust of a demoralized staff, Muller focused his transparency strategy internally as well. Just as Muller admitted guilt in external communications, he encouraged his management staff to have “the same direct, face-to-face communications internally as well, as the first step to rebuilding [employee] trust.”¹⁸⁰ Volkswagen consistently encouraged employees to provide feedback, ask questions, and express their concerns with management. Muller openly communicated with Volkswagen employees about strategic shifts during the crisis, and willingly provided updates about the investigation as they became available.¹⁸¹ Using a Vienna-based employer review platform called Kununu, Volkswagen employees were authorized to submit reviews and concerns that could be seen by the general public. As of July 2017, Kununu had 514 reviews from Volkswagen employees, 269 of which were logged following the scandal in 2015.¹⁸² Of the 269 logged concerns and reviews from employees, 170 were publicly addressed by Volkswagen management.¹⁸³ Johannes Pruller, head of global communications for Kununu, suggested this figure was “a high percentage for any company” utilizing the platform.¹⁸⁴ According to Pruller, “not that many employers [publicly] engage in this process of reacting to [employee] feedback.”¹⁸⁵

¹⁷⁸ Sean Czarnecki, “4 Crisis Communicators on What Volkswagen Should Do Next,” *PRWeek*, June 28, 2016, <http://www.prweek.com/article/1400483/4-crisis-communicators-volkswagen-next>.

¹⁷⁹ Ibid.

¹⁸⁰ Karsten Strauss, “How Volkswagen Rallied its Employees after its Emissions Scandal (at Least for Now),” *Forbes*, June 26, 2017, <https://www.forbes.com/sites/karstenstrauss/2017/07/26/how-volkswagen-rallied-its-employees-after-its-emissions-scandal-at-least-for-now/#1d0066d5181b>.

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

In a crisis and reputation management analysis, reputation brand consultant David Robertson Mitchell suggests that Volkswagen made key moves focused on transparency:

- Volkswagen moved fast and publicly acknowledged the issue;
- Volkswagen’s current and ex-CEO publicly apologized, and both openly took responsibility for the crisis;
- Volkswagen restructured its management team to make way for fresh leadership to manage the company during, and beyond, the crisis;
- Volkswagen self-initiated an investigation, conducted by an external entity, and vowed to make the investigation findings public;
- Volkswagen publicly responded to consumer and employee concerns through social media and a transparency-focused employer rating platform;
- Volkswagen recalled the affected vehicles, and stopped selling the cars in question throughout the United States.¹⁸⁶

D. STRATEGY RESULTS

Volkswagen’s improved profitability is critically linked to its response to the 2015 crisis. “Even though much work lies ahead for us,” said Muller in a 2017 interview, “2016 did not turn out to be the nightmare year that many predicted.”¹⁸⁷ Volkswagen sold more vehicles than any other carmaker during the first half of 2016, including its close rivals Toyota and General Motors.¹⁸⁸ Muller, who stuck to his promise for transparency, carried the company in a positive profit direction well into 2017.

¹⁸⁶ David Robertson Mitchell, “A Case Study in Crisis and Reputation Management?,” LinkedIn, September 23, 2015, accessed October 20, 2017, <https://www.linkedin.com/pulse/case-study-crisis-reputation-management-david-robertson-mitchell>.

¹⁸⁷ Christoph Rauwald, “VW Says It’s ‘Back in Track’ after Restructuring,” *Bloomberg*, March 14, 2017, <https://www.bloomberg.com/news/articles/2017-03-14/vw-recovery-makes-progress-as-namesake-car-brand-s-margins-widen>.

¹⁸⁸ “Volkswagen Is Global Leader in Car Sales,” *Deutsche Welle*.

Volkswagen posted first-quarter 2017 earnings that were significantly higher than analyst and market expectations.¹⁸⁹ Operating profit totaled approximately \$4.7 billion, which was 28 percent higher than the 2016 figure, and 20 percent higher than analysts' predictions.¹⁹⁰ Volkswagen's shares rose 4.4 percent in April 2017, the biggest jump since the scandal broke in 2015, pushing the company's stock up 2.7 percent.¹⁹¹ As of May 2017, Forbes reported that Volkswagen ranked number twenty-eight of the world's largest public companies, with a market cap of \$72.9 billion.¹⁹² Additionally, the company rose to number seventy-seven on the 2016 list of the world's most valuable brands.¹⁹³

Most analysts of the Volkswagen case agree that the company's success in navigating and surviving the diesel-gate crisis was directly linked to its open communication and transparency strategy, and the speed with which the strategy was implemented.¹⁹⁴

E. ANALYSIS

This case presents two major crisis and reputation management lessons. First, when given the opportunity to acknowledge an error, whether intentional or not, publicly admitting fault and taking responsibility has a profound effect, and may prevent a company from losing the trust of consumers, and society at large. Second, when a crisis emerges, swift and controlled communication conveyed with transparency and honesty during the initial hours and days of the crisis is critical to preserving an organization's reputation. As seen in the Volkswagen case, openly and honestly accepting responsibility for errors, and communicating in a genuine and forthright manner, will undoubtedly help

¹⁸⁹ Tom Lavell, "Volkswagen Profit Jumps as Diesel-Scandal Recovery Accelerates," *Bloomberg*, April 18, 2017, <https://www.bloomberg.com/news/articles/2017-04-18/volkswagen-quarterly-earnings-jump-on-main-brand-s-new-models>.

¹⁹⁰ *Ibid.*

¹⁹¹ *Ibid.*

¹⁹² "Volkswagen Group," *Forbes*, accessed October 20, 2017, <https://www.forbes.com/companies/volkswagen-group/>.

¹⁹³ *Ibid.*

¹⁹⁴ Zarrella, "Lessons Learned."

regain the public's trust. Consumers of any good or service appreciate, and often demand, transparency and accountability during a crisis. *Harvard Business Review* contributor Nick Morgan summed up the strategy best when he stated, "The lessons seem to be clear: transparency is a good thing. Those who follow the rule get a chance to survive, even possibly thrive. Those who do not, suffer, and perhaps die."¹⁹⁵

The Volkswagen case illustrates that transparency means more than just openness or disclosure; transparency, in terms of public discourse, means the enhancement of understanding.¹⁹⁶ Although a common buzzword among contemporary executive managers, transparency, for the purposes of this thesis, means "an increase in the understanding of parties who are interested in the actions or decisions of an organization."¹⁹⁷ Simply put, in a public relations framework during a crisis, organizational transparency is the act of providing meaningful information that enhances understanding as opposed to simply providing data.

Not all practitioners and academics agree, however, that complete transparency unilaterally creates understanding. Some authors criticize the conventional wisdom and neoliberal notion that "transparency helps all of the time" and that "transparency is a precondition for trust."¹⁹⁸ David De Cremer, professor at the University of Cambridge and *Harvard Business Review* contributor, contends that too much transparency can actually increase distrust and spark resistance if employees within an organization feel their autonomy and uniqueness are challenged.¹⁹⁹ To counter this phenomenon, managers must execute transparency with a high level of care, emphasizing to employees, particularly government employees, why transparency is necessary. The importance of perceived legitimacy by employees, according to De Cremer, cannot be overstated when

¹⁹⁵ Nick Morgan, "Is Corporate Transparency Always a Good Thing?," *Harvard Business Review*, October 17, 2008, <https://hbr.org/2008/10/is-corporate-transparency-alwa>.

¹⁹⁶ Stefan Wehmeier and Oliver Raaz, "Transparency Matters: The Concept of Organizational Transparency in the Academic Discourse," *Public Relations Inquiry* 1, no. 3 (2012): 337–366, doi:10.1177/2046147x12448580.

¹⁹⁷ *Ibid.*, 340.

¹⁹⁸ *Ibid.*

¹⁹⁹ David De Cremer, "When Transparency Backfires, and How to Prevent it," *Harvard Business Review*, July 21, 2016.

applying transparency.²⁰⁰ When employees genuinely understand how assessments and decisions are made, their view of the organization's legitimacy improves. And legitimacy is exactly what an organization needs in order to maintain employee cooperation when it comes to promulgating transparency.²⁰¹

The lessons learned from the Volkswagen diesel scandal are simple: candid and timely information exchange with the public and stakeholders are essential in regaining public trust following a crisis. Crises, and the public pressure that inevitably comes along with them, do not simply go away. Organizations that embrace and generally accept the concept of transparency as a principle and strategy, even when recognizing the need to maintain a certain level of privacy, rebuild their reputations following a crisis more quickly than their counterparts.²⁰²

²⁰⁰ De Cremer, "When Transparency Backfires."

²⁰¹ Ibid.

²⁰² Hal Lazarus and Tom McManus, "Transparency Guru: An Interview with Tom Mcmanus," *Journal of Management Development* 25, no. 10 (2006): 923–936, doi:10.1108/02621710610708559.

V. ORGANIZATIONAL REFORM

Reform is a concept that could make most executive managers of any organization skeptical, particularly following a major crisis. However, strong leaders recognize that a company navigating a crisis is perfectly poised for change.²⁰³ When a company's culture is called into question and comes under public scrutiny, leadership is often compelled to carefully examine and debate whether current long-standing practices and procedures are adequate. Although nearly impossible to undertake overnight, proving to the public an organization can respond to a crisis by implementing meaningful and lasting reform is one of the first steps to regaining the public's trust.²⁰⁴ No matter the crisis, a company has two choices: see the crisis as an opportunity for transformation or stay the course and risk organizational failure.

Organizational change as a result of a crisis is about "evaluating and modifying management [strategies] and business processes."²⁰⁵ Some experts suggest that "organizations are more likely to emerge stronger if leaders avoid oversimplifying the [crisis] and instead allow a gradual understanding to emerge and be tested in action."²⁰⁶ For an organization to move in the right direction following a crisis, leaders at every level must be open to change, and must be willing to implement it in a high-pressure, sometimes volatile, environment.²⁰⁷

Many law enforcement agencies, much like other organizations experiencing a crisis, are in an ideal position to implement meaningful change. Experts argue that the only effective mechanism for sufficiently addressing the decline in public trust of law

²⁰³ Ryan Derousseau, "A Company in Crisis Is an Opportunity for Change," *Fortune*, July 10, 2015, <http://fortune.com/2015/07/10/crisis-company-culture/>.

²⁰⁴ *Ibid.*

²⁰⁵ Chirantan Basu, "What Is the Meaning of Organizational Change?," *Chron*, accessed October 20, 2017, <http://smallbusiness.chron.com/meaning-organizational-change-35131.html>.

