CNA Out Front: Using Analysis for Police Organizational Transformation - Issues in Police Conduct

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Background

Policing in America is undergoing a radical transformation, based largely on the visions for change found in the Attorney General's Smart Justice campaign and the Bureau of Justice Assistance Smart Policing Initiative. In addition, there is a stronger than ever push to integrate research and analysis into police operations and police decision making --- evidence-based policing. Still, reform in policing faces daunting challenges. Foremost among these challenges are the strained relations between police and communities of color, which can become volatile after the use of deadly use of force by police officers. Under it all, policing in America is based on trust between police and the communities they serve. When that trust is breached, policing becomes enormously challenging and social order is threatened.

Based on its work with a number of police agencies across the country regarding innovation in policing, use of force assessment and reform, and after-action analyses of critical incidents, CNA believes that a focus on constitutional policing in academic and practitioner communities will further the progress that is underway in evidence-based policing.

As part of its ongoing efforts to stimulate reform-minded dialogue around current issues in policing, CNA convened an Executive Session on September 7, 2014, to share information about the evolving practice-based research methodologies used to examine police conduct issues. Using data driven approaches to address police conduct concerns is a relatively new phenomenon. Too often, solutions to these challenges have lacked an empirical basis and are generally derived from the opinions of a range of police leaders and subject matter experts.

Purpose and Topics of the Executive Session

The Executive Session focused on three national programs that have made substantial progress in understanding current challenges to constitutional policing in America: The National Police Research Platform, the Office of Justice Programs (OJP) Diagnostic Center, and the Office of Community Oriented Policing Services (COPS) Collaborative Reform Technical Assistance initiative. The presenters at the Session focused on the new methodologies employed in these three initiatives, how they directly affect police operations, and on the federal perspective regarding their value to public safety.
The session started with Dr. Gary Cordner's overview of research from the National Police Research Platform on perceptions of police-community relationships and variations in policing supervisory styles. This was followed by presentations from CNA analysts who are applying field study methodologies in several jurisdictions to gain a better understanding of police conduct issues and to craft solutions. The final panel comprised leadership from the OJP, the COPS Office, and the Civil Rights Division of the Department of Justice, who discussed their various initiatives and identified current research gaps.

**National Police Research Platform**

Dr. Gary Cordner presented an overview of the accomplishments of the National Police Research Police Platform initiative. Platform researchers are developing a representative sample of police agencies in the U.S. by recruiting and surveying 100 police agencies and their communities. The Platform police agency survey examines organizational conditions and structure. Recent findings in this area include:

- 78.6 percent of respondents felt that most people respect the police.
- 54.5 percent of police officers felt that the disciplinary processes in their agencies are fair.
- 7.9 percent of police officers felt that officers who consistently do a poor job are held accountable.
- 42.5 percent felt that the process of getting promoted in their own agency is open and fair.
- 91.8 percent of the respondents do personally support procedural justice.

Platform researchers also surveyed residents from three cities that were involved in police/citizen interactions and reported the following:

- 83.2 percent were either satisfied or somewhat satisfied with the way they were treated by the police officer.
- The outcomes of police encounters (e.g., issuance of a ticket) were perceived satisfactorily.
- When officers listen and are polite and respectful, citizens are more likely to be satisfied.
- The largest departments scored lowest on the procedural justice index.
This research from the National Police Research Platform is producing representative estimates of procedural justice and citizen perspectives on policing which are valuable, and essential, for the advancement of police science. The data will help align police actions and interventions with practices that are constitutional and community oriented.

COPS Office Collaborative Reform in Las Vegas

A team of CNA analysts conducted the first COPS Office Collaborative Reform effort to review and help the Las Vegas Metropolitan Police Department improve their record and credibility with officer involved shootings. Team members George Fachner and Denise Rodriguez King discussed methodologies used to conduct this review. The review included key interviews of a cross section of departmental personnel and community stakeholders, direct observation of use of force review boards, training sessions, ride-alongs, document reviews, and data analysis.

Examples of findings from these analyses that led to agency reforms included:

- The most frequent tactical error in officer shootings involved radio communications. Using actual radios during training will help ensure that officers and supervisors reduce confusion and lessen officer involved shootings due to communication errors.

- 70 percent of shootings of unarmed suspects involved black victims, which validated community perceptions of bias.

- Las Vegas Metropolitan Police Department Deputy Chief Kirk Primas offered a police leadership perspective on Collaborative Reform, affirming the tremendous value of the analysis and technical assistance provided to the department, and how the methods utilized instilled confidence in the findings and built internal support for their implementation.

The OJP Diagnostic Center Assessment of Police Conduct and Oversight Process in Minneapolis

The OJP Diagnostic Center is a technical assistance and training program located within the Office of the Assistant Attorney General at OJP. This Center is unique in
its emphasis on a thorough data driven analysis of complex, systemic problems followed by treatment interventions that are often evidence-based and derived from analysis.

CNA analysts, Mike White and Hildy Saizow, working as part of the OJP Diagnostic Center contract support staff, assessed the Minneapolis Police Department citizen complaint process to identify ways to improve community trust, transparency, and accountability, and to review the Department’s existing early intervention system procedures. The methodology included interviews of key stakeholders that represented a cross section of police staff, local officials, and community members, followed by a qualitative analysis of the interviews, and a quantitative analysis of the complaint review process. Findings validated stakeholder concerns about officer attitudes and behaviors. Assistant Chief Matt Clark of the Minneapolis police department offered his perspective on the engagement, indicating that the fact-based independent review by the OJP Diagnostic Center validated some of their ongoing reform efforts, identified gaps and shortcomings in their current operations, and provided a road map for more substantive change.

