
Community-Centered Policing: A Force for Change

A Report by
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In Partnership with the
ADVANCEMENT PROJECT

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ABOUT

POLICYLINK AND

THE ADVANCEMENT PROJECT

PolicyLink is a national nonprofit research, communications, capacity building, and advocacy organization dedicated to achieving economic and social equity and building strong, organized communities. Grounded by the wisdom, voice, and experience of local communities, PolicyLink is engaged with local partners and advocates on issues ranging from avoiding displacement due to gentrification to improving community health to addressing regional injustice.

The Advancement Project is a policy and legal action group that creates strategies for achieving universal opportunity and a racially just democracy. With offices in Washington, DC, and Los Angeles, CA, Advancement Project provides community-focused lawyering skills and other resources to communities engaged in racial and social justice work. To date, Advancement Project has formed partnerships with community organizations in Mississippi, Florida, North Carolina, and Colorado, to name a few.

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Preface

Fair, equitable, and community-centered policing is fundamental to a democratic society. Yet, for too many, this remains a promise unrealized. While the nation has enjoyed plummeting crime rates, America's assault on crime over the past decade has exacted a high price—more often than not, a price paid by communities of color.

These communities have been the focus of “zero-tolerance” strategies characterized by aggressive stop-and-frisk tactics, racial profiling, and instances of police misconduct—from disrespect to excessive use of force—not infrequently committed against law-abiding citizens. The result has been a further eroding of public confidence in law enforcement in communities whose relationship with the police has been defined by a legacy of distrust and resentment—the very same communities that often need police services most.

The ramifications of these practices go far beyond our ability to accurately measure them. Disproportionately targeted and incarcerated, the percentage of African Americans behind bars is four times that of their percentage of the U.S. population. Latinos are being incarcerated at alarming rates, and the number of Southeast Asians in prison has also grown. Children from these communities are being tried as adults, subject to harsher penalties and longer sentences. Public spending on prison construction and incarceration exceeds that of public education in many communities. Families are torn apart, communities destabilized, and people returned from prison without economic opportunity, the right to vote, or anything left to lose.

American democracy also suffers. Police cannot do their work effectively without the trust and confidence of the communities they serve. The legitimacy of the entire criminal justice system is questioned—community members refuse to cooperate with investigations, potential witnesses fail to come forward, and jurors discount police testimony as inherently unreliable. And, for many, with police as the first and perhaps only contact with governmental authority, transgressions of

that authority undermine public faith in democratic government as a whole.

The problem is urgent and compelling. But, there is also much promise. National attention on these issues presents an opportunity for local leaders to achieve positive change. With each new incident, concerned communities harness anger and frustration into organized protest and a search for solutions. Police departments are also seeking ways to improve their connection to communities. The challenge for us all is to combine this positive energy with information, organizing, and strategies that lead to sustained and systemic reform.

Guided by our core missions to advance economic and social equity through policies and strategies informed by the voices and experiences of local communities, PolicyLink and the Advancement Project conducted research aimed at bridging the gap between the promise of fair and responsive policing and the reality experienced by many neighborhoods. In this report, we highlight some of the promising, community-centered police practices being implemented throughout the country—practices that are opening police departments to traditionally underrepresented communities; engaging communities as partners in solving neighborhood problems; and making police departments more accountable to the communities they serve and protect.

Ours is not the first examination of promising practices. Throughout the nation, neighborhood residents, community advocates, police officers, government officials, and others are strategizing

about ways to effectively reform police departments and improve community-police relations. Many of those engaged in this effort bring years of valuable experience to the table—we have learned much from them in the course of our research. It is our hope that this report will complement their efforts by collecting some of the best thinking and innovative work into a composite that can lay the groundwork for a comprehensive agenda for community-centered police reform.

So much activity is taking place across the nation, a complete catalog of all the good work being done is impossible, and we have undoubtedly overlooked promising practices that are bearing fruit in local communities. We hope others will add to this work.

And, of course, more hard work lies ahead. The best reform ideas in isolation do not make for systemic change. The information presented here is effective only if pursued in an integrated fashion, and combined with collective action, advocacy, and other strategies that move these promising practices to realized reform. Communities will ultimately be the force for change—only with their participation and agency will we achieve the promise of community-centered policing.

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Introduction

For all the hard work that lies ahead, there is much progress that has been made toward the goal of achieving community-centered policing. The following account illustrates some of the promise that already exists:

It's been twelve years to the day since the hot summer evening when Terrell James, a nine-year-old African-American child playing with a water gun, was shot and killed by two police officers. A storm of protests, another investigation, a lawsuit, and then back to "business as usual." The cycle had gone on for so long, most people didn't expect anything to be different after the James incident. But it was. Something changed.

Even now, it's not clear what turned the tide. Maybe it was the new police chief who arrived ten years ago. Bold, willing to take chances, ruffle a few feathers, and who wouldn't take "no" for an answer. Maybe it was the coalition of community leaders who were fed up with too many young lives cut short, looking for alternatives, and willing to work together. Whatever it was, this is a markedly different place than it was a dozen years ago.

A New Vision

Chief Gary Townsend had a different vision of policing. "We were just spinning our wheels, aggres-

sively reacting to crime, and angering the community in the process. I knew there had to be another way, and we couldn't do it alone." Chief Townsend initiated a series of town hall meetings with community activists and residents from the most distressed areas of the city—the areas that seemed to need police services most, but wanted the least to do with the police.

The consensus of these meetings was that police had to do more than simply make arrests. "It became apparent that we needed to spend more time in the community working on local problems. Not just for community relations, but because a lot of the crime that was going on was related to conditions in the neighborhoods," says Chief Townsend. The result has been a number of community-building efforts involving police partnerships with community residents and organizations, the private sector, and other governmental agencies.

Building Trust

Thelma Coleman, who is the Executive Director of the East Side

Community Development Corporation, worked with the police and the city on a project to renovate an abandoned apartment complex that had been boarded up for over a year after police arrested the drug dealers living there. "It wasn't easy at first," says Coleman. "We didn't trust the police. In our view, they'd contributed to some of the problems in our community. And, frankly, I don't think they really trusted us either. But, we had one thing in common. We wanted to make the neighborhoods safer and stronger." It took almost a year of persistent effort, but the complex now houses a childcare center for teenage mothers, a health clinic, and ESL classes. "We turned a neighborhood nuisance into a neighborhood asset. And, I know it was the partnership that made it happen. We all brought something to the table that made it work."

Overhauling Officer Training

Officer training was overhauled to better prepare officers for their new roles. All of the original components are still there, but the training academy was extended three

months to a total of eight months to accommodate several new training modules. “When I told my family I had to do a three-week project with a community organization, they thought I was kidding,” says recent academy graduate Mark Fields. “I worked with the Urban League on some issues about reintegrating ex-offenders into society. I have to admit, it was eye-opening. I grew up in the suburbs. This was definitely a new experience for me.” The new academy training also includes topics such as homelessness and antiracism, and a 40-hour course in conversational Spanish. After the academy, officers have six months of supervised field training and then forty hours of in-service refresher training every year.

Aggressive Recruiting and Hiring

Changes in the make-up of the department have been equally significant. Over the past decade, the police force has changed from over 80 percent white male to almost mirroring the communities it serves. Twenty-five percent of the officers are African American, 18 percent Latino, and 10 percent Asian. With 39 percent women, the department leads the nation in gender diversity. “It’s gotten easier over time,” says Sergeant Peter Ramos, recruitment coordinator. “We were really aggressive about outreach to communities of color, we were everywhere all the time. We asked people in the community to help us develop the right message.” He

points out the kind of self-perpetuating momentum that accompanies progress. “Once the department started getting more diverse, it was easier for people to see it as a place for them. That’s why I applied. Growing up, I never saw myself as a cop. Are you kidding? We were trying to stay out of their way!”

The department attributes some of its progress to a better hiring process. “We saw other cities being sued by the Justice Department because of bias in their entry-level testing,” says Lieutenant Karen Williams, Director of Human Resources. “We hired a consultant to evaluate our test. Not just because we didn’t want to be sued. We were also worried that we were arbitrarily excluding the very people we were actively trying to recruit.” Ultimately, the objective test was retained, but no longer scored and used for ranking. It is graded pass/fail, and other factors are now considered such as community service, bilingual language skills, and interpersonal skills. Lt. Williams continues, “The process is more labor intensive now, but it’s more precise and puts greater emphasis on qualities we believe are important to working with the community.”

Backlash Blunted by Results

Not everyone is enthusiastic about the new direction. A senior officer who asked that his name be withheld reveals, “I didn’t sign on

for all this. My father and my uncle were cops. I’ve wanted to be a cop all my life, not a social worker.” He had hoped the changes would be short-lived. “Me and a few others have started looking around at other departments. We thought this would be another flavor-of-the-month program that would last as long as the media attention, or the new chief. But, it looks like this is the way things are gonna be.”

But even the department’s critics can’t quarrel with the numbers. Crime has dropped a record 63 percent, the second-highest drop in the nation, and far exceeding many cities that adopted aggressive “stop-and-frisk” policing tactics that have alienated large segments of the law-abiding community.

Decreased Crime, Increased Confidence

Not only has crime dropped, but also credibility with the community has risen, according to the department’s latest public survey. Results from the city’s east side—a predominantly low-income, African-American community—are particularly noteworthy. Seventy-eight percent of residents who had contact with a police officer last year through a call for service or receiving a citation said they feel good to very good about the quality of police service. The baseline survey conducted by the department eight years ago revealed a different picture, with only 32 percent of residents responding favorably.

Civilian complaints are also down. The department says new and improved training in the use of nonlethal weapons and crisis intervention has been a critical factor in reducing excessive-use-of-force complaints. No fatal shootings have occurred in the past nine years during crisis calls involving the mentally ill as compared to 14 in the prior ten-year period.

Randy Owens, Executive Director of the Civilian Review Board (CRB), the civilian agency that reviews complaints against police officers, agrees progress has been made, but cautions against placing undue emphasis on a drop in civilian complaints. “We don’t just look at the number of complaints filed. There can be any number of reasons why there’s fewer complaints. Maybe people don’t know about the complaint process or think it won’t make a difference so they don’t file.” Owens and his multilingual staff do extensive community outreach and annually conduct a quality services audit of their processes in an attempt to reduce barriers to community access.

Owens adds, “Don’t get me wrong. There’s a definite improvement. A few years ago, Internal Affairs agreed to start doing public reporting of their complaint statistics like we do and posts them on the Internet. They’ve adopted most of our policy recommendations, and when they haven’t, they’ve given us a written explanation. We don’t

always agree, but they’re far more responsive than they’ve ever been.”