²⁰⁶ John S. Carroll and Sachi Hatakenaka, "Driving Organizational Change in the Midst of Crisis," *MIT Sloan Management Review*, Spring 2001, <http://sloanreview.mit.edu/article/driving-organizational-change-in-the-midst-of-crisis/>.

²⁰⁷ *Ibid.*

enforcement is systematic reform of the law enforcement organization itself.²⁰⁸ However, law enforcement, as an industry, often fails to embrace reform. Police expert and criminology professor Geoffrey Alpert stated, “We know what needs to happen next, but we just keep studying the question instead of doing something about the answers we’ve arrived at.”²⁰⁹ Since this kind of self-analysis and transformation rarely occurs in police departments today, this chapter analyzes a case study in which organizational reform proved to be an effective crisis and reputation management strategy.

A. INTRODUCTION TO THE CASE

Mattel, Inc., which is based in California, was founded in 1947 and is the largest toymaker in the world.²¹⁰ In 2014, the company was ranked number 403 in the *Fortune* 500, with its current-day revenue estimated at \$6.49 billion.²¹¹ The toymaker designs, manufactures, and distributes toys worldwide, controls brand names such as Barbie, Fisher-Price, and Hot Wheels, and produces products under licenses from Disney and Nintendo.²¹² In 1997, Mattel became the first toy company to create a structured framework that standardized the manufacturing of toys across the globe, regardless of with whom it contracted.²¹³

In addition to being the world’s largest toymaker, Mattel has incorporated social responsibility into its practices to capture the trust and loyalty of consumers. Shortly after its rise to the top, Mattel started a charity organization called the Mattel Children’s

²⁰⁸ Barbara Armacost, “The Organizational Reasons Police Departments Don’t Change,” *Harvard Business Review*, August 19, 2016, <https://hbr.org/2016/08/the-organizational-reasons-police-departments-dont-change>.

²⁰⁹ Ibid.

²¹⁰ Chuck Carnevale, “A Full Toy Chest Makes Mattel a Buy for Growth And Income Investors,” *Forbes*, April 23, 2013, <https://www.forbes.com/sites/chuckcarnevale/2013/04/23/a-full-toy-chest-makes-mattel-a-buy-for-growth-investors/#1706e14b573b>.

²¹¹ “Mattel, Inc.,” *Fortune*, accessed October 20, 2017, <http://fortune.com/fortune500/2014/mattel-inc-403/>.

²¹² “Mattel, 2007 the Year of the Product Recall and the Rebound,” *Business and Management Case Studies*, January 8, 2010, <http://www.casestudyinc.com/mattel-turnaround-product-recall>.

²¹³ Ibid.

Foundation.²¹⁴ The incorporated foundation “aims to improve the lives of children in need” by funding children-based learning technologies, after-school programs, literacy projects, and programs that promote the health of children.²¹⁵ Additionally, in 1998, Mattel began a “\$25 million multi-year donation program to the UCLA children’s hospital, which is now called the Mattel Children’s Hospital at UCLA.”²¹⁶ This focus on children helped establish long-preserved relationships with parents and communities, and is what helped turn a small, modest dollhouse-making company into the world’s premier toymaker.

In the middle of 2007, Mattel unexpectedly experienced the worst product crisis in its history.²¹⁷ On July 6, Mattel CEO Robert Eckert was informed by a “European retailer [it] found evidence of toxic lead paint in Mattel toys.”²¹⁸ Lead paint was commonly known to present serious health concerns, particularly when ingested by children, and had been legally prohibited in the United States and Europe for a decade. An investigation into the claim revealed that Mattel toy products manufactured in a China-based factory contained illegal levels of lead paint.²¹⁹

By August 2007, the company alerted the public and began recalling approximately 1.5 million Chinese-made Fisher-Price toddler toys.²²⁰ To compound the crisis, a month later Mattel was forced to announce a second recall of approximately 18.2 million toys that were made with “small, yet powerful, magnets that could potentially bind to a child’s intestinal tract if swallowed.”²²¹ This second recall was immediately

²¹⁴ Giulia Carando, “Mattel Toy Recall,” *Public Relations Problems and Cases*, October 18, 2007, <http://psucomm473.blogspot.com/2007/10/mattel-toy-recall.html>.

²¹⁵ “Mattel Children’s Foundation,” Mattel, accessed October 20, 2017, <http://corporate.mattel.com/about-us/philanthropy/childrenfoundation.aspx>.

²¹⁶ Carando, “Mattel Toy Recall.”

²¹⁷ “Mattel, 2007,” *Business and Management Case Studies*.

²¹⁸ Robert Hurley, “How Mattel Regained Trust,” *ft*, accessed October 20, 2017, <https://www.ft.com/content/61baac6e-2a84-11e1-9bdb-00144feabdc0?mhq5j=e2>.

²¹⁹ *Ibid.*

²²⁰ “Mattel, 2007,” *Business Management Case Studies*.

²²¹ Graham Dietz and Nicole Gillespie, *The Recovery of Trust: Case Studies of Organisational Failures and Trust Repair* (London: Institute of Business Ethics, 2012).

followed by a third recall of an additional 800,000 toys across the globe due to design flaws and substandard manufacturing.²²²

When the 2007 calendar year was over, Mattel had five separate safety recalls totaling more than 21 million toys in 43 international markets.²²³ Three American children suffered serious injuries that were attributed to the recalled toys.²²⁴

B. PROBLEMS FACED FOLLOWING THE CRISIS

Almost immediately, Mattel was heavily criticized by the media and the federal government for its use of China-based factories. Parents, particularly mothers, took to blogs and Mattel's social media sites to express their dissatisfaction.²²⁵ One mother, seemingly frustrated with the numerous recalls and negative media coverage, drove to Mattel headquarters with a car full of Mattel toys and ordered employees to sort through the toys to remove any recalled items.²²⁶ A father of four children made a YouTube video, which garnered nearly 20,000 views, mocking Mattel for the lead recall crisis.²²⁷ A couple who was interviewed about the recalls bashed Mattel for their slick, car-salesman approach to the entire crisis, and blamed Mattel for using "too much red" on their recall website.²²⁸

Parental backlash and declining public confidence were not the only negative impacts to Mattel as a result of the recalls. It was estimated that the recalls cost the company approximately \$40 million in settled lawsuits.²²⁹ Mattel's stock plunged by 30

²²² "Mattel, 2007," *Business and Management Case Studies*.

²²³ "Mattel Recalls 2007: Communication Implications for Quality Control, Outsourcing, and Consumer Relations," Arthur W. Page Society, accessed October 20, 2017, www.awpagesociety.com/attachments/aa3ffe8422e1e1de241f56f6aa18486ec0777b19/store/55195cf877c149fb3c1f995a2b2522983b8b8cc9cc6aeaab3c11131f04d3/Mattel_CaseStudy.pdf.

²²⁴ "Mattel CEO: 'Rigorous Standards' after Massive Toy Recall," CNN, last modified November 15, 2007, <http://www.cnn.com/2007/US/08/14/recall/index.html>.

²²⁵ Carando, "Mattel Toy Recall."

²²⁶ *Ibid.*

²²⁷ "Mattel Lead Recall," YouTube video, posted by nalts, August 4, 2007, <https://www.youtube.com/watch?v=3U5St1P3XeE>.

²²⁸ Carando, "Mattel Toy Recall."

²²⁹ Dietz and Gillespie, *Recovery of Trust*.

percent between July 2007 and December 2007.²³⁰ During the height of the holiday season, arguably its most lucrative quarter of the year, Mattel earned only half as much revenue as it did during the 2006 holiday season.²³¹

As a result of the recalls, investor confidence in Mattel also diminished, as evidenced by Mattel's falling stock price during the recall period.²³² To make matters worse, "a large pension fund filed a shareholder's lawsuit against Mattel in October 2007," alleging the company "artificially increased stock shares by purposely delaying recall announcements in order to sell as many faulty products as possible."²³³ In 2009, Mattel was fined \$2.9 million in civil penalties by the Consumer Product Safety Committee for marketing and selling non-compliant products in the United States.²³⁴

C. REPUTATION AND CRISIS STRATEGY

Mattel immediately stopped production in the China-based factory, agreed to work with federal regulatory authorities, and initiated an internal investigation. Mattel Chairman and CEO Robert Eckert, who already had a 114-page formal crisis plan prepared in advance, issued a public apology and encouraged parents to remove affected toys from their households.²³⁵ Eckert controlled the narrative by publicly naming the Chinese contractor involved in the toxic paint scandal, severing several ties with suppliers, and installing Mattel employees in contract manufacturer factories.²³⁶

Fully understanding he would need the trust of Mattel's employees at all levels within the organization, Eckert initiated an internal campaign to regularly update his

²³⁰ Dietz and Gillespie, *Recovery of Trust*.

²³¹ Justin Grant, "Mattel Posts Lower Profit on Impact of Recalls," Reuters, October 15, 2007, accessed October 20, 2017, <http://www.reuters.com/article/us-mattel-results/mattel-posts-lower-profit-on-impact-of-recalls-idUSWNAS625820071015>.

²³² Arthur W. Page Society, "Mattel Recalls 2007."

²³³ *Ibid.*

²³⁴ Parija Kavilanz, "Mattel Fined \$2.3 Million for Lead-Paint Violation," CNN, June 5, 2009, <http://money.cnn.com/2009/06/05/news/companies/cpsc/>.

²³⁵ Robert Hurley, "How Mattel Regained Trust," *ft*, accessed October 20, 2017, <https://www.ft.com/content/61baac6e-2a84-11e1-9bdb-00144feabdc0?mhq5j=e2>.

²³⁶ *Ibid.*

employees about the company's response in order to prevent them from becoming anxious during the crisis.²³⁷ His regular and insightful email updates set the tone for consistent communication between executive management and line-level employees. Every quarter, Eckert held town-hall style meetings at Mattel headquarters, reassuring employees that, although he could not change the past, he could "change how [the company] worked in the future."²³⁸ Eckert acknowledged that repairing trust during the crisis was bilateral; he needed to repair trust with the public to keep his company afloat while concurrently regaining his employees' trust so they would subscribe to the company's rigorous response to the crisis and organizational reform in the times to come.

Once Eckert felt he had the trust and confidence of his employees, he outlined his vision of reform for the company in an opinion piece published in the *Wall Street Journal*.²³⁹ In his statement to the American public, Eckert vowed to win back the customer's trust "with our deeds, not just our words" and promised "to do the right thing."²⁴⁰ "Nobody likes recalls and I apologize for the situation we are now facing," Eckert wrote, but "our long record of safety at Mattel is why we're one of the most trusted names with parents. And I am confident that the actions we are taking now will maintain that trust."²⁴¹

As one of his first moves, Eckert created a senior vice president of corporate responsibility position, which was charged with oversight of contractor and subcontractor auditing, and reported directly to the CEO.²⁴² The new company architecture was specifically "designed to enhance the company's leadership role in the area of global

²³⁷ Dietz and Gillespie, *Recovery of Trust*.