**Federal Panels**

Following these analytic presentations, representatives from the OJP, the COPS Office, and the Civil Rights Division offered their perspectives on the value of these research efforts to their missions and priorities.

**Katherine Darke-Schmidt, Senior Policy Director for the Department of Justice, OJP,** summarized the OJP’s efforts to address the critical issues of police conduct, legitimacy, and building community trust. She noted the importance of policing agencies and other criminal justice operators in promoting legitimacy and procedural justice “as necessary conditions of success, and as worthy goals in themselves.” She identified a common theme in the issues presented by agencies the Diagnostic Center works with:

“The Diagnostic Center is engaged with 28 communities right now on a variety of public safety topics from gun violence to safety for corrections officers to sentencing reform as a means to reduce incarcerations costs and improve public safety. More often than not, however, no matter the initial reason communities contact the Diagnostic Center, they are interested in exploring avenues for improving community-police relations, addressing transparency in criminal justice, and instilling accountability for justice system actors.”
She closed by emphasizing the importance of being mindful of the “implications of community trust within the victim experience, and how we can make communities safer, and victims more whole, bringing attention to these very critical issues.”

Robert Chapman, the Deputy Director for the Office of Community Oriented Policing Services (COPS) discussed his Office’s commitment to addressing issues of police conduct and promoting fair and impartial policing practices. He described the origins of the Department of Justice Collaborative Reform Technical Assistance Initiative as a viable alternative to consent decrees. He noted that the collaboration pathway encourages cooperation among police departments and their respective community stakeholders, working closely with the COPS office and other policing experts to achieve desired objectives without reliance on onerous, time consuming, and expensive consent decrees, which he viewed as a Department of Justice tool of last resort to facilitate police reforms. He noted the recently announced 5 million dollars in federal funding to provide technical assistance to “agencies on significant law enforcement related issues such as excessive use of force, officer involved shootings, and racial profiling.” It is expected that technical assistance providers will utilize community and officer interviews, direct observation, and data to assist police agencies “with enhancing and improving their policies and procedures, systems, and relationships with the communities they serve.”

Christy Lopez, the Deputy Chief of the Special Litigation Section of the Department of Justice Civil Rights Division noted that the Violent Crime Control and Law Enforcement Act of 1994 allows DOJ to review law enforcement agency practices that may be systematically violating people’s rights. One of the roles of the Special Litigation Section is to “protect the rights of people who interact with state and local police or sheriffs’ departments.” She indicated that if a department or agency is found to have “systematically deprived people of their rights, then we can act.” She reported that over the last several years the Special Litigation Section has been much more active in its investigations of law enforcement agencies and has investigated dozens of agencies nationwide. Problems addressed in these investigations include excessive use of force; unlawful stops, searches, or arrests; and discriminatory policing. She indicated that through consent decrees, overseen by a Federal Judge and a monitoring team, the Special Litigation Section has supported a range of remedies to address these violations, noting that many remedies have not been evaluated for their effectiveness. She suggested that more research is needed to assess the effectiveness of many of these remedies.
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Conclusion

This Executive Session brought together leaders and policy makers to share information about the evolving practice-based research methodologies used to examine police conduct issues. These practice-based approaches focus on addressing real and immediate problems facing police departments and their communities, and use actual data derived from their operations. They involve collaborative processes between police departments, community stakeholders, and researchers to produce insights and solutions to real problems.

CNA’s longstanding history of employing practice-based models in support of military related operations positioned the organization to transfer this experience to support police departments in using data-driven analytics to support their operations. Beginning with the Smart Policing Initiative in 2009, CNA, working with the Bureau of Justice Assistance, has provided support to researchers teamed with local police agencies to address specific crime challenges and produce actionable findings that have direct positive impacts on police organizations and public safety. Examples include findings from experimental studies that support the use of place-based strategies and confirm the efficacy of combining targeted high-risk offender and place-based strategies.

CNA applies its practice based research model in technical assistance collaboration work with the COPs Office that helps communities address police conduct issues. CNA is currently supporting efforts in Las Vegas, Nevada; Spokane Washington; and Philadelphia, Pennsylvania. Research findings in Las Vegas are credited with reducing officer shootings. CNA is also supporting the work of the OJP Diagnostic Center. For example, the staff is currently applying practice based research methodologies to support analysis of the handling of police misconduct complaints by the Minneapolis Police Department.

Where do we go from here? The dialogue and exchanges that took place at this Executive Session evidence a clear and strong interest among practitioners and researchers alike in advancing both the research needed to guide our reform efforts as well as additional opportunities to have “conversations that matter” about issues in policing in America. And we all play a role. The research community must continue to apply the most rigorous methodologies possible to issues of police practice, police-citizen relations, and police reform. Practitioners must continue to be open to researchers and research partnerships, as we now see how productive these
relationships can be. Finally, the Federal government must support this research and build national data and statistical resources that will support the necessary research.

CNA will continue to sponsor other executive sessions and symposiums on the most important crime and justice issues facing our nation today.
About CNA

CNA is a non-profit public service research organization that for over 70 years has provided analytical support to federal and local government organizations. CNA focuses its work on those areas most critical to our nation's well-being and success. Today, across the world, CNA is deploying field analysts with our military to support counter terrorism efforts. CNA also supports planning and training for our national emergencies and disasters, develops and implements innovations in educational reform, and employs its research and analytic resources to bring needed reforms to our nation's criminal justice systems.

The pairing of analysts that use data and observation with operators and commanders to solve problems in field settings has been the CNA way since WWII, when CNA helped the armed forces develop a strategy to defeat German U Boats. CNA has always believed in and performed what some call “practice based research.” CNA more recently has applied these tried and true applied analytics to solve real world problems in law enforcement and other community settings.
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