Credible Community Oversight

Last year, community oversight advocates scored a major victory with a ballot measure that amended the city charter to require funding for a minimum number of CRB investigators and allocate three of the nine CRB appointments to representatives of specified community organizations. Cassandra Charles of the ACLU recalls, “Some people didn’t want to rock the boat and some didn’t think it was an organizing priority because things had been pretty good for some time. But our thinking was if the commitment is real, it shouldn’t be a big deal, and when support is high may be the best time to do it. Neither the chief nor the police union opposed us.

Lasting Progress

Chief Townsend retired four years ago, but the progress made under his tenure has endured. Over the years, he promoted only officers who’d proven their commitment to the new approach. As a result, most of the supervisors—including the new chief—are on board. “Chief Townsend made it clear,” says current police chief Wilma Reid. “You weren’t going anywhere in this department if you weren’t working with the community and staying out of trouble. He looked at how many

complaints you had when evaluations came around. The whole promotion process changed. He looked at community involvement, what projects you’d worked on. Some people didn’t like it at first, but most of them fell in line once they knew it mattered.”

The department’s resolve was tested last year after the controversial shooting of 22-year-old college student Andrew Chen. People were angry and demanded answers, especially leaders from the city’s Chinatown community. But the response of the department, and ultimately the community, was different than twelve years ago.

Chief Reid was open and worked cooperatively with the CRB in investigating the shooting. She held two public forums in Chinatown to discuss community concerns and answer questions. “That type of dialogue wouldn’t have been possible ten years ago,” says Chief Reid. “We had no credibility with the community. Whether we were right or wrong, we were wrong.”

In the end, the CRB and the chief made similar recommendations. Neither found grounds for disciplinary action. A testament to just how far things have come, a framed, handwritten note from the Chinatown Action Network—a coalition of community-based organizations—hangs on Chief Reid’s wall: “We appreciate your thorough investigation. We accept your findings.”

Where is this place?

It's everywhere—and nowhere. The account is a composite of promising practices already in place somewhere in the country: targeted, community-engaged recruitment in New Haven; bilingual hiring incentives in San Jose; antiracism training in Duluth; charter-mandated community oversight investigators in San Francisco; public surveys in Madison. Examples of community-centered police practices exist in police departments across the nation. Yet, no single police department or city has incorporated and maintained all of these elements. And it is in the aggregate where the promise and success of community-centered policing lie.

This report highlights the policies and places where promising practices already exist—and upon which a comprehensive police reform strategy can be built. It is divided into four main sections described below, followed by a section with additional resources for more information.

Neighborhood Problem-Solving: Engaging Communities as Partners presents the need for a fundamental shift in the overall approach of policing toward a more community-oriented model. The section highlights policing efforts that move beyond mere enforcement to incorporating community building as an integral part of polic-

ing, demonstrate a commitment to collaborating with the community in solving neighborhood problems, or include local communities in establishing policing priorities.

Community-Conscious Personnel Policies: Getting and Keeping the Right People starts from the premise that the core of any institution is its people. Achieving a community-oriented vision of policing will require police departments to align personnel policies with that goal and build a corps of officers with community-oriented skills, characteristics, experience, and commitment. Police departments highlighted in this section have committed to recruiting a large, diverse applicant pool. Some have adopted hiring and promotion criteria that identify people with strong problem-solving and communication skills, bilingual language skills, or a connection to community. Others have developed training programs that focus on the people and places officers will serve, teach problem-solving, or are responsive to community dynamics and concerns. Still others are creating work environments that are conducive to the retention of a capable and diverse corps of officers.

Community Oversight: Achieving Democratic Participation discusses the importance of police accountability to the community through a formal mechanism of community participation in the review of police policy and practice. This section highlights cities that have moved toward providing essential resources for community oversight, or appointing community oversight representatives who are fair, accountable, and reflect a broad cross-section of the community. Some have provided community representatives a role in review and recommendation of police policies, or ensured accessibility to the community and timely processing of community complaints. Others have vested community representatives with meaningful, independent investigative authority.



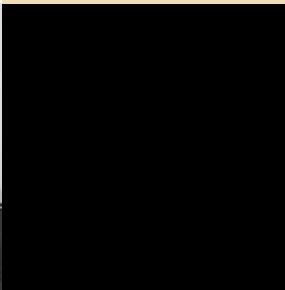
Collaborative Information Gathering and Sharing: Getting the Facts emphasizes the value of information in building community confidence and effective community participation in policing. Police departments that gather and share with the community data related to police services, identifying and solving neighborhood problems, and community perspectives about policing are highlighted.

While this report lifts up examples of promising policies and practices from around the country, it is not meant to highlight any one police department as a model in its entirety—a department may have demonstrated innovation in officer training or a willingness to engage the community on a particular issue, but may be weak in other areas or still struggling to build community credibility.

Indeed, these departments best illustrate the point: Adopting one or two promising practices or an innovative add-on program will not make a measurable difference or lead to sustained improvement. It is not sufficient to simply deploy more neighborhood officers, or increase the diversity of the department, or provide better use-of-force training, or collect racial profiling data, or establish a civilian review board. All of these are necessary—and more.

Police departments, in collaboration with local communities, must rethink, re-orient, and retool themselves to implement innovative change on several fronts, not just a few. Only through a composite can departments begin to fundamentally change their relationship to the communities they serve and realize the promise of community-centered policing.

Neighborhood Problem-Solving: Engaging Communities as Partners



Neighborhood Problem-Solving: Engaging Communities as Partners

A shift has occurred over the past decade in the nation's thinking about policing, the role of police officers, and their relationship to the communities they serve; specifically, the recognition among police and communities alike that "business as usual" cannot continue. New strategies are needed to increase police department effectiveness and community connect- edness.

In many communities, years of strained relations fueled by allegations and incidents of excessive use of force and inequitable treatment have pushed community-police relations to the breaking point and focused attention on the need for a new direction in policing. Informed by examples of cities that have enjoyed significant crime reductions while adopting community-centered policing strategies,¹ an increasing number of communities are demanding police reform.² They recognize that the "choice" between safeguarding neighborhoods and safeguarding civil rights is in fact a false choice.³

Others agree. Independent commissions, established in the wake of high-profile police-related incidents and the ensuing crises in public confidence, have also called for new policing approaches.⁴ In Los Angeles, the Christopher Commission, convened after the Rodney King beating to investigate the practices of the Los Angeles Police Department, "heard from several experts in police administration who urged adoption of the community policing model as a means of combating excessive use of force and improving relations between the LAPD and the people it serves." The Commission ultimately recommended that the LAPD "adopt the community-based

policing model ... throughout the Department."⁵

The U.S. Department of Justice has found that "[t]oday the movement for change within policing is led aggressively by policing practitioners themselves."⁶ Police are realizing that technological innovations such as two-way radios and assigning officers to motorized patrol instead of walking a neighborhood beat have distanced police officers from the communities they serve.⁷ The impact has been most severe in low-income communities of color where the absence of the neighborhood officer reinforces the view of police as an occupying army,⁸ while police view the community as the opposition. George Kelling and Catherine Coles observe:

[A] police culture evolved that viewed whole segments of society—especially inner-city minority youth—as "the enemy." Most police ... are unfamiliar with minority neighborhoods... Isolated in cars and having contact only with the most troubled and troublesome people of communities, police can easily become suspicious, cynical, and fearful of citizens, especially in minority communities.⁹

Police have also come to realize that "business as usual" has failed to produce the desired results. Studies have shown that the reactive, incident-driven model of policing characterized by rapid response to 911 calls¹⁰ and random motorized patrol¹¹ has been entirely ineffective in stemming crime.¹²

At the same time, new theories have developed connecting neighborhood conditions and community well-being to the incidence of crime.¹³ It is

broadly recognized that social and physical disorder promotes criminal activity, whereas social cohesion and neighborhood order foster more crime-resistant communities.

With these insights, many police reformers agree that new policing approaches must balance emergency response with a focus on addressing the persistent neighborhood problems linked to crime,¹⁴ recognize the role that communities play in producing public safety¹⁵ by engaging community residents as partners in preventing crime,¹⁶ and reintegrate police officers into the fabric of community to improve community-police relations.

These ideas are gaining traction as police departments across the country have implemented new policing approaches emphasizing community-police partnerships and problem-solving at the neighborhood level.¹⁷ Frequently such efforts are called “community policing” or “problem-oriented policing.” These terms, however, have generated confusion about what each entails, resulting in uneven implementation and widespread skepticism that they are more rhetoric than reality.¹⁸ In the end, what the approach is called is less important than what it emphasizes and aims to accomplish.

Promising new policing approaches are:

- Community Building
- Collaborative
- Community Informed

Emphasizing Community Building in Providing Police Services

The movement for change in policing and better strategies for addressing persistent neighborhood problems has led to different approaches. One approach is to achieve and maintain order through what has come to be known as “zero tol-

erance” policing, a strategy characterized by “streetsweeps,” “crackdowns,” and other aggressive enforcement tactics such as stop and frisk.¹⁹ Under this approach, the primary method of solving many neighborhood problems is the enforcement of misdemeanor laws against behaviors such as vagrancy, disorderly conduct, littering, and loitering resulting in arrest and conviction.²⁰

The zero-tolerance approach—at least as it has been implemented in many cities²¹—is problematic on several levels. It is far too extreme insofar as its across-the-board tactics sweep up many more innocent bystanders than those guilty of criminal misconduct. That the disproportionate impact of these tactics falls on low-income communities of color has only worsened community-police relations already near the breaking point. Use of such tactics is particularly troubling, given the questionable necessity of such an approach, as evidenced by the dramatic reduction in crime in cities that have opted not to pursue such “oppressive, dehumanizing police tactics.”²² Moreover, zero-tolerance policing is likely a short-term solution, given research suggesting such police practices can backfire, increasing crime in the long run,²³ and the likelihood that problems will simply return once police are redeployed elsewhere.