²³⁸ *Ibid*, 13.

²³⁹ Jacqueline Bell, "Lawmakers Call on Mattel to Recall More Toys," *Law360* (blog), January 30, 2008, <https://www.law360.com/illinois/articles/45611/lawmakers-call-on-mattel-to-recall-more-toys>.

²⁴⁰ *Ibid*.

²⁴¹ "Mattel CEO: 'Rigorous Standards' after Massive Toy Recall," CNN, November 15, 2007, <http://www.cnn.com/2007/US/08/14/recall/index.html>.

²⁴² Hurley, "How Mattel Regained Trust."

citizenship” by establishing improved and increased accountability in Mattel’s safety and compliance protocols.²⁴³

Under Eckert’s direct supervision, Mattel reorganized internal operations with an emphasis on product safety and compliance.²⁴⁴ Executive management created a new three-tiered response and control system, and made it available to all Mattel employees, Mattel vendors, and the public.²⁴⁵ The system included “testing every batch of paint” purchased from certified vendors, increasing controls “of every level of the production process,” testing every finished toy against increased safety standards before it is sent to retailers for public sale, and “conducting random [audits and] inspections of vendor facilities.”²⁴⁶

Eckert also created a new team of auditors comprised of Mattel employees and independent researchers who traveled from vendor to vendor on a three-year rotation, peppered with unannounced visits, to perform inspections of factories.²⁴⁷ Results of the audits were reported in the company’s “Global Citizenship Report,” and used to identify opportunities for organizational reform.²⁴⁸ This report was released to Mattel employees as well as the public.

In response to Congress’ concerns surrounding the potential hazards of children’s toys, Eckert appeared before a United States Senate Committee and took full responsibility by acknowledging that Mattel had not monitored the Chinese company closely enough.²⁴⁹ Mattel publicly called for increased federal oversight and regulation, and pushed for a boost in resources for the United States Consumer Product Safety

²⁴³ “Mattel Creates Corporate Responsibility Group,” Mattel, September 10, 2007, <http://investor.shareholder.com/mattel/releasedetail.cfm?releaseid=263377>.

²⁴⁴ Arthur W. Page Society, “Mattel Recalls 2007.”

²⁴⁵ Ibid.

²⁴⁶ Carando, “Mattel Toy Recall.”

²⁴⁷ Dietz and Gillespie, *The Recovery of Trust*

²⁴⁸ Mattel, *Playing Responsibly: Global Citizenship Report* (El Segundo, CA: Mattel, 2009), <https://corporate.mattel.com/about-us/2009GCReport.pdf>.

²⁴⁹ Dietz and Gillespie, *The Recovery of Trust*.

Commission.²⁵⁰ Working with the International Council of Toy Industries, Mattel built its own certified testing laboratories, many of which were quality-certified by the Internal Organization for Standardization.²⁵¹

These major organizational transformations were time consuming and expensive, but were designed to reinforce Eckert's commitment to winning back the public's trust. Eckert's internal changes demonstrated diligence and genuine concern for both his employees and the public, yet stopped short of overreaction. Eckert's tone and actions were "all credible indicators of competence and integrity, and all the more so for being proffered in the full knowledge of the punitive legal consequences."²⁵² In a 2012 analysis of the Mattel crisis, Dr. Graham Dietz, senior lecturer in human resource management and organizational behavior at Durham University in the United Kingdom, wrote, "No rival company [of Mattel] has accomplished this level of organizational reform."²⁵³

D. STRATEGY RESULTS

Following the organizational changes and new procedures, Eckert received countless accolades, both internally and externally, for the way he personally took control of the crisis. Eckert's organizational reform achievements were well received by his employees, Mattel's stakeholders, and, more importantly, the public.²⁵⁴ In a nationwide survey, 75 percent of consumers felt Mattel did a good job responding to the crisis.²⁵⁵ In 2008, *Fortune* contacted and interviewed Mattel employees based throughout North America, South America, Europe, and the Asia Pacific, and an overwhelming majority indicated management's dedication to resolving the crisis made employees feel comfortable and engaged, which positively impacted employee morale.²⁵⁶ Moreover, the

²⁵⁰ Dietz and Gillespie, *The Recovery of Trust*.

²⁵¹ *Ibid.*

²⁵² *Ibid.*, 13.

²⁵³ *Ibid.*, 14.

²⁵⁴ *Ibid.*

²⁵⁵ Hurley, "How Mattel Regained Trust."

²⁵⁶ Jia Lynn Yang, "Mattel CEO Bob Eckert Pulls Employees through a Crisis," *Fortune*, January 22, 2008, <http://archive.fortune.com/2008/01/21/news/companies/mattel.fortune/index.htm>.

company's sincere and visible approach to the crisis earned them the praise of the media, while Congress applauded Mattel's "laudable lack of corporate defensiveness."²⁵⁷

Most experts agree that, by the end 2008, Mattel had survived the crisis and created a stronger company directly attributed to organizational reform.²⁵⁸ By the beginning of 2008, despite paying over \$110 million to mitigate the crisis, stock prices and net income rose to pre-crisis levels.²⁵⁹ By the time the 2008 holiday season ended, Mattel reported an annual revenue of \$6.33 billion, up 4.5 percent from 2007.²⁶⁰ As a consequence, *Fortune* ranked Mattel one of its top 100 companies to work for in 2008, largely in part of Eckert's response to the crisis, citing "over 1,000 employees have been with the company for over 15 years."²⁶¹ Additionally, *IR Magazine* awarded the company the Best Crisis Communication Award in 2008 for its handling of the recall crisis.

As Mattel commemorates the ten-year anniversary of the 2007 crisis, despite the double-digit revenue and profit growth of Mattel's biggest competitor, Lego, Mattel retains the top spot for worldwide toy industry sales in 2016.²⁶² Moreover, the organizational transformations that Eckert pioneered have driven industry standardization development and participation, and have been approved and adopted by the International Organization for Standardization.²⁶³

²⁵⁷ Carando, "Mattel Toy Recall."

²⁵⁸ Mary B. Teagarden and Merle A. Hinrichs, "Learning from Toys: Reflections on the 2007 Recall Crisis," *Thunderbird International Business Review* 51, no. 1 (2009): 5–17, doi:10.1002/tie.20229.

²⁵⁹ W. Timothy Coombs and Sherry J Holladay, *The Handbook of Crisis Communication* (Oxford: Wiley-Blackwell, 2012), 468.

²⁶⁰ Ben Rooney, "Mattel's Recall Rebound," CNN, October 12, 2007, http://money.cnn.com/2007/10/12/markets/spotlight_mat/index.htm?postversion=2007101211.

²⁶¹ Coombs and Holladay, *Handbook of Crisis Communication*, 468.

²⁶² Christina Zander, "Lego Profit Rises 31% but Mattel Remains King of Toy Market," *Wall Street Journal*, March 1, 2016, <https://www.wsj.com/articles/lego-profit-rises-31-but-mattel-remains-king-of-toy-market-1456834800>.

²⁶³ Elizabeth Gasiorowski-Denis, "Play Matters," ISO, September 17, 2013, <https://www.iso.org/news/2013/09/Ref1769.html>.

E. ANALYSIS

The Mattel case proves that controlling a crisis and regaining consumer trust requires strong corporate communicators who can deliberately balance employee and public acceptance to organizational reform. The company recognized the crisis as an opportunity for creative change, and transformed a scenario in which millions of children's lives were potentially at risk by nurturing meaningful organizational development.

Eckert, who is seen by some experts as a transformational leader, used the recall crisis to create positive outcomes for Mattel by establishing "strong internally-controlled responses to what otherwise might be considered to be [a] negative crisis event."²⁶⁴ Eckert is also proof that when a crisis strikes, particularly with little or no warning, strong leadership and courage is needed to successfully manage and resolve the crisis.²⁶⁵

For discussion purposes, it is important to introduce the notion of responding to a crisis by doing nothing, or by attempting meaningless reform. There are infinite examples of organizations that have responded to a crisis in this manner. It is here that this thesis differentiates the manager from the transformational leader. The major difference between the two is that a manager responds to a crisis by controlling resources, reinforcing procedures and routines, and focusing on pre-established goals and objectives.²⁶⁶ A transformational leader, however, achieves those results by communicating and coordinating change with employees of an organization, and implements crisis planning paradigms that benefit stakeholders, employees, and the public.²⁶⁷ A transformational leader understands that the manager who responds to a crisis by doing nothing or implementing ineffective reform can cause devastating consequences for the organization, possibly even leading to its dissolution.

²⁶⁴ M. J. Keeffe, "Transformational Crisis Management," 44.

²⁶⁵ *Ibid.*

²⁶⁶ *Ibid.*

²⁶⁷ *Ibid.*

Organizational reform like Mattel was able to accomplish is often difficult, and is frequently the source of anxiety for an organization. *Harvard Business Review* authors John Kotter and Leonard Schlesinger contest the largest hurdles for organizational change include employee resistance, parochial self-interest, opposing understandings, lack of trust, and low tolerance for change.²⁶⁸ However, the authors also contend these hurdles are not insurmountable, even in the midst of a crisis, if an organization sees the crisis as an opportunity for change.²⁶⁹ Successful organizational reform during a crisis, as illustrated by the Mattel case, is often characterized by the skillful application of communication, education, participation, and support by a leader who is determined to help the company emerge from the crisis a stronger, more trustworthy organization.

²⁶⁸ John P. Kotter and Leonard A. Schlesinger, "Choosing Strategies for Change," *Harvard Business Review*, Summer 2008, <https://hbr.org/2008/07/choosing-strategies-for-change>.

²⁶⁹ *Ibid.*

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VI. HOW “NO COMMENT” CAN SHAPE THE NARRATIVE

During a crisis, the media, particularly traditional media reporters, can be relentless. Whether the discussion is a low-key, one-on-one interview, or the interviewee is surrounded by reporters with microphones, simply stating “no comment” can be the most damning answer to any question. The “no comment” response, even when given in good faith, is particularly damaging because it implies guilt, lack of concern, or simply incompetence.²⁷⁰ Therefore, it is often crucial for executives and crisis communicators to realize that “no comment” is indeed a comment, and often one that can have a detrimental impact on the organization’s reputation.