While it may be easier, aggressive enforcement is not always the best, and certainly not the only, method of solving many neighborhood problems.²⁴ Ironically, it is not the primary strategy that was contemplated by the “Broken Windows” theory, though the theory is often touted to support use of the zero-tolerance approach. As *Broken Windows* co-author George Kelling notes:

In fact, the ideas presented in *Broken Windows* were antithetical to the use of “streetsweeping” tactics targeted on “undesirables”; rather, they advocated close collaboration between police and citizens, including street people, in the development of

neighborhood standards. Moreover, neighborhood rules were to be enforced for the most part through non-arrest approaches—education, persuasion, counseling, and ordering—so that arrest would only be resorted to when other approaches failed.²⁵

In confronting persistent neighborhood problems, police must move beyond mere enforcement and conceive of their role more broadly, recognizing the importance of community building in providing police services. As noted by the U.S. Department of Justice:

Police agencies must help build stronger, more self-sufficient communities—communities in which crime and disorder will not thrive.... [C]rime-control tactics need to be augmented with strategies to prevent crime, reduce fear of crime, and improve the quality of life in neighborhoods.²⁶

A community-building approach to policing “take[s] seriously the role that a cohesive community plays in deterring and preventing crime”²⁷ and emphasizes measures that strengthen community ties and “individual and collective capacity to resist criminal behavior,”²⁸ adopting community-based as opposed to criminal justice-oriented solutions whenever possible. Such an approach would favor, for example, measures that get youth off the street by creating incentives to staying in school, providing productive alternatives such as organized activities or employment opportunities, and strengthening community-based support mechanisms over indiscriminate incarceration.²⁹ Oftentimes, this is not only the more humane approach, but also the more effective. “A 1996 Rand Corporation study found that programs offering incentives to disadvantaged youth to finish high school were far more cost-effective in reducing crime than the more popular three-strikes-and-you’re-out legislation.”³⁰

Though not always obvious, a community-building approach to policing is entirely consistent with traditional crime-fighting goals.³¹ As Robert Trojanowicz and Mark Moore note: “Perhaps the community’s priority is to remove abandoned cars or to have regular trash pickups. While that may not seem like ‘crime fighting,’ crime and decay cluster together, so towing cars and removing trash may be crucial first steps in transmitting the message that the community will no longer tolerate crime.”³² Moreover, although the debate is often framed in terms of an either-or proposition, it is not. Emphasizing community building in providing police services does not mean eliminating law enforcement. As Chief Dean Esserman of the Stamford Police Department has put it: “You don’t say, ‘I’m giving up my law enforcement role; I’m going to be a social worker.’ Why can’t you do both?”³³

The challenge is to balance the “weeding” with more “seeding,”³⁴ to resort to enforcement tactics only when necessary and appropriate for the problem at hand.³⁵ On this note—the importance of being strategic instead of wanton streetsweeping—police expert William Geller observes:

A judicious dose of zero tolerance which is narrowly limited concerning time, place, and behaviors may sometimes be justified to bring some modicum of order to flagrantly out-of-control crime hot spots. This can help law-abiding people “take back their streets”

EMPHASIZING COMMUNITY BUILDING IN PROVIDING POLICE SERVICES DOES NOT MEAN ELIMINATING LAW ENFORCEMENT. AS CHIEF DEAN ESSERMAN OF THE STAMFORD POLICE DEPARTMENT HAS PUT IT: “YOU DON’T SAY, ‘I’M GIVING UP MY LAW ENFORCEMENT ROLE; I’M GOING TO BE A SOCIAL WORKER.’ WHY CAN’T YOU DO BOTH?”

from hoodlums and gain the courage and energy to better control their lives and neighborhoods. Yet, zero tolerance as practiced in too many neighborhoods is the police equivalent of carpet bombing rather than surgical strikes.³⁶

The approach taken by the Boston Police Department (BPD) over the past several years—particularly with regard to the city’s youth—moves toward striking this balance. Faced with increasing violent crime and a history of strained community-police relations heightened by aggressive policing tactics in the late 1980s,³⁷ the BPD chose a path of strategic, narrowly targeted enforcement based on a problem-solving model heavily supported by intervention and prevention initiatives. In partnership with the community, the private sector, and other governmental agencies, the BPD has initiated a job training program that has resulted in employment opportunities for at-risk youth, coordinated a youth service provider network to link youth to needed social services, and launched an initiative to improve the attendance rates of truant students.

Claudia Owumi of the Quincy Geneva Housing Corporation, a community development corporation in Dorchester, has noticed a change in the BPD’s approach and believes the commitment to the city’s youth is real:

“THERE’S A NEW WAY OF DOING THINGS HERE.... THEY’RE NOT TRYING TO LOCK UP EVERYBODY. THEY’RE TRYING TO APPROACH THEM, CHECK ON THEM, SEE HOW THEY NEED HELP AND SUPPORT.... THEY NEED TO DO MORE OF THAT.... I THINK WE’RE ON THE RIGHT TRACK.”

There’s a new way of doing things here.... They’re not trying to lock up everybody. They’re trying to approach them, check on them, see how they need help and support....

They need to do more of that.... I think we’re on the right track.³⁸

Adopting a community-building framework will also reduce the likelihood that police will take measures in the

short term that can result in harm to the community in the long term. Operating in a more short-term, crime-fighting mode, for example, “some police problem-solving efforts ... try to stop crime in troublesome places by eliminating the places; a recurring example is the ‘hot spot’ apartment building which is demolished. As criminologist Jack Greene has observed, such efforts often solve the problem for the police, at least those assigned to that particular area, but may not be as helpful to the law-abiding people evicted so the building can be torn down.”³⁹

Police can often select from among a variety of options in attempting to address a neighborhood problem. A community-building approach considers the possible unintended, negative consequences to the community of a particular action and stimulates broader thinking about creative alternatives that would achieve the desired results.⁴⁰ Illustrative of such heightened consciousness are two examples of actions taken by a community-police collaborative in Seattle:

[I]n Seattle’s Chinatown, a police-community collaborative wanted to safeguard stores against burglaries but do so in a way that did not fan the flames of fear in the neighborhood. The police-community partners decided to offer store owners a financial incentive to replace unattractive metal bars across their display windows and doors with

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equally protective but less fortress-like polyester film coating.⁴¹

In another instance, the Seattle collaborative attempted to stop the sale of malt liquor and fortified wines—which was contributing to the problem of chronic public drunkenness in the neighborhood—by securing voluntary agreements with convenience store owners in exchange for positive publicity.⁴² Commenting on this effort, Mr. Geller writes:

Notable among the approaches used by the police-community team in Chinatown are those which seek to rescue troublesome entrepreneurs and enable them to operate in a more socially beneficial and still profitable fashion.... Closing a [crime-producing] convenience store stops some crime but also deprives legitimate neighborhood residents of convenient local shopping. Transforming a bad store into a good one achieves the same benefit without the offsetting loss.⁴³

In some ways, police departments are in a unique position to catalyze and support community-building efforts. They are frequently able to leverage other agencies that can have impact on quality-of-life issues,⁴⁴ have access to or can oth-



erwise generate resources,⁴⁵ and are the only publicly funded agency open 24 hours a day.⁴⁶ Mark Scott of the Ella J. Baker House, a faith-based organization in Dorchester, notes:

Law enforcement is such a powerful entity. So, when they make changes, it moves other agencies. For example, the U.S. Attorney's Office [in Boston] wanted to get involved in a collaboration to get kids jobs. When somebody like that gets involved, things start happening.⁴⁷

Collaborating with the Community in Problem-Solving

Building community requires work by all sectors ... in an atmosphere of trust, cooperation, and respect. It takes time and committed work to make such collaboration more than rhetoric.⁴⁸

Effective neighborhood problem-solving and the crafting of sustainable solutions require a collaborative approach, with police officers drawing upon the assets and expertise of a broad range of stakeholders.⁴⁹ John E. Eck and Dennis P. Rosenbaum observe:

Many of the assets needed to address problems are outside the boundaries of police organizations. These assets are the powers and resources of other government agencies, businesses, and the community itself. Bolstering the capacities of others can help the police become more effective without requiring proportional increases in police controlled resources.⁵⁰

Recognizing the benefits and necessity of collaboration is one thing; achieving it is another. In the most crime-ridden neighborhoods, fear, suspicion, and a lack of organizational infrastructure

can undermine collective action and civic participation.⁵¹ In some communities, police will have to overcome a history of strained, antagonistic relations⁵² or skepticism about police commitment to sustained efforts;⁵³ police “may be perceived as arrogant, brutal, and uncaring—not as potential partners.”⁵⁴ Some community-based organizations may be less interested in cooperating with police than monitoring police conduct and seeking greater police accountability.⁵⁵ Adding another layer of complexity, partnerships can be particularly difficult to establish in neighborhoods that are “experiencing rapid immigration of people from countries where the police are instruments of political, religious, and ethnic oppression.”⁵⁶

Given these challenges, community-police collaboration is difficult to achieve, requiring hard work on both sides to make a partnership real. While difficult, there are many positive examples to show that collaboration is possible. In practical terms, it requires sticking with the partnership, even when it may seem more efficient or expedient to do it alone⁵⁷ and being flexible and creative in tailoring approaches to the unique circumstances of different communities.⁵⁸ “Progress towards untraditional collaborations will almost always encounter setbacks along the way, and both police and community groups need to expect and learn to deal with such impediments.”⁵⁹

In Seattle, a collaborative between the police and a local community development corporation (CDC) exemplifies the value of perseverance for even the most unlikely partners. As noted by the Local Initiative Support Corporation (LISC), “despite the natural confluence of goals, police and CDCs are, in the context of this country’s cultural, racial, and economic history, highly unnatural allies.”⁶⁰ Yet, the Seattle partnership has not only evolved since 1995, it has also withstood a number of false starts, varying degrees of institutional support on both the police and community sides, and periods of conflict and disagreement.⁶¹

Similarly, in Boston, progress has been made to lay the groundwork for community-police collaboration. Mark Scott of the Ella J. Baker House reflects:

If you start working with children, you’re going to start running into police and probation. At first, it was not a pleasant interaction. But, over time, people began to realize we have common interests around public safety and protecting children.⁶²

Beyond staying power, achieving community-police collaboration requires training for both police and community. Unfamiliar with working together as partners or equals⁶³ and navigating complex community dynamics, “it can be helpful to provide training for the community (and their police collaborators) in group decision-making, how to run meetings effectively, and how to resolve intra-group conflicts,”⁶⁴ as well as training in community organizing.⁶⁵ Training in problem-solving should be provided to both police and community to help set appropriate expectations about roles and responsibilities and to facilitate participation on equal footing.⁶⁶

Community-police partnerships also require resources. Traditionally lacking, however, are adequate resources to sustain the community side of the partnership.⁶⁷ Police departments typically receive outside funding such as U.S. Department of Justice grants to support their community-based efforts.⁶⁸ Other governmental agencies usually have their own independent resources.⁶⁹ Police departments and other governmental agencies should invest some of their resources in

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building community capacity and infrastructure to support the partnership, which, in the long run, may be more economically efficient.⁷⁰ Police and communities should also work together to leverage out-

side resources that would be unobtainable absent the collaboration:

[I]t has been common for legislative bodies and others who could help ameliorate crime problems to reject requests for assistance when those requests have come separately from the police or the community. CAP [the CDC-police collaborative in Seattle] has discovered that far better results are obtained when the police and community representatives, acting on a jointly agreed agenda, together ask for the needed assistance. As one member of CAP put it in exuberant recognition of new-found power, “Tell us *both* ‘no’!”⁷¹

The Boston Police Department has supported the ongoing participation of its community partners by “using federal block-grant money—dollars traditionally used for salaries and overtime—to award its own grants to local community groups who submit specific plans for assisting in crime prevention.”⁷²

Adopting a Community-Informed Approach to Policing

There is no cookie-cutter approach to building community; the best efforts flow from and

adapt to local realities.⁷³

Problems are most often local in nature, making local knowledge and experience a key to effective problem-solving and sustained progress.⁷⁴ Community engagement—from identifying problems in the first instance to establishing priorities and tailoring appropriate responses—is essential.⁷⁵

Incorporating community knowledge and experience into policing—achieving real inclusion as opposed to co-optation or mere community legitimization of police priorities—is a challenge⁷⁶ and requires police to move beyond their own agendas. Stephen Mastrofski and Jack Greene draw a distinction between setting policing priorities and selecting strategies, suggesting deference to the community on priorities and to the police—in consultation with the community—on strategies:

If one neighborhood signals that speeding cars are its top priority, then the department should see to it that the officers serving that neighborhood give speeding cars top priority.... [I]f one asks for its officers to spend more time developing positive relations with the youth of the area, that is what their police should do.... The presumption is that within the bounds of law and resources available, the police will be guided by the preferences of the “community”.... [They] create an obligation for the police to justify to the community any significant divergence of their practices from the community’s priorities.

A more difficult arena in which to establish the scope of appropriate community input is that of deciding strategies and tactics.... Suppose, for example, that drug dealing in the schools is the problem, and the police must decide whether to use undercover agents, more visible enforcement methods, or preventive edu-

cational programs. Is it appropriate for the community to forbid undercover operations if it finds them offensive?... Most police, and perhaps even most citizens, would defer to police “professional” judgment on matters of strategy and tactics, even in the face of strong objection. Here the appropriate type of police accountability to the community might be an explicit expectation that the police would in advance clearly explain and justify the methods they intend to use, and they would hear and respond to questions and criticisms from the community.⁷⁷

Ultimately, it is up to the police and the community to determine the appropriate parameters and effect of community input into policing—to define jointly what it means to take a community-informed approach to policing in a particular neighborhood.⁷⁸

Taking a community-informed approach to policing has implications beyond setting priorities and selecting strategies. It goes to operations procedures as well. One example is in the designation of patrol boundaries. Boundaries are typically drawn according to police-defined priorities without regard to community experience, which can have negative implications for efforts to forge partnerships and engage in problem-solving. In Chicago, for example, beat boundaries were drawn based on calls-for-service statistics and patrol vehicle access as opposed to actual neighborhood boundaries, lumping together residents who considered themselves to be from divergent neighborhoods. “One consequence ... was that where community meetings were held within such beats took on great symbolic and practical significance. Residents of the neighborhood in which it was held tended to turn out in larger numbers, while those who had to come from ‘outside’ were underrepresented.”⁷⁹ Also, “when neighborhood boundaries imposed by police departments bundle together diverse communities, suspicion and

fear may divide the area along race, class, and lifestyle lines,” posing additional challenges to collaboration.⁸⁰

The issue of whether and how to restructure patrol boundaries raises a number of complex questions,⁸¹ and the answers may not be the same for every city. However, a community-centered approach to policing demands that some knowledge of neighborhood dynamics and understanding of community experience inform the designation of patrol boundaries and that every effort be made to preserve the unique characteristics of particular neighborhoods.⁸²

The San Diego Police Department (SDPD) confronted this issue in 1993, resolving it in favor of community-defined boundaries (which have since been adopted by other San Diego governmental agencies as well).⁸³ Former San Diego Police Chief Jerry Sanders recalls:

We recognized we were probably tearing neighborhoods apart when drawing beats because we were using census tracts. We didn’t know anything about the fabric of community.⁸⁴

Captain Bruce Pfefferkorn of the SDPD adds:

We basically threw out the original beat boundaries. We went to the community and said, “Where do you think your neighborhood boundaries really begin and end?”⁸⁵

Another operations issue is the deployment of officers. Traditional deployment tactics—putting officers in cars, rotating their shifts, and shuttling them from one place to another—are largely at odds with valuing community knowledge, connection,

OFFICERS SHOULD BE ASSIGNED TO NEIGHBORHOODS ON A LONG-TERM BASIS. STABILITY IS ESSENTIAL TO DEVELOPING POSITIVE RELATIONSHIPS AND BUILDING TRUST.

and participation.⁸⁶ Officers cannot become familiar with the residents, issues, or priorities of a given neighborhood if they do not spend any significant time there.

Officers should be assigned to neighborhoods on a long-term basis. Stability is essential to developing positive relationships and building trust.⁸⁷ It provides officers an opportunity to learn more about and actually participate in the life of the community.⁸⁸ When officers “interact with the same people on a face-to-face basis each day, ... [it] allows average citizens formal and informal input. People have the chance to help set local police priorities and to develop creative solutions to community problems.”⁸⁹ It also “enables an officer to get to know the problems of a community, the strengths and weaknesses of existing systems of control, and the various resources that are useful in solving problems.”⁹⁰

Beyond fostering community connection, officer stability furthers traditional crime fighting in terms of access to information about crime and identifying suspicious activity.⁹¹ It also provides informal accountability to the community for police actions.⁹² The familiarity with a neighborhood and its residents that comes from stable officer assignments makes it less likely that an officer will resort to force to control a situation.⁹³ “And when force is required, the officer familiar with a community is much more likely to be able to use it with the support and trust of the citizens who live and work there.”⁹⁴

With respect to duration, assignments may vary according to community needs and department resources; a couple of years at least are optimal.⁹⁵ Once long-term beats are established, officers should not be rotated in and out to cover other assignments.⁹⁶ Even shift rotations should be avoided to the extent possible, as Herman Goldstein suggests:

Although not as disruptive as the reassignment of an officer from one area to another,

changes in the time during which a police officer works ... seriously detract from the potential to cement relationships between a police officer and those residing or doing business in the area he or she serves. The population of the area may differ at various times during the day, as may the problems.⁹⁷

Police departments must also examine and modify as necessary other relevant policies. Incentive structures, for example, should provide rewards and promotions for community-based activities and achievements comparable to other activities such as arrests.⁹⁸ Otherwise, officers are effectively penalized for remaining in stable neighborhood assignments and more likely to request to be transferred, undermining the goal of officer stability.

The Boston Police Department adopted a policy—Same Cop Same Neighborhood—that ensures officers spend at least 60 percent of their shift in their designated beat. In some neighborhoods, this consistent contact has proved beneficial to community-police relations. Claudia Owumi of the Quincy Geneva Housing Corporation observes:

Our collaborative officers come in practically everyday. And I have a community service officer in my after-school program.... Plus, he has an assignment in the elementary school. He’s marrying one of the teachers in the elementary school, who we all know. We’re all going to his wedding, the whole community.... That’s the kind of relationship we have. Kids don’t have to be afraid. I can trust him.⁹⁹

Similarly, the San Diego Police Department changed its policy regarding assignment of officers to “area commands” so that a lieutenant is now responsible for an entire service area 24 hours a day as opposed to just a particular shift. Captain Bruce Pfefferkorn believes the continuity

provides more accountability and facilitates better problem-solving, noting: “If you’re working on solving a problem, not just responding to service calls, who says that problem stops at 4pm?”¹⁰⁰

Despite even the best efforts to achieve officer stability, change is inevitable. The failure to manage appropriately such transitions can cause unnecessary setbacks in community-police relations and projects. An unplanned and unexpected reassignment of officers is frustrating and demoralizing for community members, especially when it means starting from scratch in terms of relationship-building and problem-solving.¹⁰¹ At the extreme, it can have grave consequences. In the Mt. Pleasant district of Washington, DC, a police shooting—occurring as a result of police trying to stop public drinking in a park—sparked a riot in May 1991. The tragic irony: a neighborhood officer, who was successful in containing public drinking, was reas-

signed months before and never replaced.¹⁰²

In keeping with a community-centered approach, police departments should provide for as much continuity and communication with the community as possible during any transition of officers, taking concrete, deliberate steps to manage such transitions to minimize setbacks.¹⁰³ One possibility “is simply to plant the expectation of turnover from the outset, reminding participants to anticipate it and discussing in advance how the project should respond to it.”¹⁰⁴ This approach provides for both police and community input in crafting a transition plan. Another is to provide for as much overlap as possible to facilitate continuity in terms of staffing and knowledge. “[T]he police department in Norfolk, Virginia, assigns two officers to every beat and never rotates both of them at once. That way, the officer who remains can help the new one to make the transition into her role.”¹⁰⁵

San Diego and Boston: Making a Department-wide Commitment to Collaboration and Community Connection in Policing

■ San Diego, California

The San Diego Police Department recognized the value of community-police partnerships in solving neighborhood problems nearly thirty years ago.¹⁰⁶ An experimental project—the Community Profile Development Project—was launched in 1973 that required officers to develop knowledge about neighborhood problems and resources and to promote community-police problem-solving. Lacking sufficient support within the department, however, the project did not realize its promise. More than a decade later, in 1988, another attempt was made when San Diego was chosen as one of five cities to participate in a problem-oriented policing (POP) field experiment to tackle neighborhood drug problems. This time the idea took hold, with the establishment of an advisory board and POP training to support the problem-solving efforts of the new project teams. Five years later, a newly appointed police chief, Jerry Sanders, decided to expand the POP approach department-wide—not without some resistance. Chief Sanders recalls:

When [problem-solving] was introduced in '88, not everyone wanted to do it. The ones who didn't [want to do it] picked up the calls for service so the others could work on problem-solv-

ing.... When I became Chief in '93, I wanted to shift the entire department to problem-solving instead of having problem-solving teams.... We tried to find ways to get people on board gracefully, voluntarily.... We picked credible, "tough" cops—who'd been involved in shootings—to train, for buy-in. That helped to get others on board.... But, at some point, we said, "you either get on board or be left at the station."¹⁰⁷

The new department-wide approach was accompanied by several institutional and operational changes. Among these was a restructuring of the patrol system consistent with a community focus. Officers were previously assigned to geographic areas based on census tracts, with beat boundary lines sometimes cutting through communities. The lines were redrawn with community input to make beat boundaries conform to actual neighborhood boundaries. As a result, the department went from having sixty-six beats to having eight "area commands," each with between two and four (for a total of twenty-one) "service areas." A change of both practical and symbolic significance, Sergeant Gary Jaus observes: "When the service area boundaries changed, that told me this is a pretty big change. It created a

mindset of ‘community’ and cohesiveness, rather than simply ‘my beat boundary.’”¹⁰⁸