An organization’s refusal to comment allows customers, clients, or, more critically, the media to shape the crisis narrative for an organization.²⁷¹ When left without a comment from organizational leadership, the media will infer or create the message for its readers, often with troublesome results. Public relations crisis management expert Gerry McCusker takes this a step further and asserts that a slow comment to a crisis is the “next worst thing to no comment.”²⁷² During a crisis, the public will undoubtedly demand a comment underscored with accountability, and a narrative will ultimately take shape, whether or not the organization is willing to take part in shaping that narrative. Reputation management experts agree that crafting an informative message in an era when the public demands instant communication, even when information is unavailable or non-disclosable, focuses on mitigating any damage to the company’s reputation and can proactively aid in defusing the crisis.²⁷³

Law enforcement is all too familiar with the “no comment” response to the media during a crisis. General and special counsel to law enforcement agencies will often stress

²⁷⁰ “How to Deal with Reporters during a Crisis,” Clark Communications, accessed October 20, 2017, <http://clarkcommunication.com/how-to-deal-with-reporters-during-a-crisis/>.

²⁷¹ Gerry McCusker, “Why a Slow Comment Is as Bad as “No Comment” in a PR Crisis,” *B&T Magazine*, July 21, 2017, <http://www.bandt.com.au/opinion/slow-comment-bad-no-comment-pr-crisis>.

²⁷² *Ibid.*

²⁷³ Ben Rosner, “Why ‘No Comment’ Is No Good,” *PRWeek*, June 9, 2015, <http://www.prweek.com/article/1350770/why-no-comment-no-good>.

there are times when it is not only appropriate, but legally necessary to say “no comment.”²⁷⁴ However, public relations professional Jocelyn Broder cautions crisis communicators to refrain from commenting *only* when organizational executives are legally bound to “no comment.”²⁷⁵ It is also important to concede that law enforcement attorneys are not concerned with reputation management during a crisis, and the “no comment” approach should never be used as the default crutch.²⁷⁶ On the contrary, when exploited, a thoughtful message delivered to the public through the media will provide law enforcement the opportunity to shape the narrative, and possibly even advance law enforcement’s objectives.

This chapter analyzes a case study in which an organization failed to shape the crisis narrative, allowing organizational silence to become the story, and the resulting impact on the organization’s reputation.

A. INTRODUCTION TO THE CASE

In 1962, the first Target store opened in the Minneapolis suburb of Roseville, Minnesota.²⁷⁷ Formerly the Dayton Hudson Corporation, the company’s “principal operating strategy was to provide exceptional value to American consumers through multiple retail formats ranging from upscale discount and moderate-priced to full-service departments.”²⁷⁸ Although the company owned three major retail divisions including Target, Mervyn’s, and Marshall Field’s, the Target brand distinguished itself by offering

²⁷⁴ Lynn Weisberg, “On a Constitutional Collision Course: Attorney No-Comment Rules and the Right of Access to Information,” *Journal of Criminal Law and Criminology* 83, no. 3 (1992): 644, doi:10.2307/1143841.

²⁷⁵ Barbara Schenck, “In a PR Crisis, There’s No Room For ‘No Comment,’” *Entrepreneur*, June 21, 2012, <https://www.entrepreneur.com/article/223718#>.

²⁷⁶ Rosner, “No Comment.”

²⁷⁷ “Corporate Fact Sheet,” Target, accessed October 20, 2017, <https://corporate.target.com/press/corporate>.

²⁷⁸ Encyclopedia.com, s.v. “Target Corp Facts, Information, Pictures,” accessed October 20, 2017, <http://www.encyclopedia.com/social-sciences-and-law/economics-business-and-labor/businesses-and-occupations/target-corp>.

upscale products at widely affordable prices.²⁷⁹ The corporation successfully began expanding its stores nationwide in the 1980s; by 1987, revenue hit \$10 billion.²⁸⁰

As of 2017, Target operated 1,816 stores and thirty-nine distribution centers in the United States, “making it the nation’s second largest discount store retailer, second only to WalMart.”²⁸¹ The company’s 2016 annual financial report indicated it made \$73.8 billion in revenue, equating to \$19.5 billion in gross income.²⁸² Target was listed number thirty-eight on the 2016 *Fortune* 500 list, primarily because of a strategic pivot to focus more on kids’ items, health and wellness, and fashion.²⁸³

In addition to being the nation’s second largest discount retailer, Target’s business model incorporated social responsibility to capture the trust and loyalty of consumers. The company “has committed to donating \$2 million each week to the communities in which stores are located.”²⁸⁴ Additionally, the corporation partners with Feeding America in its “Target Meals for Minds” program to bring food to K-12 children in need.²⁸⁵ As a final example, in 2015, Target raised and donated \$1 billion to the nation’s education system in the form of books, supplies, food, and educational field trips.²⁸⁶

Consequently, from 2009 to 2012, the company consistently ranked within the top 100 on Forbes’ “Most Ethical Companies” list, “America’s Top Companies” list, and the “World’s Most Valuable Brands” list.²⁸⁷

²⁷⁹ Encyclopedia.com, s.v. “Target Corp Facts.”

²⁸⁰ Ibid.

²⁸¹ Target, “Corporate Fact Sheet.”

²⁸² “Target Corp.,” Market Watch, accessed October 20, 2017, <http://www.marketwatch.com/investing/stock/tgt/financials>.

²⁸³ Phil Wahba, “Target, Fortune 500 Retail Giant: Surprising Facts,” *Fortune*, June 24, 2016, <http://fortune.com/2016/06/24/target-fortune-500/>.

²⁸⁴ Encyclopedia.com, s.v. “Target Corp Facts, Information, Pictures”.

²⁸⁵ “Target Corporate Responsibility,” accessed October 20, 2017, <https://corporate.target.com/corporate-responsibility/education>.

²⁸⁶ “We Did it! Target Gives \$1 Billion for Education,” Target, August 31, 2015, <https://corporate.target.com/article/2015/08/thanks-a-billion-csr-infographic>.

²⁸⁷ “Target,” *Forbes*, accessed October 20, 2017, <https://www.forbes.com/companies/target/>.

However, Target's reputation came under intense debate during the winter months of 2013, when "criminal hackers gained access to [approximately] 40 million customer credit cards."²⁸⁸ In addition to the credit cards affected by the breach, it was estimated that nearly 60 million more people had their personal information accessed, with the cyber breach affecting nearly 100 million people.²⁸⁹ Although a cyber data breach and subsequent fallout is arguably the worst crisis any company could endure in today's cyber-intensive environment, the worst of the crisis was not Target falling victim to a cyber attack, but the organization's inadequate response to the public, or lack thereof, as a result of that attack.

It should be noted that Target knew about the November 27, 2013, security breach before the story was made public. According to statements from company executives during the subsequent investigation, Target's headquarters was notified of potentially malicious activity involving personal data on November 30, 2013, but decided not to take immediate action.²⁹⁰ Prior to Target releasing any information regarding the security breach, blogger Brian Krebs publicly reported on December 13, 2013, that Target was investigating "a security breach involving millions of records," and that the company was "hiding the bad news from vulnerable customers."²⁹¹ Furthermore, it was also leaked that Target discreetly hired a forensic investigator and notified the United States Department of Justice prior to making any public comments.²⁹²

According to multiple media sources, "Target failed to respond to multiple requests for comment."²⁹³ It was not until December 19, 2013—six days after the security breach was made public and twenty-two days after Target executives were aware

²⁸⁸ Eric Dezenhall, "A Look Back at the Target Breach," *Huffpost*, April 6, 2015, http://www.huffingtonpost.com/eric-dezenhall/a-look-back-at-the-target_b_7000816.html.

²⁸⁹ *Ibid.*

²⁹⁰ Jim Kinkle and Susan Heavey, "Target Says it Declined to Act On Early Alert of Cyber Breach," *Reuters*, March 13, 2014, <http://www.reuters.com/article/us-target-breach/target-says-it-declined-to-act-on-early-alert-of-cyber-breach-idUSBREA2C14F20140313>.

²⁹¹ Dezenhall, "Target Breach."

²⁹² *Ibid.*

²⁹³ Brian Krebs, "Sources: Target Investigating Data Breach," *Krebs on Security*, last modified December 19, 2013, <http://krebsonsecurity.com/2013/12/sources-target-investigating-data-breach/>.

of the cyber attack—that the company confirmed approximately 40 million credit cards were compromised.²⁹⁴ The company waited another month before individually notifying affected customers, a move compliance and ethics experts say was “a little too late to assuage fears and regain trust.”²⁹⁵

To make matters worse for executives, Target provided misinformation on multiple occasions when it finally made public comments. Initially, the company announced the cyber breach only affected customers who were active from Thanksgiving through December 6, 2013.²⁹⁶ This information, however, was incorrect; Target eventually extended the point-of-sale activity window to December 15, 2013.²⁹⁷ Moreover, the company initially announced 40 million credit cards were compromised.²⁹⁸ However, in January 2014, executives publicly announced the breach was “far worse than previously projected,” and an additional 70 million people had their names, addresses, phone numbers, and email addresses stolen.²⁹⁹

Ultimately, Target had to revise its damage assessment and public comments twice following its initial announcement.³⁰⁰ The company has yet to publicly disclose precisely how the cyber attack and data breach occurred.³⁰¹

Although Target was the victim of the largest cyber attack and data breach in history, very few sources painted the company as a victim.³⁰² On the contrary, Target,

²⁹⁴ Randal Cox, “Target: 66 Days of Gloom,” *Rippleshot* blog, January 28, 2014, <http://info.rippleshot.com/blog/target-timeline>.

²⁹⁵ Adam Turteltaub, “Data Breach—The 5 Things Target Did that You Shouldn’t,” *The Compliance and Ethics Blog*, May 7, 2014, <http://complianceandethics.org/data-breach-the-5-things-target-did-that-you-shouldnt/>.

²⁹⁶ Krebs, “Target Investigating Data Breach.”

²⁹⁷ *Ibid.*

²⁹⁸ Cox, “Target.”

²⁹⁹ *Ibid.*

³⁰⁰ Hilary Stout, “To Regain Trust, Target Must Do More, Crisis Experts Say,” *New York Times*, January 10, 2014, <https://www.nytimes.com/2014/01/11/business/to-regain-trust-target-must-do-more-crisis-experts-say.html>.

³⁰¹ Natalie Gagliardi, “The Target Breach, Two Years Later,” ZDNet, November 27, 2015, <http://www.zdnet.com/article/the-target-breach-two-years-later/>.