The evaluation and promotion process also changed. During his term, Chief Sanders had the opportunity to promote every captain and many sergeants and lieutenants; promotions became contingent upon demonstrated problem-solving. New forms were developed to make officers’ reports efficient; otherwise, “if there’s too much paperwork, officers won’t do it.”¹⁰⁹ A specialized support team was established—the Neighborhood Police Support Team (NPST)—to help officers identify recurring neighborhood problems and think beyond their usual reactive responses to developing long-term solutions with the community and other government agencies. Deployed to each area command for a period of time, the NPST spreads its members over all three shifts so they become familiar with the problems unique to particular shifts and can facilitate continuity of problem-solving and communication among officers across shifts. Officers were also given the flexibility to adapt and be responsive to the needs of particular neighborhoods. Chief Sanders notes:

A key was in opening ourselves up to input from cops and the community. We pushed decision-making down [the chain of command] so officers could adapt to the community they were working in. We took it as a compliment that people in the community would comment, “if you didn’t all wear the same uniform, we’d think you were eight different police departments!”¹¹⁰

Community volunteers—many of whom are retirees—are integrated throughout the department to assist with day-to-day operations. Steadily growing since 1992, a corps of about 1,100 volunteers complements the department’s 2,100 officers and 700 civilian employees. At one time given only menial tasks, the volunteers are now called on for their expertise and interests. A retired professional football coach served as a motivational speaker during officer training; retired executives advise the department on business management and operations; retired engineers help design new systems; and, in the field, volunteers drive unmarked cars and report abandoned vehicles and assist with computer-related tasks so officers can spend more time in the neighborhoods than in the department. As Chief Sanders points out, at about 1.65 officers per 1,000 residents, “the San Diego Police Department is a small department per capita, so we had to think of a different way of doing things.... Volunteers [also] become conduits to the community about what the police are doing.”¹¹¹

These and other changes were critical to implementing the new approach, as Captain Bruce Pfefferkorn emphasizes: “Management has to support it as a philosophy and strategy, and commit the resources and support structure.”¹¹² Political support and an infusion of resources were also important in furthering the department’s shift in policing strategy.

“A KEY WAS IN OPENING OURSELVES UP TO INPUT FROM COPS AND THE COMMUNITY. WE PUSHED DECISION-MAKING DOWN [THE CHAIN OF COMMAND] SO OFFICERS COULD ADAPT TO THE COMMUNITY THEY WERE WORKING IN.”

Chief Sanders observes:

Funders have been good to us. It was also an advantage that I reported to the city manager instead of the mayor. Mayors want to do what is expedient. I didn't have that pressure. The mayor would get mad at me but [the city manager] would tell me "don't worry about it." With a strong mayor form of government, it's all political.¹¹³

The result has been an array of innovative and proactive problem-solving efforts as opposed to merely responding to incidents of crime. Instead of simply increasing enforcement at a trolley station plagued by robberies and other crimes, for example, officers also explored environmental changes that would make the area less amenable to such activity. The station was elevated and surrounded by a four-foot wall, which obstructed a view of passengers and criminal activity from the parking lot and street. Officer research and analysis—including crime statistics, photographs, comparisons with other stations, trolley patron interviews, and architecture information—revealed, among other things, that area residents were traveling to trolley stations further away because they were afraid to use their neighborhood station. After presenting their findings to various city officials and the general manager of the trolley system, the trolley board agreed to redesign the station by removing the surrounding wall. Crime subsequently decreased at that station.

Similarly, while working undercover at a local high school documenting drug sales, two officers listened to students discuss cutting class to buy, sell, and use drugs and

concluded that much of the drug-related problems in the school stemmed from truancy. To confirm their assumption, they interviewed several stakeholders—principals, counselors, attendance officers, community-based organizations, and criminal justice system representatives. They also conducted a survey of truant students to find out why, how often, and what they did when they cut school. From a list of the most chronically truant youth at six local high schools, the officers then selected ten students from each school to conduct a personal evaluation and to provide special attention in an attempt to help solve personal barriers to attendance. The officers received written permission from parents to make home visits one hour before school and addressed the needs of students who wanted to attend school but were prevented from doing so because of medical conditions such as lice. Balancing enforcement with intervention, the department facilitated mentoring, tutoring, and other assistance for students who wanted help and focused its enforcement efforts on those who still refused to attend school. As a result, average truancy rates fell from 43 percent to less than 11 percent.

Reverend John Hughes of Metro, a United



Methodist Urban Ministry in San Diego, commends the department's shift in philosophy and community responsiveness but challenges it to take it to the next level:

Is it great? More responsive to the community? Yes.... In going as far as they have gone, I applaud them. I wish they'd teach other parts of the county, like case managers and public works, to work the way they do. That would be an incredible thing. If you want anything done in San Diego, the one place you can go to get it done fast is the police department....

I think the problem is they haven't really figured out how to turn it over to the community. It's still kind of like "come join us." ... Partnership is more than just joining our meetings. It's about understanding what each brings and doesn't bring to the table, and how that all fits together.... Officers don't understand community organizing, community engagement. They need to be trained.... [And we] haven't taken public money to build infrastructure, support in the community. I view that as Phase Two. Without money to build civic engagement and infrastructure, it's still just an outreach effort.¹¹⁴

■ **Boston, Massachusetts**

The Boston Police Department's (BPD) approach to policing, adopted during the

early 1990s, is illustrative of many of the principles articulated in this section.¹¹⁵ Faced with increasing violent crime and a history of strained community-police relations,¹¹⁶ the BPD chose a path of strategic, targeted enforcement based on a problem-solving model heavily supported by intervention and prevention initiatives, with collaboration and community involvement a cornerstone of its efforts.

During the late 1980s and early 1990s, violent crime involving youth skyrocketed in Boston. Over a three-year period, youth homicide increased 230 percent—from 22 victims in 1987 to 73 in 1990—and remained high in the following years, with an average of 43 homicides per year between 1991 and 1995. Instead of simply stepping up streetsweeps and stop and frisks, the BPD pulled together a team of local and federal police, probation officers, and prosecutors, as well as youth outreach workers, university researchers, and others to study the problem and craft an effective strategy. After extensive research and discussion, the team discovered that youth homicide in Boston was primarily a gun-violence problem involving a small group of chronic youth offenders. The team then developed a carefully tailored plan (known as

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Operation Ceasefire) to attack the gun-trafficking problem and to aggressively focus enforcement efforts on this small cluster of offenders by “pulling every lever” possible on the local and federal levels at the first sign of violent activity.

Innovative in its implementation and with prevention as a goal, Operation Ceasefire included an elaborate communications campaign, advertising the strategy through fliers, visits to schools and juvenile facilities, youth outreach workers, and meetings with gang members. The team held meetings after a crackdown to ensure other gang members understood what happened to the offenders and why, as well as how they could stay out of trouble. Youth outreach workers, clergy, and other community members were also involved, reinforcing the Ceasefire strategy and offering youth support, services, and alternatives to gang violence such as employment, mediation, and mentoring. Within two years of implementation of the Ceasefire strategy, Boston experi-



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enced a dramatic reduction in violent crime among youth, with youth homicide decreasing almost 70 percent.

Committed to this approach, the BPD has since focused attention on the rise of Bloods and Crips gang activity

through a new initiative launched in 1998 called Operation 2006. Similar to the early efforts of the Ceasefire strategy, Operation 2006 brings together officers, agency representatives, clergy, and others weekly to share information and provide early intervention such as home visits and mentoring to steer at-risk youth away from Bloods and Crips activity.

Early, positive intervention is not only an integral part of specific enforcement initiatives, but also a key component of the BPD’s policing approach generally. The BPD has been instrumental in a number of efforts designed to keep at-risk youth out of trouble and provide them with access to the support and professional services they need. Among these is Operation Night Light, launched in 1992, where teams of police and probation officers conduct home visits of probationers to make sure they are complying with the terms of their probation, such as curfews or area restrictions. By so doing, they hope the probationers will avoid more serious trouble. Another is the Youth Service Providers Network, a partnership established in 1996 between the police and youth service

providers that connects at-risk youth and their families to a network of social services through a licensed clinical social worker based in the police stationhouse. An example of the BPD's ongoing commitment to intervention launched in 1999, The Boston Strategy to Improve Student Attendance is a citywide partnership among the police, parents, schools, social services, hospitals, community organizations, clergy, and others designed to affect positively the attendance rates of truant students.

The BPD has made a similar commitment to prevention. A noteworthy effort is the Summer of Opportunity, a partnership with

the John Hancock Insurance Company (JHIC) to provide job training and employment opportunities for at-risk youth. The idea came from front-line officers who were asked by the police commissioner what to do about youth crime. Instead of the usual response of "more jails, arrests, and police," the officers responded "more jobs" because they believed a lack of job opportunities—especially for youth involved in the criminal justice system—contributed to the incidence of youth crime. Funded entirely by JHIC and administered by the BPD, each summer 30 to 40 teenagers receive six weeks of job training and are then placed in part-time, administrative jobs during the rest of the year. Participants are paid for the 30 hours per week of summer training as well as for their part-time jobs. Several youth have been hired full-time as a result of the program, some by JHIC. As another measure of the program's success, youth employment programs that historically excluded these youth now allow them to participate.

As demonstrated by these initiatives, the BPD is collaborating with other governmental agencies, the private sector, and the community. From the probation department and social service agencies to community development corporations and a host of community-based organizations, the BPD recognized early on that partnerships with other stakeholders were essential to sustained progress. The faith-based community—long a harsh critic of the police department's aggressive tactics of the late 1980s and early 1990s—has become a key partner in the BPD's overall mission of reducing youth crime. The collaborative efforts of The Ten-Point Coalition, an ecumenical group of



Christian clergy and lay leaders, have garnered national attention.¹¹⁷

Another central feature of the BPD's approach—made possible through its partnerships—is to seek community input about policing strategies and priorities, whether information, advice, or assistance. There is a sense, for example, that the BPD will respect and defer to the knowledge of the community in tailoring the appropriate response to certain youth. Claudia Owumi of the Quincy Geneva Housing Corporation suggests:

[The police] know the law, but I know the family history.... If I go to [my community service officer] with a problem, he'll say what he thinks, what is their jurisdiction. [Then] he'll ask, "what do you think, how should we proceed?" Sometimes I'll say, "just let them know you're watching, they're on your radar screen, or make a home visit. They'll listen to that."¹¹⁸

Mark Scott of the Ella J. Baker House concurs:

The community has better and deeper information about what's going on with crime than the police do ... that can be preventative.... All those people who were caught in sweeps and arrested are now coming home.... I think what [the police are] thinking is "let's give the community a shot at working with this population," both the Bloods and Crips and the folks now coming out of prison.¹¹⁹

At the same time, the community has

supported the BPD's enforcement efforts in situations where, as Ms. Owumi puts it, "the child ... has been in the radar for a very long time and decided they're not going the way of prevention."¹²⁰ In Mr. Scott's view:

If a kid wants to go back to the gang lifestyle, they should go back to jail. So, we support the enforcement piece just like [the police] support the prevention and intervention. We believe kids should be given an opportunity. But, if they blow it off, they should go back to jail.¹²¹

The experience in both San Diego and Boston—police departments that have rejected the zero-tolerance approach in favor of more community-centered, neighborhood-oriented strategies—reveals the false choice between promoting safety and safeguarding civil rights. As David Harris testified before the U.S. Senate:

The result in San Diego and Boston has been progress against serious crime as good or even better than police in New York City have achieved with their zero tolerance, sweep-the-streets tactics. While homicide in New York fell 70.6 percent between 1991 and 1998, it declined almost as much—69.3 percent—in Boston. And San Diego's results were even more impressive than New York's: a fall of 76.4 percent, the best in the country. The pattern was the same for robbery.... The lesson is obvious. There is no hard and fast tradeoff required between making headway on

crime and the relationship between police and the communities they serve. Making the streets safer does not require the sacrifice of the civil liberties

of those in areas with crime problems, generating a significant backlash against the police. Simply put, there are other ways.¹²²

Seattle and Stamford: Investing Resources in Community Safety and Community Building

■ Seattle, Washington

The work of the Community Action Partnership (CAP) in Seattle's Chinatown-International District is a promising example of building strong, healthy communities by pursuing public safety and neighborhood revitalization in an integrated fashion.¹²³ CAP is a collaboration of the Seattle Chinatown-International District Preservation and Development Authority (a local community development corporation, also referred to as the PDA) and the Seattle Police Department, receiving funding from the Local Initiatives Support Corporation (LISC) as part of its Community Security Initiative. Complementing enforcement with a variety of noncriminal justice, community-oriented strategies, CAP efforts have improved neighborhood safety, spurred economic development and physical revitalization, and strengthened social capital and community capacity. CAP's approach to two neighborhood problems—chronic public drunkenness and youth violence at a local restaurant—is instructive.

In dealing with public drunkenness, CAP went to the source of the problem: the local

convenience stores supplying the alcohol. Rather than closing the stores and depriving residents of convenient local shopping, CAP attempted to secure "Good Neighbor Agreements." Through the stores' voluntary agreements to stop selling malt liquor and fortified wines in exchange for public recognition as being a good neighbor (or avoiding embarrassing publicity for being a bad one), CAP preserved neighborhood assets while reducing neighborhood problems. The first store to sign on was rewarded with a large "thank you" advertisement in the local newspaper that urged residents to patronize the store. Soon, other stores followed. Since then, some stores have resumed selling the products because they provide a significant source of revenue, prompting CAP members to brainstorm about other appropriate products these stores might sell to offset revenues lost. CAP has also

CAP EFFORTS HAVE IMPROVED NEIGHBORHOOD SAFETY, SPURRED ECONOMIC DEVELOPMENT AND PHYSICAL REVITALIZATION, AND STRENGTHENED SOCIAL CAPITAL AND COMMUNITY CAPACITY.

become proactive in monitoring the issuance of new liquor licenses for the neighborhood, persuading the Liquor Control Board to reject a local deli's license request and later agreeing to support a request for a more restrictive license.

CAP also developed a plan for dealing with Nha Hang, a local restaurant that was the site of a fatal stabbing and frequent gunfire and fights. After initially attempting to stem the violence (without much success) through a combination of enforcement and reasoning with the restaurant owner, CAP decided to pursue a different route—replacing Nha Hang with a new restaurant, Phnom Penh. Describing CAP's success in making the neighborhood safer, while directly advancing community development efforts by replacing it with a better establishment that hired more local residents, Michael Yee of the PDA comments:

Instead of doing the typical thing of leaning on the owner, who was basically ignoring us and the police, and trying to go for, you know, taking his business away or something—closing them down and having an empty store-

front—I was able to finagle a business owner to go talk to the [restaurant] owner about selling his business and get the [landlord] to lean on the [restaurant] owner to sell it at a decent price.... We went from having a gang hang-out doing less than \$20,000 of gross receipts a year to a business now that employs like a dozen people and has people waiting out the door. [The new owner] has remodeled the place, has seating for five times more than was in there before, and it's a guy who gives back to the community.¹²⁴

Other CAP efforts have similarly proceeded, with CAP providing funding for a neighborhood business lighting project and for decorating the pillars at the entrance to Chinatown with red and yellow Chinese carp and dragons. Again promoting both neighborhood safety and neighborhood beautification, CAP provided storeowners with a financial incentive to replace unattractive metal bars on store windows (that reinforced the neighborhood's crime-ridden image) with a more attractive polyester security film coating that resists glass breakage.



■ **Stamford, Connecticut**

While some of its efforts appear to be more police driven than community informed, the Stamford Police Department (SPD) is also thinking "outside the box," promoting community safety through innovative approaches.¹²⁵

Through crime analysis, the SPD discovered a high incidence of vandalism and minor break-ins during the afternoon hours after summer school was over. The department also learned that, while there were a number of activities geared to elementary- and high school-aged youth, there was a lack of organized activities serving middle school-aged youth. In 1999, the department established a summer camp, providing lunch and then camp activities such as crafts, swimming, nature projects, and sports. Community Resource Officers serve as the camp counselors, and high school students are hired as counselors-in-training. The SPD originally funded the effort with drug asset forfeiture funds—money police departments often use to purchase equipment. Instead of using the funds internally, Deputy Chief Richard Briolo says the department wanted to “put those funds back in the community.”¹²⁶ With 300 youth attending the camp during the first year, the department projects serving 1,000 youths during summer 2001.

Similarly, Lieutenant Tom Wuennemann describes how officers in his district helped Latino day laborers open bank accounts as part of a community-oriented, crime-reduction strategy:

We have a big day laborer population, mostly from Guatemala. They work for cash, helping with landscaping; they get paid by the day. So they have cash in their pockets at night and they were getting rolled a lot. We asked ourselves how could we help them be less attractive as targets? So our officers helped them set up bank accounts. We weren't

concerned about their immigration status or whether they were getting paid under the table; we wanted to take a different approach to the problem.¹²⁷

In another instance, an officer assigned to a low-income area observed that a number of youths expressed an interest in music. The officer had worked as a professional musician and wanted to make music lessons available to provide youth with a productive activity. Deputy Chief Briolo describes the department's support of the officer's initiative and the benefit to the department in connecting with youth through such activities:

The officer was empowered by the department to put together a consortium of music teachers in the area that he knew. Then, he took advantage of the fact that the Housing Authority was in the middle of renovating a public housing project. We were able to renovate an apartment with volunteer labor from the department and the community and make it into a rehearsal studio, which we called “the Music Box.” The instructors are both police officers and regular music teachers. We got musical instruments donated. The kids come in and they sign a contract to complete a full course of instruction. It's been extremely useful for us to have that contact with the kids. Usually an officer wouldn't have time to sit and discuss what the kids really see as the problems, but this music initiative provides that opportunity. We've been able to better understand what their problems are, in a

day-to-day scenario.¹²⁸

These efforts are largely a result of the policing philosophy of a new police chief, Dan Esserman, who believes these are not just add-on programs; rather, this is “the only way to police.”¹²⁹ Deputy Chief Briolo maintains that support from the top is essential:

Chief Esserman, who has been here just under three years, has allowed individuals in the department who had ideas to test them out. He encouraged people to take the ball and run with it, said, “I’ll back you and you get me results.” This would have never happened under the old system.¹³⁰

Community-Conscious Personnel Policies: Getting and Keeping the Right People



Community-Conscious Personnel Policies: Getting and Keeping the Right People

The core of any institution is its people. Police personnel decisions—the choices made about whom to hire, how recruits are trained, and which officers are promoted—will dictate the culture of the department, as well as the way the department is perceived and experienced by others.¹ With the mission of providing quality, fair, and responsive service to the public, the personnel process should be designed to produce a corps of officers with community-oriented skills, characteristics, experience, and commitment.

The process must recognize the importance of a department that reflects the communities served.² Women, people of color, and gay and lesbian officers are still severely underrepresented in most police departments. Yet, these officers bring experience and credibility critical to establishing a solid connection to community and increasing department effectiveness.³ The personnel process must also identify individuals willing and able to interact, partner, communicate, and problem-solve with the community.⁴

To get and keep the right people,⁵ this community-oriented emphasis must be integrated throughout the personnel process—from recruitment and hiring to training, retention, promotion, and discipline. Measurable differences and sustained progress will not be made through ad hoc programs and sporadic efforts. Rather, consistency is key and requires not only the development of new policies that promote community orientation but also the evaluation and eradication of policies that hinder the department's efforts to improve its connection to community.

Rethinking and restructuring the personnel

policies of a police department require an investment of time and money. But, by most accounts, it is money well spent. Making an investment on the front end can save significant social and economic costs on the back end. Bad personnel decisions are not only destructive of community-police relations; they can also be financially devastating.⁶ The Police Foundation observes:

Nationwide, civil lawsuits against police agencies for officer misconduct cost taxpayers tens of millions of dollars each year.

- Between 1994 and 1996, New York City paid out \$70 million in settlement of civil jury awards....
- Los Angeles paid over \$79 million in civil lawsuit awards and pretrial settlements ... between 1991 and 1996.
- From 1986 to 1997, Detroit paid more than \$100 million to settle civil lawsuits....
- Between July 1993 and November 1996, Philadelphia agreed to pay over \$32 million in settlements and civil jury awards from lawsuits against the police.⁷

A growing number of law enforcement agencies are developing community-conscious personnel policies, dedicating additional resources and greater attention to attracting and screening new recruits; to the depth and range of academy, field-

THE PERSONNEL PROCESS MUST ALSO IDENTIFY INDIVIDUALS WILLING AND ABLE TO INTERACT, PARTNER, COMMUNICATE, AND PROBLEM-SOLVE WITH THE COMMUNITY.

and in-service training; and to the procedures for promoting and retaining exemplary officers.

Recruitment: Attracting a Large, Diverse Applicant Pool

A large, diverse applicant pool should be the ultimate goal of any recruitment effort.⁸ A quick scan of the applicant versus hiring statistics in most police departments will confirm that many more people apply than are actually hired.⁹ The reasons vary from those who do not complete the process, to those who do not pass one of the testing stages or accept offers from competing police departments. In consideration of this drop-off factor, police departments must seek to cultivate a large enough pool of applicants to meet stated hiring goals.