³⁰² Cox, “Target: 66 Days of Gloom.”

particularly immediately following the breach, appeared to be a nationwide retail giant that lacked both responsiveness and empathy for its customers. The silent approach did not work well for executives, and by the time the slow drip-drip of information release commenced, “the combination of new and old media metastasize[d] into a self-feeding system of toxic attention beyond the [company’s] reach.”³⁰³ In the public’s eyes, Target effectively allowed itself to morph from victim of a cyber crime to criminal co-conspirator.

B. PROBLEMS FACED FOLLOWING THE CRISIS

Almost overnight, Target’s profits plummeted to new lows. During a quarter of the year when sales are historically at their highest point because of the holiday season, the company reported a 46-percent drop in sales compared to the previous year.³⁰⁴ Diminishing returns continued into the first quarter of 2014 when Target reported a 16-percent decline in post-holiday sales.³⁰⁵ Shareholders also reacted negatively to the breach; shares plummeted nearly 13 percent in just one month of the breach.³⁰⁶

Customers, angry as a result of the lack of immediate response, lashed out at the company on social media, specifically citing “the perpetual busy signal on the company’s customer service hotline.”³⁰⁷ When asked to comment on the security breach and how it affected consumers, Hemu Nigam, CEO of security consulting company SSP Blue, stated, “I think they’ve already lost the trust of many individuals.”³⁰⁸ This statement was supported by an Associated Press poll, which revealed half of Americans were concerned

³⁰³ Dezenhall, “Target Breach.”

³⁰⁴ Brian Krebs, “The Target Breach, by the Numbers,” *Krebs on Security* blog, May 14, 2014, <https://krebsonsecurity.com/2014/05/the-target-breach-by-the-numbers/>.

³⁰⁵ Adam Levin, “After the Big Data Breach, Has Target Learned its Lesson?,” ABC News, June 15, 2014, <http://abcnews.go.com/Business/big-data-breach-target-learned-lesson/story?id=24124097>.

³⁰⁶ Cox, “Target: 66 Days of Gloom.”

³⁰⁷ Dezenhall, “Target Breach.”

³⁰⁸ Stout, “Target Must Do More.”

about shopping at Target stores, with an additional 61 percent indicating they were “deeply concerned” with shopping at Target online.³⁰⁹

Unfortunately, the breach did not just affect the company externally; internal organizational structure was also sent into disarray. Marking the first time in U.S. history a chief information officer resigned following a data breach, Beth Jacob left the company, stating, “This was a time for significant transformation for ... Target.”³¹⁰ Just two months later, the company’s board of directors pressured CEO Gregg Steinhafel, a 35-year veteran of the company, to resign.³¹¹ Before departing, however, Steinhafel announced “the layoff of 475 employees and the elimination of 700 vacant positions as it struggled with sluggish sales following the data breach crisis.”³¹² Within just one month of the layoffs, Target executives began noticing a decline in employee morale and productivity.³¹³

In 2015, it was estimated that gross expenses stemming from the data breach cost Target upwards of “\$252 million, with insurance covering approximately \$90 million.”³¹⁴ The company subsequently announced it devoted \$100 million to updating security technology in hopes to prevent a similar attack from occurring.³¹⁵ In 2017, the

³⁰⁹ “Consumer Behavior Unchanged After Target Breach,” NJ.com, January 27, 2014, www.nj.com/business/index.ssf/2014/01/consumer_behavior_unchanged_after_target_breach.html.

³¹⁰ Mary Shacklett, “A Former CIO’s Take on Target CIO Resigning after Massive Data Breach,” TechRepublic, March 13, 2014, <http://www.techrepublic.com/article/a-former-cios-take-on-target-cio-resigning-after-massive-data-breach/>.

³¹¹ Eric Basu, “Target CEO Fired—Can You be Fired if Your Company Is Hacked?,” *Forbes*, June 15, 2014, <https://www.forbes.com/sites/ericbasu/2014/06/15/target-ceo-fired-can-you-be-fired-if-your-company-is-hacked/#4b3832787c9f>.

³¹² Adam Belz, “Target Eliminates 475 Jobs, Most at Minneapolis HQ,” *Star Tribune*, January 22, 2014, <http://www.startribune.com/besieged-target-lays-off-475-and-won-t-fill-700-jobs/241503611/>.

³¹³ Megan Clark, “Timeline of Target’s Data Breach and Aftermath: How Cybertheft Snowballed for the Giant Retailer,” *International Business Times*, May 5, 2014, <http://www.ibtimes.com/timeline-targets-data-breach-aftermath-how-cybertheft-snowballed-giant-retailer-1580056>.

³¹⁴ Jeffrey Roman, “Target Breach Costs: \$162 Million,” Bank Info Security, February 25, 2015, accessed October 20, 2017, <https://www.bankinfosecurity.com/target-breach-costs-162-million-a-7951>.

³¹⁵ Clark, “Timeline of Target’s Data Breach.”

company resolved the nationwide case in civil court by agreeing “to pay \$18.5 million to settle claims filed by 47 states and the District of Columbia.”³¹⁶

C. REPUTATION AND CRISIS STRATEGY

In previous chapters, this thesis analyzed crisis and reputation management strategies employed by organizations to recapture consumers’ trust. However, much institutional and reputational analysis has been devoted to Target’s failed attempts to maneuver through one of the nation’s largest data-breach crises. This section of the chapter, therefore, details what the organization *failed* to do to maintain public trust and legitimacy. Target’s reputation management failure can be broken down into three major actions, or inactions:

- Target failed to “break the story” publicly, allowing the media, sprinkled with customer fear, to shape the crisis narrative.
- Once the company publicly commented on the data breach, executives failed to disclose the full extent of the breach, and released misinformation on more than one occasion.
- Target failed to acknowledge it could have done more to prevent the breach, and has yet to sincerely convey or convince the general public a similar attack could not happen. Even the company’s FAQ web page does not apologize for the mishap, and has been criticized by ethics experts as existing “to keep panicky customers from clogging phone lines” as opposed to assisting those impacted by the breach.³¹⁷

³¹⁶ “Target Settles ‘Nightmare before Xmas’ Data Breach for \$18.5 Million,” NBC News, May 24, 2017, <https://www.nbcnews.com/business/business-news/target-settles-2013-hacked-customer-data-breach-18-5-million-n764031>.

³¹⁷ Turteltaub, “Data Breach.”

D. ANALYSIS

Target's data breach has become a rich lesson in crisis and reputation management; the longer an organization waits to publicly comment on a crisis, the more time the public and the media has to frame the crisis narrative, often with inaccuracies that neither exonerates nor bolsters the organization's reputation.³¹⁸ According to Forbes, although Target did some things right during the data breach crisis, the company "made some classic mistakes that have not only compromised their reputation, but the trust of their customers, [their] employees, and the public."³¹⁹ After all, the data breach, which could happen to any company in this cyber age, was not really the result of the organization's wrongdoing. Target's guilt was a byproduct of its inadequate handling of the crisis.

To be fair, Target may not have had the information required to release a well-informed, thoughtful statement when it was forced to respond to the news of the data breach on December 19, 2013. Additionally, experts close to the organization often counsel leaders to "limit their statements, and their liability, and encourage the organization to withhold information from the public until the magnitude of the crisis can be fully understood."³²⁰ However, analysis of Target's mishandling of the breach by crisis and reputation management experts clearly indicates the company underestimated the crisis; while Target remained silent in order to limit liability and understand the breach more clearly, a small-time blogger leaked the story and singlehandedly jeopardized the organization's reputation with its customers, employees, stakeholders, and the public.³²¹

Forbes contributor Davia Temin framed it most succinctly when she stated, "Target leadership's biggest flaw may have been to listen to the wrong experts: they stayed silent when they should have broken the story themselves and over-

³¹⁸ Schenck, "PR Crisis."

³¹⁹ Davia Temin, "Target's Worst PR Nightmare: 7 Lessons from Target's Well-Meant but Flawed Crisis Response," *Forbes*, December 30, 2013, <https://www.forbes.com/sites/daviatemin/2013/12/30/targets-worst-pr-nightmare-7-lessons-from-targets-well-meant-but-flawed-crisis-response/#13953e043cf2>.

³²⁰ *Ibid.*

³²¹ *Ibid.*

communicated. They minimized when they should have maximized. They obfuscated when they should have leveled with their customers. And they made false assurances that they later needed to retract. Now, fewer will believe them when they speak.”³²²

This thesis suggests the lessons from the Target case are three-fold:

1. Organizational leaders, when faced with a crisis that directly impacts the public, should not wait to go public with information. As suggested by the Target case, leaders do not need to have all of the information; it is more important to announce what the organization does and does not know, and make clear the organization’s intentions to resolve the crisis. Then, more importantly, leadership’s promises must be kept. The organization’s reputation could potentially take a hit, but if words are supported by actions, the organization’s credibility will not. Ultimately, this will help preserve the public’s trust.
2. Organizations should not let others shape the crisis narrative. The Internet has become a crisis narrative designer. While some experts suggest that it is still a legitimate strategy to wait until a crisis has been fully investigated before going public, those same experts agree that the Internet may not be so patient.³²³
3. Organizations should disclose the full known extent of the crisis. “While calls for immediate and full disclosure may often be unrealistic, information leaks regarding crises are now the rule, not the exception.”³²⁴ Small inaccurate nuggets of information that require constant correction only further incapacitate an organization’s ability to mitigate the crisis by allowing critics and second-guessers to disparage the organization across multiple media platforms.

³²² Temin, “Target’s Worst PR Nightmare.”

³²³ Dezenhall, “Target Breach.”

³²⁴ Ibid.

Analysts at Forrester Research assert that “although breach costs are on a downward trend,” Target will most likely suffer financial and intangible costs associated with the crisis for years to come.³²⁵ It is hard to determine whether the company’s consumer-trust index would have remained the same, if its profits would have dipped, or if its executives would still be employed had Target responded to the data breach differently. However, by most assessments, Target, at the very least, would have avoided being heralded as a reputation case study of what *not* to do during a crisis.³²⁶

³²⁵ Roman, “Target Breach.”

³²⁶ “Target Data Breach: A Lesson in Crisis Communication,” ThinkResults Marketing, January 7, 2014, <http://thinkresultsmarketing.com/2014/01/target-data-breach-a-lesson-in-crisis-communication/>.