Diversity is also important. Police departments must be representative of the communities they serve.¹⁰ Police expert Herman Goldstein attests:

If a chief is of the view that the quality of police service depends on an officer's knowledge of the specific neighborhood he polices—its values and customs—it follows that he should have in his department individuals drawn from the racial and ethnic groups represented in the city. These minority members would serve a further, perhaps even more important, purpose. The presence of increased numbers of minority police officers in a police agency and the interrelationships which it fosters can be the most effective means the agency has for developing understanding, combating prejudices, and curbing practices offensive to minority groups. No training program can possibly work as well as this day-to-day contact among peers to break down the barriers and hostilities between different cultures.¹¹

Others have also noted benefits that come with

diversifying the department, from improved trust and credibility in diverse communities¹² to enhanced communication and mediation skills, as well as the potential for fewer excessive-use-of-force incidents and civilian complaints.¹³

Recruiting a large, diverse applicant pool may not be easy—particularly in a tight labor market—but it can be done. The Police Executive Research Forum notes challenges to achieving a representative police department can be overcome with “a long-term plan characterized by innovation and a willingness to experiment and change.”¹⁴ The successful police departments have been dedicated to and forthright about building a more representative department and willing to reconsider, revise, and supplement existing policies to achieve the desired outcome.¹⁵

Reviewing practices in police departments that have achieved commendable results from their recruitment efforts yields some common characteristics.

Promising recruiting practices are:

- Committed
- Continuous
- Targeted, proactive, and saturated
- Informative and reflective
- Community-engaged

Making a Meaningful Commitment

A fundamental prerequisite to a successful recruiting effort is the entire department's commitment. And the commitment required is more than just words; it is not enough to merely state that diversity is a recruiting priority. Rather, adequate resources—both money and officers—must be committed to the effort, as well as time dedicated to developing a strategic recruiting plan. The partici-

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pation of officers from underrepresented groups is particularly important.¹⁶

In Albuquerque, in addition to expressly recruiting female officers as a top priority, both male and female officers in leadership positions were actively involved in the

effort, and "comp" time and overtime were committed as necessary to ensure participation of the most effective officer recruiters.¹⁷ In New Haven, the police department permitted officers to recruit during their regular tour of duty; it selected recruiters based on their desire to participate, communication and interpersonal skills, and enthusiasm for the department.¹⁸

Conducting Continuous Outreach

Police departments often focus their recruiting efforts around advertising in the few months prior to administering a police exam. However, large, diverse applicant pools will not materialize overnight or through seasonal, "one-shot" recruitment drives. Rather, continuous, fully-funded outreach efforts throughout the year—and over many years—are required to develop a constant flow of applicants, particularly from communities that traditionally have been underrepresented in police departments.

Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (APD), remarks: "As soon as we let up [on recruiting], we would see the impact within three months. There was so much competition with other departments for people, at one point

we [held the police exam] once a month.... We didn't want to put anyone off or turn them away."¹⁹

Scott Nabel, Director of Human Resources for the New Haven Police Department (NHPD), also emphasizes the importance of an ongoing presence in the community:

Because we're so active in the community, in a way we're recruiting all the time.... Our police officers know citizens, merchants, etc. It helps ... to do more than just put an ad in the paper.²⁰

After almost ten years of cultivating these relationships, the NHPD now has a broad base of community members to draw upon "for opinions, advice, and participation in recruitment campaigns."²¹

Implementing Targeted, Proactive, and Saturated Strategies

To attract a diverse applicant pool, a police department must specifically identify and target underrepresented groups, be aggressive and proactive in its approach, and saturate the community with its message.²²

Targeted—Recruitment efforts must be tailored to particular audiences, recognizing that different groups respond differently to various messages and may frequent different locations.²³ Targeted recruitment requires departments to develop materials and approaches that will appeal to various constituencies²⁴ and strategically place advertisements.²⁵

In targeting women, "[w]hat worked for [the Albuquerque Police Department] was hosting a Women & Policing Career Fair; obtaining accompanying media coverage; developing fliers, posters, and brochures featuring female officers; and creating a targeted recruitment list."²⁶ Essential to New Haven's targeted recruit-

ment effort was the use of focus groups from target populations to develop specialized strategies for each of the target populations.²⁷

Proactive—Departments must also be proactive and aggressive in delivering their message and demonstrating commitment to improving representation within the department. Reflecting on efforts to attract diverse applicants, an African-American officer commented: “Every application we received, we *earned*.”²⁸ Similarly, San Francisco County Sheriff Michael Hennessey writes:

It is not enough to announce a commitment to equal opportunity: We must reach out and bring these opportunities directly to those who have been traditionally underrepresented. We must meet with community leaders and activists, work with minority media, go into the neighborhoods and turn words into action.²⁹

Police departments should actively assess existing policies and the work environment to determine the extent to which they may discourage or, at least not encourage, applications from traditionally underrepresented groups.³⁰ These issues should be addressed in developing a recruitment strategy³¹ by either changing particular policies³² or being candid about past shortcomings and demonstrating a sincere commitment to improvement. Police expert Herman Goldstein states:

The single most important step a police administrator can take toward recruiting more members of minority groups is to demonstrate in unequivocal terms that he is working vigorously to ensure that the personnel of his agency do not, in their daily contacts with members of the minority community, discriminate against them. He must further provide clear evidence that members of minority groups employed by the agency will

have equal opportunities regarding assignments and promotion. Once credibility is established in this fashion, a straightforward recruitment drive that communicates to potential applicants that they are really wanted will have a much greater chance of succeeding.³³

Prior to developing its recruiting strategy, the Albuquerque Police Department conducted

a formal assessment of the work environment to gather information about challenges and barriers to recruiting and retaining women.³⁴ The department subsequently modified several policies and procedures that served to undermine its recruitment efforts.

Saturated—As with any marketing strategy, target populations must be saturated with the appropriate message and images. A key feature of the more effective police recruiting drives is blanketing targeted communities with information and advertisements announcing opportunities to become police officers and encouraging people to apply.

Both the New Haven and Albuquerque Police Departments extensively used the television, radio, and print media, with articles in ethnic and gay and lesbian publications; fliers, posters, and brochures were placed in colleges, banks, laundromats, homeless and battered women’s shelters, daycare centers, hair salons, the Internet, outdoor sporting stores, and shopping malls.³⁵ Both departments also made presentations at var-

“THE SINGLE MOST IMPORTANT STEP A POLICE ADMINISTRATOR CAN TAKE TOWARD RECRUITING MORE MEMBERS OF MINORITY GROUPS IS TO DEMONSTRATE IN UNEQUIVOCAL TERMS THAT HE IS WORKING VIGOROUSLY TO ENSURE THAT THE PERSONNEL OF HIS AGENCY DO NOT, IN THEIR DAILY CONTACTS WITH MEMBERS OF THE MINORITY COMMUNITY, DISCRIMINATE AGAINST THEM. ”

ious sites, among them community substations, community meetings and functions, libraries, and places of worship.³⁶

Developing Informative and Reflective Recruiting Materials

To increase the likelihood of attracting serious applicants prepared to complete the process, recruiting materials and presentations should be informative about the application and selection processes—including any prerequisites, test preparation opportunities, and the length of time from application to selection—and explicit about job duties and performance expectations of individual officers.³⁷ Materials and presentations should also reflect the target populations both in look and language.

In recruiting women, the Albuquerque Police Department typically convenes “a panel of female role models who describe their jobs and talk about working in a male-dominated occupation. They include information about the job, the academy, the application process, the physical conditioning designed for women, and organizations for women in policing.”³⁸

The New Haven Police Department (NHPD) prominently features target populations in recruiting materials and also provides an overview of the job and the hiring process, stressing the physical agility requirements—an area that tends to disqualify many applicants. Scott Nabel, Director of Human Resources for the NHPD, remarks:

We let applicants know they have to run a mile-and-a-half in fourteen minutes so they can say, “okay, I need to get in shape”.... Our goal is not to be able to say on TV that we got

the largest number of applicants in New Haven history. We want people who are knowledgeable about what the process entails so they are more likely to get through it.³⁹

Engaging the Community

The community must also be engaged in recruitment efforts. Community members from underrepresented groups are a tremendous resource in developing and implementing strategic, targeted recruiting plans. Such involvement also presents an opportunity for police departments to collaborate with neighborhood residents in improving the department.⁴⁰ Moreover, community members interested in participating in the recruiting process should be recruited as well.⁴¹

In New Haven, the police department invites community members from various races, religions, ethnicities, and sexual orientations to participate in focus groups to evaluate different slogans, images, and approaches.⁴² Focus group members are also asked to distribute materials, sponsor officer presentations, and serve as ambassadors for the police department in the community.⁴³

The Hispanic Chamber of Commerce and the Mayor’s Native American Council helped the Albuquerque Police Department to develop recruiting strategies directed to the Latino and Native American communities.⁴⁴ The organizations suggested where to place advertisements, advised about how to approach members of their respective communities, and invited police officers to their functions.

COMMUNITY MEMBERS FROM UNDERREPRESENTED GROUPS ARE A TREMENDOUS RESOURCE IN DEVELOPING AND IMPLEMENTING STRATEGIC, TARGETED RECRUITING PLANS.

Albuquerque and New Haven: Dedicated, Targeted Recruiting with Promising Results

■ Albuquerque, New Mexico

The Albuquerque Police Department (APD) set out in 1995 to actively recruit women as part of its participation in a demonstration project designed to develop new models for recruiting women into male-dominated occupations.⁴⁵ Within two years, the APD increased its female recruits from 10 percent to 25 percent, and, in one of the academy classes, over 65 percent were Latina. A couple of years later, in the July 1999 class, one-third of new recruits were women.

From its inception, this recruitment effort was established as a top priority by the department leadership and involved both male and female officers in leadership positions. If officers outside the recruiting division were needed to recruit, the department would reschedule their shift or arrange for “comp” or overtime as necessary.

Prior to developing a recruiting strategy, the department assessed the work environment to determine challenges and barriers to recruiting and retaining women. The assessment included “anonymous surveys of female and male officers, interviews with key stakeholders such as the director of recruitment and selection, reviews of policies and procedures, and examinations of statistical information.”⁴⁶ As a result, the department adopted a strong policy prohibiting sexual harassment with corresponding training, required uniform vendors to provide

women’s sizing in their bids, and adjusted training procedures that disproportionately caused women to suffer knee injuries.

In designing its recruiting plan, the department recognized that its earlier efforts—simply placing advertisements and attending generic job fairs—had not been effective. As a result, the APD employed more creative, targeted methods such as sponsoring Women & Policing Career Fairs “to communicate the message that women are welcome in policing and that the department actively seeks them out”; convincing reporters to participate in “ride-alongs” with women officers; creating brochures featuring ethnically diverse male and female officers with personal testimonials; and posting fliers “in places that physically fit women were likely to frequent, such as gyms, martial arts schools, and outdoor sporting stores.”⁴⁷ The department also involved local organizations, such as the Hispanic Chamber of Commerce and the Mayor’s Native American Council, in designing and implementing outreach strategies.