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VII. RECOMMENDATIONS: A WAY FORWARD FOR LAW ENFORCEMENT

The crisis management discipline is deeply aware of the value of reputation.³²⁷ After all, reputation is said to be a company's most valuable intangible asset, and a crisis is often the unpredictable event that threatens to damage that reputation.³²⁸ An organization's reputation is developed and refined through a combination of interacting factors, such as "first-hand interactions with the organization, mediated reports about the organization" (i.e., traditional media, social media, and advertising), and "second-hand information" (i.e., word of mouth and personal blogs).³²⁹ Ultimately, reputations are largely established by how the organization treats, or responds to, consumers, the public, and various stakeholders.³³⁰

This thesis asserts that, as an industry, law enforcement is currently experiencing a nationwide crisis. The shootings of unarmed individuals, particularly African Americans, the inadequate response by some law enforcement executives, and the subsequent civil unrest raise highly disturbing and often volatile concerns for public safety. Just like the private companies and executives who experienced the crises highlighted in this thesis, law enforcement agencies and their leaders have an obligation to the communities they serve to honestly assess and reevaluate how they respond to crises.

Outside of tactical operations and emergency management, very little academic work has been dedicated to crisis and reputation management in law enforcement. Presumably, this is because law enforcement limits its definition of crisis to "a great calamity or disaster that law enforcement is called to mitigate and restore order."³³¹ Very

³²⁷ Coombs, "Protecting Organization Reputations during a Crisis."

³²⁸ Miguel López-Quesada, "How to Protect Your Reputation during a Crisis," Corporate Relations, February 16, 2017, www.ie.edu/corporate-relations/insights/how-to-protect-your-reputation-during-crisis/.

³²⁹ Coombs, "Protecting Organization Reputations during a Crisis," 164.

³³⁰ Ibid.

³³¹ Pete Eliadis, "Crisis Management or Vice-Versa?," Officer.com, September 22, 2009, <https://www.officer.com/on-the-street/article/10233226/crisis-management-or-viceversa>.

few, if any, law enforcement executives are willing to suggest a crisis can be caused by the industry's actions or inactions.

For example, the *Final Report of the President's Task Force on 21st Century Policing*, a United States Department of Justice publication that is arguably law enforcement's handbook for modern-day policing, mentions the word "crisis" twenty-eight times.³³² However, not once does it describe the tension between law enforcement and several communities across the nation as a bona fide crisis. Furthermore, during the 2016 International Association of Chiefs of Police conference, top law enforcement executive and then-FBI Director James Comey spoke about the challenges facing current-day law enforcement.³³³ During his twenty-minute speech, Director Comey asserted that the nation is facing "a uniquely difficult time in American law enforcement," suggesting the executives in the audience were "experiencing the hardest time in [their] careers."³³⁴ Although Director Comey was correct in stating law enforcement officers are confronted with unparalleled challenges, not once did he use the word "crisis" to describe law enforcement's current state of affairs.³³⁵ Indisputably, there are a number of issues and concerns relevant to law enforcement, with very little agreement on the cause of those issues and concerns. However, every reader of this thesis, regardless of occupation or trade, can agree that the media images and videos of civil unrest throughout the country depict law enforcement experiencing a monumental crisis.

This thesis provides an opportunity for law enforcement executives to learn from the private sector, and to put the most critical lessons in crisis and reputation management into practice. By heeding the lessons highlighted in previous chapters, law enforcement executives have the chance to evaluate their strengths and vulnerabilities and address potential crises long before public anger boils over and erupts into civil disturbance. If a law enforcement executive is open to evaluating the need for the strategies advocated in

³³² President's Task Force on 21st Century Policing, *Final Report*.

³³³ "IACP 2016: A Discussion with FBI Director James Comey," YouTube video, posted by FBI, October 19, 2016, <https://www.youtube.com/watch?v=ZTbI-LqnEPg>.

³³⁴ James Comey, "The True Heart of American Law Enforcement: Remarks as Delivered," FBI, October 16, 2016, <https://www.fbi.gov/news/speeches/the-true-heart-of-american-law-enforcement>.

³³⁵ *Ibid.*

this thesis, and conduct a realistic assessment of the organization's current crisis and reputation performance markers, a new skillset of tactics designed to deliver proper response and effective containment of even the most unyielding crises will emerge.

The remainder of this chapter is a synthesis of the strategies presented in this thesis, and ultimately provides law enforcement executives with a crisis and reputation management template, or a new way forward, for crises. It is essential for law enforcement executives to understand that the question is not, "Will we join the ranks of BP, Volkswagen, Mattel, and Target?"; the question is undoubtedly, "*When* will we join them?" How a law enforcement department responds to its crisis—meaning how the department manages the welfare of its employees, vocal critics, and the public—will be directly aligned with the organization's reputation.

A. CRISIS COMMUNICATION VIA SOCIAL MEDIA

At nearly every annual International Association of Chiefs of Police conference, there is inevitably a speaker or workshop that encourages law enforcement executives to leverage social media to instill public confidence. The overarching message is that law enforcement must embrace social media as a communication tool and can no longer afford to ignore it, despite preferred methods of communication with the public.³³⁶ With heads nodding, executives pat themselves on the back for success stories such as the Boston Police Department's use of social media to engage and galvanize citizens following the Boston Marathon bombing.³³⁷

However, that is not the type of crisis or communication technique this thesis set out to probe. While 92 percent of law enforcement agencies across the nation use some form of social media to supplement their operations and investigations, 84 percent of the public indicates it is only minimally informed about the operations and decisions of its

³³⁶ Leischen Stelter, "How Agencies Are Using Social Media to Manage Crisis Response," PoliceOne, October 10, 2012, <https://www.policeone.com/social-media-for-cops/articles/6008161-How-agencies-are-using-social-media-to-manage-crisis-response/>.

³³⁷ George Haddow and Kim Haddow, "Social Media and Boston Marathon Bombing: Case Study," Elsevier, June 4, 2015, <http://scitechconnect.elsevier.com/social-marathon/>.

police departments.³³⁸ This highlights a major chasm between the public's expectations and law enforcement's use of social media as a communication tool. Add in a major crisis such as an officer-involved shooting or incident of officer misconduct, and crisis communication via social media is nearly nonexistent. Very few instances can be identified in which a law enforcement executive exploited social media as a means to communicate with the mass public during the immediate onset of a crisis. Most, if not all, waited for traditional media to gather for one large press conference.

As an example, on July 17, 2016, three police officers were shot and killed by a sniper in Baton Rouge, Louisiana.³³⁹ During the shooting, "one person was broadcasting the event on Facebook Live while another eyewitness was live on Periscope. [In contrast,] it was five and a half hours before a news conference was held. Meanwhile, social media posts from the affected police agencies were weak and sporadic, as were any attempts to post statements to their official websites."³⁴⁰

As suggested in this thesis, the faster an organization leverages social media as a crisis communication tool, the less potential impact there will be to the organization's pre-established reputation, and the faster the organization can focus on rebuilding trust with the public and stakeholders. Do law enforcement executives need to have all the answers or be willing to discuss non-disclosable information? Absolutely not; in fact, this thesis discourages disclosure of inaccurate, incomplete, or legally prohibited information. However, making a prompt YouTube video, crafting a 140-character Tweet with accurate information, or creating an informative and honest Facebook message that has been approved by the leadership and legal teams could be the starting point to navigating a law

³³⁸ Juliana Reyes, "92% of U.S. Law Enforcement Agencies Use Social Media," *Technically*, October 23, 2013, <https://technical.ly/2013/10/23/police-social-media/>.

³³⁹ Steve Visser, "3 Officers Killed; 3 Injured in Baton Rouge," *CNN*, July 18, 2016, <http://www.cnn.com/2016/07/17/us/baton-rouge-police-shooting/index.html>.

³⁴⁰ Gerard Braud, "Crisis Communications & Social Media When "it" Hits The Fan," *PRSay* blog, March 9, 2017, <https://prsay.prsa.org/2017/03/09/crisis-communications-social-media-when-it-hits-the-fan/>.

enforcement crisis. If 140 characters is not enough, rest assured there is reprieve; Twitter has explored the possibility of doubling its maximum limit to 280 characters.³⁴¹

Most law enforcement executives understand there is no legal or professional requirement to limit communication with the public to traditional media. Incorporating *timely* two-way social media communication as a collaborative tool during a crisis “can act as a fast and effective way to communicate with [the public] ... as many individuals now use various social media conduits as their primary means for getting information.”³⁴²

It is important to stress that law enforcement executives cannot simply stop after one video or post. “The multiple channels, user-level control of messaging, and real-time delivery makes social media far more complex than [one-time] press releases and conferences.”³⁴³ The level of *consistency* and *frequency* with which an executive communicates on social media “during and post-crisis can determine the damage done to [the organization’s] brand.”³⁴⁴ Maintaining constant and proactive communication on social media will set the tone for the crisis while simultaneously building confidence and trust with the organization’s employees, its stakeholders, and the public.

When deciding whether to use social media as a mass communication tool during a crisis, consider these facts: in 2015, there were 1.06 billion active Facebook users, 1 billion active YouTube users, 500 million Twitter users, and 12.6 million Vimeo users.³⁴⁵ By 2017, 81 percent of the United States population had a social media profile,

³⁴¹ Michelle Castillo, “Twitter Is Testing 280-Character Tweets, Double the Current Max,” CNBC, September 26, 2017, <https://www.cnbcm.com/2017/09/26/twitter-may-expand-tweets-to-280-characters-double-length.html>.

³⁴² Jim Dougherty, “6 Social Media ‘Musts’ for Crisis Communication,” Cision, June 8, 2015, <http://www.cision.com/us/2015/06/6-social-media-musts-for-crisis-communication/>.

³⁴³ Ibid.

³⁴⁴ Joes Chan, “5 Must-Have Tools to Help You Manage a Social Media Crisis,” *The Mention Blog*, accessed October 20, 2017, <https://mention.com/blog/tools-social-media-crisis/>.

³⁴⁵ “Using Social Media as a Crisis Management Tool,” Emergency Management Degrees, accessed October 20, 2017, <http://www.emergency-management-degree.org/crisis/>.

representing a 5-percent increase from 2016.³⁴⁶ According to experts, that figure will only continue to grow as more and more people become engaged with social media.³⁴⁷

B. TRANSPARENCY

Transparency has become a buzzword in law enforcement. A growing number of police departments capitalize on the concept for their vision or mission statements, and it is even one of the underlying tenets in the *Final Report of the President's Task Force on 21st Century Policing*.³⁴⁸ However, there is no established method to measure transparency, and each police department, theoretically, has a different perspective on what transparency means. Furthermore, a recent study conducted by San Diego State University Professor Joshua Chanin suggests police departments across the nation do not meet public expectations for transparency.³⁴⁹

One thing is for certain: politicians, civil rights groups, the general public, and even some law enforcement executives are calling for increased transparency from law enforcement.³⁵⁰ Across the country, body-worn cameras have become synonymous with transparency.³⁵¹ In 2014, as a means to increase transparency and fortify the trust between communities and the police, the Obama administration proposed a three-year, \$263 million initiative that will, in part, increase the number of law enforcement agencies that equip their officers with body-worn cameras and enhance training for officers.³⁵² The federal initiative, aptly named that Body-Worn Camera Pilot Partnership Program,

³⁴⁶ “U.S. Population with a Social Media Profile 2017,” Statista, accessed October 20, 2017, <https://www.statista.com/statistics/273476/percentage-of-us-population-with-a-social-network-profile/>.

³⁴⁷ Ibid.

³⁴⁸ President’s Task Force on 21st Century Policing, *Final Report*.

³⁴⁹ Radley Balko, “New Study Looks at the Transparency of Police Departments,” *Washington Post*, May 9, 2014, https://www.washingtonpost.com/news/the-watch/wp/2014/05/09/new-study-looks-at-the-transparency-of-police-departments/?utm_term=.584311ba1346.

³⁵⁰ John Ortiz Smykla et al., “Police Body-Worn Cameras: Perceptions of Law Enforcement Leadership,” *American Journal of Criminal Justice* 41, no. 3 (2015): 424–443, doi:10.1007/s12103-015-9316-4.

³⁵¹ Brent McDonald and Hillary Bachelder, “With Rise of Body Cameras, New Tests of Transparency and Trust,” *New York Times*, accessed October 20, 2017, <https://www.nytimes.com/2017/01/06/us/police-body-cameras.html>.

³⁵² “Strengthening Community Policing,” White House, December 1, 2014, <https://obamawhitehouse.archives.gov/the-press-office/2014/12/01/fact-sheet-strengthening-community-policing>.

promised a fifty–fifty match for local and state law enforcement agencies willing to purchase body-worn cameras and the requisite storage space.³⁵³

At the beginning of 2016, nearly 95 percent of all large police departments either implemented, or committed to implement, a body-worn camera program.³⁵⁴ In order to assess their effectiveness, a nationwide study conducted in Rialto, California, indicated that use-of-force incidents and citizen complaints against officers decreased by 50 percent and 90 percent, respectively, when agencies outfitted their officers with body-worn cameras.³⁵⁵ Once again, law enforcement executives across the nation patted themselves on the back as they claimed equipping their officers with this new technology would meet public expectations for transparency.

This thesis contends, however, that—although body-worn cameras are reshaping the public’s perception of law enforcement—police departments across the nation are rolling out these devices without adequate answers to the public’s questions about camera footage and its release. It has been three years since the Obama administration announced the Body-Worn Camera Pilot Partnership Program, and there remains a host of unanswered concerns: How will the footage be used? Who has access to the footage? Should law enforcement agencies release the footage to the public? And if so, are there privacy rights that need to be addressed before releasing the contents? There is therefore little empirical evidence to suggest body-worn cameras have increased transparency or improved accountability.

According to the National Conference of State Legislatures, “Body-worn cameras continue to be a significant focus for state lawmakers as they consider and enact legislation to address police-community relations.”³⁵⁶ As of the beginning of 2017, 30 states, and the District of Columbia have created laws that govern body-worn

³⁵³ White House, “Strengthening Community Policing.”

³⁵⁴ Mike Maciag, “Survey: Almost All Police Departments Plan to Use Body Cameras,” *Governing*, January 26, 2016, <http://www.governing.com/topics/public-justice-safety/gov-police-body-camera-survey.html>.

³⁵⁵ “Body-Worn Camera Laws Database,” National Conference of State Legislatures, April 1, 2017, <http://www.ncsl.org/research/civil-and-criminal-justice/body-worn-cameras-interactive-graphic.aspx>.

³⁵⁶ *Ibid.*

cameras.³⁵⁷ Although there are a number of agencies across the nation—including the New York Police Department, Oakland Police Department, San Francisco Police Department, and most recently the Los Angeles Police Department—that have, or announced they will begin releasing, body-worn camera footage as a means to respond to the public’s plea for increased transparency, an overwhelming majority of police agencies refuse to release body-worn camera footage.³⁵⁸ In fact, nineteen of the thirty states with body-worn camera laws on their books enacted legislation specifically restricting public access to body-worn camera footage without a court order, with dozens more proposing legislation.³⁵⁹

The Trump administration has made it clear that the release of law enforcement footage will lie squarely at the discretion of state legislatures, law enforcement executives, and state and city officials.³⁶⁰ When asked about its stance on the release of body-worn camera footage, the Trump administration responded, “Law enforcement agencies that will be using body-worn cameras will do so with the proper balance between good management and protection of privacy.”³⁶¹

This thesis asserts that *routinely* releasing body-worn and dashboard camera footage of a police pursuit, officer-involved shooting, or other crimes captured by the devices, in conjunction with a candid yet empathetic message, would provide for greater transparency and increased accountability, and potentially overcome ambiguities common in community–police debates. As the case study analyzed in this thesis suggests, when a crisis emerges, swift and controlled communication conveyed with transparency and honesty during the initial hours and days of the crisis is critical to preserving an

³⁵⁷ “Body-Worn Camera Laws,” National Conference of State Legislatures.

³⁵⁸ “LAPD Plans to Release Body-Cam Videos for First Time,” Officer.com, September 27, 2017, <https://www.officer.com/on-the-street/body-cameras/video/20977173/los-angeles-police-department-plans-to-release-bodycam-videos-for-first-time>; Ashley Goldstein, “Police Release Body Camera Footage of Shooting Death in Bronx,” *New York Times*, September 14, 2017, <https://www.nytimes.com/2017/09/14/nyregion/police-body-camera-footage-new-york.html>.

³⁵⁹ McDonald and Bachelder, “Rise of Body Cameras.”

³⁶⁰ Miranda Spivack, “Cop Camera Footage: Public Record or Police Property?,” *Reveal*, December 21, 2016, <https://www.revealnews.org/article/cop-camera-footage-public-record-or-police-property/>.

³⁶¹ *Ibid.*

organization's reputation. Therefore, law enforcement departments will ultimately benefit from making footage, and the departmental policies that govern the devices, routinely available to the public. If law enforcement wants to avoid appearing as if it is intentionally suppressing evidence, releasing body-worn and dashboard camera footage will "build upon efforts to mend the fabric of trust, respect, and common purpose that all communities need to thrive."³⁶²

It is important for law enforcement executives to appreciate that the media can, and will, obtain dashboard or body-worn camera footage from their agencies through public pressure, a public records request, or a court order.³⁶³ It is the reason why there are countless law enforcement videos currently available on the Internet; the associated narrative, however, is nearly always that the department intentionally withheld footage from the public.³⁶⁴ And while countless jurisdictions have attempted to restrict public access to officer-involved shootings, there are no federal or state laws that preclude an agency from releasing the video when information deemed confidential or private has been redacted. If the proliferation of body-worn cameras was designed to "provide greater transparency and police accountability," as declared by the Obama and Trump administrations, it is time to reevaluate the assertion that age-old resistance should supersede transparency and the public's right to know.

C. ORGANIZATIONAL REFORM

As noted in the case study, strong communicators who can deliberately balance employee and public acceptance to organizational reform can help control a crisis and regain consumer trust. Being able to view a crisis as an opportunity and driving force for change often means the difference between an organizational manager and an organizational leader. With so many communities calling for reform in law enforcement, are law enforcement agencies reluctant to change? If they are willing to change, is it meaningful reform that is communicated and, more importantly, enforced from the

³⁶² Spivack, "Cop Camera Footage."

³⁶³ Seth Stoughton, "Police Departments Pressured to Release Video of Shootings," in discussion with Kelly McEvers, NPR, September 23, 2016.

³⁶⁴ Spivack, "Cop Camera Footage."

executive level down to the patrol officer? *Harvard Business Review* contributor and law professor at the University of Virginia School of Law Barbara Armacost argues that the law enforcement profession is resistant to organizational change and “the only effective mechanism for addressing police [perception] is top-down, systematic reform of the police organization itself.”³⁶⁵

If the nationwide data presented in this thesis is correct—showing that there has been an increase in police shootings of unarmed individuals followed by an increase in public backlash and retaliatory attacks on officers—it would behoove law enforcement executives to identify solutions and opportunities for change. According to Geoffrey Alpert, a law enforcement expert and professor of criminology, “We know what needs to happen next but we just keep studying the question instead of doing something about the answers we’ve arrived at.”³⁶⁶

This thesis supports a systematic, standardized approach to organizational reform in law enforcement as a means to improve public trust on a nationwide level. Moreover, it suggests avoiding ineffective reform in one area of law enforcement in favor of purposeful reform in multiple areas of the discipline. These areas include introducing innovative training for officers, improving data collection (and making that data available to the public), creating a culture of officer accountability, and increasing the diversity of police departments.

As one example, police departments need to focus on innovative de-escalation and crisis intervention training in an effort “to reduce the lethality of interactions between police and the community.”³⁶⁷ De-escalation training encourages “officers to slow down, create space, and use communication techniques to diffuse potentially dangerous situations.”³⁶⁸ Although the theory behind the training sounds beneficial and necessary, a

³⁶⁵ Barbara Armacost, “Police Departments Don’t Change.”

³⁶⁶ Ibid.

³⁶⁷ Christopher Haugh, “How the Dallas Police Department Became a National Model For Reform,” *The Atlantic*, July 9, 2016, <https://www.theatlantic.com/politics/archive/2016/07/dallas-police/490583/>.

³⁶⁸ Curtis Gilbert, “Most States Neglect Ordering Police to Learn De-escalation Tactics to Avoid Shootings,” *American Public Media*, May 5, 2017, <https://www.apmreports.org/story/2017/05/05/police-de-escalation-training>.

2017 American Public Media report indicated that only thirteen of the fifty U.S. states mandate de-escalation training for law enforcement officers.³⁶⁹ Moreover, many local police and sheriff departments indicate their agencies do not require the training, “citing, among other reasons, cost, lack of staff, and a belief that the training is unnecessary or constitutes a rebuke of traditional policing.”³⁷⁰ Without a nationwide requirement, or a uniform standard between local jurisdictions within states, inconsistency fuels mistrust in police.

Although it can be argued there are no scientific studies indicating de-escalation training unequivocally results in a decrease in officer-involved shootings, several police departments that have implemented the training, including those under federal consent decree, have reported lower incidents of use of force.³⁷¹ For example, the Dallas Police Department, arguably one of the more innovative departments under the leadership of Chief David O. Brown, reported an 18-percent decrease in use-of-force incidents and, an 83-percent drop in excessive force complaints, just one year after mandating de-escalation training for all officers.³⁷² With this dataset in mind, can law enforcement afford to *not* mandate de-escalation and crisis intervention training for its employees, regardless of the cost and time commitments?

Another way to enhance organizational reform, underscored by transparency, is to create a data collection repository that is readily available to the public. For the purposes of this thesis, included in that collection and disclosure are the department’s established policing policies, something most agencies and the governments that oversee them are reluctant to make public.³⁷³ Collecting data and making it available to the public not only provides accountability for the agency and its officers, but encourages “joint problem solving, innovation, [and] enhanced understanding between communities and the law

³⁶⁹ Gilbert, “Police De-escalation Tactics.”

³⁷⁰ Ibid.

³⁷¹ Ibid.

³⁷² Ibid.

³⁷³ “SB 345 Goes To Reluctant Governor: Would Require Police To Post Procedures Manuals Online,” *Indivisible East Bay*, September 15, 2017, <https://indivisibleeb.org/2017/09/15/sb-345-goes-to-reluctant-governor-would-require-police-to-post-procedures-manuals-online/>.

enforcement agencies that serve them.”³⁷⁴ Providing data regarding police policies and police–community interactions allows law enforcement executives to combine transparency with an innovative approach to community policing and accountability, and ultimately creates a partnership with communities to improve public safety.

The concept of making policing data publicly available, which is supported by the *Final Report by the President’s Task Force on 21st Century Policing*, “is the key to increasing community trust and police accountability.”³⁷⁵ The data, which becomes a powerful tool for police–community relations, even allows executives to identify any potential discriminatory practices, and makes way for new and innovative policing solutions. Some of the suggested items to be collected and made public include, but are not limited to:

- agency-written policies (un-disclosable information should be redacted, in consultation with the agency’s legal department);
- age of person(s) contacted;
- race and/or ethnicity of person(s) contacted;
- sex and/or gender of person(s) contacted;
- reason(s) for contact;
- disposition of person(s) contacted;
- use of force, if any;
- arrest(s), if any;
- searches, if any; and
- death(s), if any.

³⁷⁴ “Police Data Initiative,” Police Foundation,, accessed October 20, 2017, <https://www.policedatainitiative.org/>.

³⁷⁵ President’s Task Force on 21st Century Policing, *Final Report*.

The nation's largest state police department, the California Highway Patrol, is currently collecting this data, compiling it, and creating a report to be given to the California State Legislature.³⁷⁶ The data is also being used by non-governmental organizations to establish best policing practices and policies.³⁷⁷ However, this data is not currently readily available nor easily accessible to the public.³⁷⁸ Furthermore, the California Highway Patrol does not make the agency's written policies readily available to the public on its website.³⁷⁹

This thesis asserts that law enforcement agencies, if governed by the right leaders, have the capacity to leverage organizational reform “for the purposes of enhancing trust, understanding, innovation, and the co-production of public safety.”³⁸⁰ When asked about organizational reform in law enforcement agencies across the nation, Noble Wray, former police chief and chief of policing practices and accountability for the federal Office of Community Oriented Policing Services, stated, “There are those departments that want to constantly improve and do the right thing. There are those departments that are just treading water. Then there are the departments that are flat out doing nothing. And at times, they end up being motivated by things like lawsuits and consent decrees.”³⁸¹

For the law enforcement executives reading this thesis, the importance of creating an organizational culture that accepts reform for the purposes of rebuilding and maintaining public trust cannot be underscored enough.

³⁷⁶ Max Isaacs, “Establishing Best Practices for Stop Data Collection,” Policing Project, May 24, 2017, <https://policingproject.org/dispatches/establishing-best-practices-for-stop-data-collection/>.

³⁷⁷ Ibid.

³⁷⁸ California Highway Patrol homepage, accessed October 20, 2017, <https://www.chp.ca.gov/>.

³⁷⁹ Ibid.

³⁸⁰ “Participating Agencies,” Police Data Initiative, accessed October 20, 2017, www.policedatainitiative.org/participating-agencies/.

³⁸¹ Gilbert, “De-escalation Tactics.”

D. SHAPING THE NARRATIVE

The most opportune time to comment on a crisis is before anyone else even knows about it. However, according to Forbes contributor Davia Temin, “Immediate response and indelible accountability [is] a tall order for any leader.”³⁸² She further states, “If you do not speak for yourself quickly, or if you do so poorly, someone else—antagonist ... competitor, or anonymous hater—will speak for you. And in the world of public perception, the first mover has the advantage.”³⁸³ In a climate where immediacy is not only key but expected, an organization’s ability to shape the crisis narrative can have a tremendous impact on the organization and its reputation.

For decades, law enforcement has had the convenience of news cycles and next-day interviews. It was standard practice to wait until the 6 o’clock news or put off an interview to design a well-choreographed response to the press or public following a crisis. Today, however, when a law enforcement executive fails to respond immediately, or responds with “no comment,” the media and the public are at liberty to generate a crisis narrative for the police, often built on incorrect information, misconception, and disparagement. As seen in today’s climate, this usually results in negative consequences for the agency’s reputation.

As suggested by the Target case study, failing to shape the crisis narrative does not just negatively impact the organization’s relationship with the public; it could also have a potential impact between management and rank-and-file employees. According to Brian Willis, deputy executive director for the International Law Enforcement Educators and Trainers Association, “When the public hear [sic] no comment, they think the police did something wrong and are trying to cover it up—when the officers from the involved agency hear it, they feel angry and betrayed by their leader.”³⁸⁴ When leaders refuse to

³⁸² Davia Temin, “You Have 15 Minutes to Respond to a Crisis: A Checklist of Dos And Don’ts,” *Forbes*, August 6, 2015, <https://www.forbes.com/sites/daviatemin/2015/08/06/you-have-15-minutes-to-respond-to-a-crisis-a-checklist-of-dos-and-donts/#157f82050a83>.

³⁸³ *Ibid.*

³⁸⁴ Brian Willis, “Why “No Comment” No Longer Works after a Critical Police Incident,” *PoliceOne*, November 7, 2014, <https://www.policeone.com/chiefs-sheriffs/articles/7791137-Why-no-comment-no-longer-works-after-a-critical-police-incident/>.

inform or educate the public on officer actions, or inactions, officers are led to believe their leaders do not support, or have lost touch with, line-level employees.

Reputation management corporation Temin and Company created a checklist for organizational leaders who want to remain focused on their organization's reputation during a crisis.³⁸⁵ This checklist, found in Figure 1, can be applied by law enforcement executives experiencing a crisis in order to maintain, or repair, a robust reputation.

³⁸⁵ Temin, "15 Minutes."

You Have 15 Minutes To Respond To A Crisis:

A Checklist of Do's and Don't's



Figure 1. Crisis Response Checklist³⁸⁶

³⁸⁶ Source: Temin, "15 Minutes."

E. CONCLUSION

Crises are an integral part of organizational life, and law enforcement is not immune to this predisposition.³⁸⁷ As noted by one expert, “If you are not now in a crisis, you are instead in a pre-crisis situation and should make immediate precautions for the crisis that looms on the horizon.”³⁸⁸ During an era when one officer-involved shooting has the capacity to disturb the smooth operations of an agency and permanently damage organizational reputation, law enforcement leaders should be prepared to successfully employ effective crisis and reputation strategies aimed at reestablishing public trust. The evidence presented nationwide indicates law enforcement crises have resulted in unprecedented problems that cannot be resolved with traditional strategies. New innovative and effectual crisis and reputation strategies, supported by academic rigor, could be the key to recovering the trust of the American public.

As suggested previously in this thesis, reputation management and crisis management are not mutually exclusive. Crisis management experts are deeply aware of the value of reputation. Likewise, reputation management experts understand the importance of reputation during a crisis. Therefore, leaders and executives who wish to successfully manage a crisis must fully understand and appreciate their organization’s reputation pre- and post-crisis. Moreover, organization reputation “is both a factor and consequence of crisis management”; successful crisis management could lead to an improved reputation, while ineffectual crisis management could lead to a damaged reputation.³⁸⁹ It is therefore important for reputation-minded managers to realize that even small crises resulting from minor system failures can lead to catastrophic consequences for an organization’s reputation.

The cases presented in this thesis suggest that the issue of reputation is directly linked to an organization’s trustworthiness, perceived legitimacy, effectiveness, and more importantly, success. This assertion can be extrapolated to the law enforcement industry.

³⁸⁷ Kuklan, “Managing Crises.”

³⁸⁸ Ibid.

³⁸⁹ McCray, Gonzalez and Darling, “Crisis Management in Smart Phones,” 382.

According to the National Institute of Justice, a police force with a good reputation is not just simple rhetoric; a strong reputation creates a police–community partnership that enhances trust, equality, and public safety.³⁹⁰ This thesis also contends, however, that organizational reputation is often dismissed by the law enforcement profession. Many officers across the nation, frustrated with the growing disparity between law enforcement’s reputation and its stark reality, perform shallow self-assessments and push aside any reputation concerns, “regarding any external [value judgement] as onerous, unjust, and ideologically motivated.”³⁹¹

In response to the claim that law enforcement fails to recognize and appropriately employ crisis and reputation management strategies, this thesis presents an opportunity for law enforcement departments and the executives that lead them. Using existing research and case analysis on crisis and reputation management as a starting point, meaningful discourse for law enforcement emerges from lessons learned in the private sector. If the evidence is correct and reputation management, particularly during a crisis, is connected to an organization’s perceived trust and legitimacy, law enforcement can employ crisis and reputation management strategies to regain the American public’s trust.

The benefit of effective crisis and reputation management strategies is not merely an academic inquiry; the results could have profound implications for the law enforcement profession by shifting the current public perception of the police. Although public perception of law enforcement is often a complex and sophisticated catechism, fraught with nuances and mixed perspectives, it is universally agreed that high levels of trust and confidence in police is essential for the promotion of safety in a contemporary democratic society. For law enforcement executives truly concerned with public safety, repairing and maintaining a favorable reputation or public image during and following a

³⁹⁰ Bertus R. Ferreira, “The Use and Effectiveness of Community Policing in a Democracy,” National Criminal Justice Reference Service, accessed October 20, 2017, www.ncjrs.gov/policing/use139.htm.

³⁹¹ Carlos Lozada, “What’s Wrong with America’s Police Forces? Absolutely Everything, or Nothing at All,” *Washington Post*, July 15, 2016, https://www.washingtonpost.com/news/book-party/wp/2016/07/15/whats-wrong-with-americas-police-forces-absolutely-everything-or-nothing-at-all/?utm_term=.5742c5764eda.

crisis will ultimately allow law enforcement to function more effectively and will provide a safer environment for the communities it serves.

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