Recruiting presentations frequently included a panel of women officers who described the application process, academy experience, physical conditioning requirements, and the day-to-day job and working environments. To reach the greatest number of prospective applicants, presentations were normally no more than two to three hours and held during both the day and evening.

The APD women-targeted recruiting

efforts were so effective, the department has begun using similar strategies for targeting other underrepresented populations.

■ **New Haven, Connecticut**

As a result of major, targeted recruiting drives in 1994, 1997, and 1999 and dedicated efforts to build and maintain ongoing relationships with the community, the New Haven Police Department (NHPD) has enjoyed great success in making the department more reflective of the communities it serves.⁴⁸ In 1990, only 2 percent of its officers were women, and only one woman in the entire history of the NHPD had been promoted to the rank of sergeant. By 1995, the NHPD was 14 percent female, and, by 1998, eight women had become sergeants. Similarly, since 1991, when the department was 22 percent people of color, the NHPD has grown to 40 percent people of color, 8 percent of whom are women.

The NHPD was forthright in its recruitment goal, publicly stating its desire to increase the number of African Americans, Latinos, Asians, single parents, women, and gay and lesbian officers. Equally clear was the department's recognition that its traditional methods of recruiting—basic public relations such as newspaper advertisements—had been successful in attracting large numbers of white, male applicants but had failed to generate applicants from other segments of the community.

In developing new strategies, rather than simply implementing its own idea of a new

and more effective advertising campaign, the department looked to the community for guidance in developing a strategic recruiting plan. The NHPD began by forming focus groups with various constituencies, identifying both formal and informal community leaders and seeking diversity within each group. An African-American focus group, for example, might consist of an NAACP executive, a community activist, and residents of various neighborhoods.

Held at locations chosen by the individual groups, the meetings were used to gain insights on the messages that resonated with various constituencies and ideas for placing advertisements. Focus group members were also asked to assist in identifying potential applicants by serving as ambassadors in their neighborhoods, distributing materials, and arranging or hosting officer presentations at community meetings, in homes, and at other locales where people were most likely to come. Some community members became more effective recruiters than the recruiting officers.

Diverse recruiting teams were assembled with outreach and presentations typically conducted by a male and a female officer, one from a target population and the other not. Recruiters were chosen based on their teaching and communication skills, ability to relate to groups, and enthusiasm about the effort. The NHPD also allocated resources for officers to meet with focus groups and to conduct outreach during their regularly scheduled tours of duty.

These efforts resulted in an array of recruiting activities:

Fliers and brochures were posted in

locations such as colleges, banks, laundromats.... The recruitment slogan was Police Others as You Would Have Others Police You. We ... had female, African American, Hispanic, and other department members speak at social and religious group events. At theaters we inserted recruitment fliers into programs. We postered bus stops and train stations.... Our budget permitted very little paid advertising but we managed to get community announcements and feature articles in both English and Spanish in local newspapers including Hispanic,

African American, and gay and lesbian publications, as well as public service announcements on cable television and many local and regional radio stations. We sent messages on the Internet.⁴⁹

After several years of aggressive, targeted recruiting efforts, the NHPD now has a strong corps of recruiting officers—nearly two-thirds of the department have been trained—and extensive relationships within the community, both of which provide a solid foundation for the department’s ongoing efforts.

Hiring and Promotion: Going Beyond Pencil and Paper

Hiring and promotion are critical stages in the personnel process with significant implications for the direction of the department and its relationship to the community.⁵⁰ In keeping with the mission to serve the public, these processes should identify and value people with community-oriented skills and experience.

This is a proactive process, one that challenges police departments to not just screen out the unqualified, but also to design processes that are likely to screen in those that are well suited for the job.⁵¹

Perhaps the biggest drawback of the “screening out” approach is its failure to distinguish between mediocre and outstanding job candidates.... This system does not allow us to identify and give specialized assignments to the most promising applicants.

Applicants who do not fit desired social stereotypes are quickly eliminated. Unfortunately,

this may include some who have matured after tumultuous or rebellious periods of adolescence. These candidates might be able to understand and deal with similar behavior from youths on their beats.⁵²

Most police departments, however, rely on traditional hiring and promotion procedures based on paper-and-pencil tests that primarily measure cognitive abilities—writing, memory, and reasoning skills.⁵³ While these skills are relevant to police work, they are not decisive.⁵⁴ And cognitive tests do not measure other important traits such as interpersonal skills, decision-making, or ability to work with the community.⁵⁵

To the extent they have value, paper-and-pencil tests are indicators of baseline competence. At most, they should be used as a mechanism for screening out



those not minimally qualified to become police officers, and graded on a pass/fail basis to avoid ranking or otherwise placing undue reliance on the score. Some advocate not using such tests at all insofar as they have been found to discriminate unfairly against people of color. In some cities, cognitive testing of police applicants has been eliminated under consent decree with the U.S. Department of Justice in favor of noncognitive tests.⁵⁶

Police departments across the nation are beginning to accept this challenge, moving beyond paper-and-pencil testing in evaluating applicants and candidates for promotion.

Promising hiring and promotion procedures identify and value:

- Problem-solvers and communicators
- Bilingual language skills
- Community connection

Identifying Problem-Solvers and Communicators

Recruits should possess strong interpersonal, communication, and problem-solving skills, and officers promoted to supervisory positions should have not only demonstrated superior performance in these areas, but also possess strong leadership, mentoring, and team-building skills.⁵⁷ These qualities are essential to building positive and productive interactions with the public and are not easily trainable;⁵⁸ hiring and promotion processes should screen for these qualities.⁵⁹

In attempting to screen in applicants and candidates for promotion with these skills, two methods have gained favor with police departments large and small: the assessment center and B-PAD (Behavioral Personnel Assessment Device). Both methods are widely reported to be better predictors than paper-and-pencil tests of job-relevant behaviors, including problem-solving ability,

teamwork, communication skills, interpersonal skills, use of force, decision-making ability, ability to maintain emotional stability and to exercise good judgment under pressure, and, in the context of promotions, managerial and leadership ability.⁶⁰

An assessment center is a selection method that utilizes multiple techniques—role-plays, group discussions, panel interviews, speeches, written exercises. Each exercise that makes up the assessment center is designed to emphasize a different skill. Its central, defining feature is the use of situational testing (simulated exercises relevant to situations officers may encounter in the course of their duties) as one of the various assessment techniques, permitting assessors to observe an applicant's ability to perform job-related tasks.

Similarly, B-PAD is a video-based situational assessment method. "Candidates watch a series of professionally acted and produced video simulations, then respond verbally as if they were at the scene, deciding what the problem is, what strategy to use to solve it, and how to communicate with the characters in the video. Their responses are videotaped and scored using validated criteria."⁶¹

Hundreds of public safety agencies, including police departments in over 25 states, are using B-PAD for hiring or promotion.⁶² A 1990 survey of police departments in the 50 largest cities and of all state police agencies reported that the use of "situational tests and assessment centers has become more widespread,"⁶³ with 60 percent of police departments incorporating situational tests into their hiring procedures and 25 percent using the full assessment center.⁶⁴

Moreover, studies have shown that assessment centers and B-PAD may reduce or even eliminate the discriminatory impact on women and people of color of traditional methods such as paper-and-pencil tests.⁶⁵ For this reason, some courts have mandated use of an assessment center for hiring or promotion.⁶⁶

Using situational assessments also allows community involvement in hiring and promoting, whether as assessors or participants in role-plays.⁶⁷ In Pueblo County, Colorado, where community members are trained to participate as assessors in hiring, Sheriff Dan Corsentino remarks:

I invited community members to join us in picking our people because I wanted the people who select officers to come from the neighborhoods. It brings in other perspectives and experiences, adds diversity and authenticity to the process. Officers sometimes have tunnel vision and may not eliminate the rude person because they think of it as street strength. But, the community may view that behavior differently.⁶⁸

Assessment centers and B-PAD can be more costly and time consuming than traditional methods such as paper-and-pencil tests, which some consider to be their disadvantage.⁶⁹ However, these costs can be reduced by involving trained community volunteers as assessors or by using situational tests for applicants who have already passed a preliminary screen. For example, applicants could be required to pass an objective test (graded on a pass/fail basis), establishing minimal competence before they undergo situational testing. Ultimately, the benefits of situational

"I INVITED COMMUNITY MEMBERS TO JOIN US IN PICKING OUR PEOPLE BECAUSE I WANTED THE PEOPLE WHO SELECT OFFICERS TO COME FROM THE NEIGHBORHOODS. IT BRINGS IN OTHER PERSPECTIVES AND EXPERIENCES, ADDS DIVERSITY AND AUTHENTICITY TO THE PROCESS."

in screening in desired traits outweigh their cost:

ACs [assessment centers] should be evaluated in terms of their potential savings.... [I]t is conceivable that even the rela-

tively high start-up cost of ACs could be easily offset by ... a moderate decrease in the attrition rate of academy cadets [an estimated \$30,000 per dropout].... [In addition,] the tremendous losses that occurred ... during the 1992 Los Angeles riots demonstrate how costly police misconduct ... can be. The monetary cost of using a potentially more effective method of selecting police officers ... pales in comparison to risks of both civil liability, and loss to the community, that can result from the selection of unsuitable candidates.⁷⁰

Valuing Bilingual Language Skills

Language skills are integral to effective policing and relating to the public, posing a challenge for police in non-English-speaking or limited English-speaking communities:

Lack of competency with the dominant languages spoken in their new home isolates community members from their police, and vice versa. At worst, mistrust and fear result. At best, crime control efforts and attempts at problem-solving are severely limited.⁷¹

Police departments often use interpreters in these situations. While this resolves the immediate language barrier, it is not ideal for building relationships in the community. The inability of an officer to directly communicate with non-English-speaking or limited English-speaking residents, victims, or suspects greatly hampers an officer's ability to establish a positive rapport and function effectively.⁷² This inability was cited by a majority of law enforcement executives surveyed by the Police Executive Research Forum as the most common obstacle to delivering services to culturally diverse populations.⁷³ Ideally, police officers should be able to speak the languages spoken in the community.⁷⁴ Ed Callahan of the Boston Police Department

IDEALLY, POLICE OFFICERS SHOULD BE ABLE TO SPEAK THE LANGUAGES SPOKEN IN THE COMMUNITY.

observes: "It is much more effective to have the person in the uniform, the officer, speaking the language."⁷⁵

To better serve linguistically diverse communities, police departments are increasingly emphasizing language skills in hiring candidates by providing incentives—through bonus points or salary enhancements—to officers who are bilingual.⁷⁶ The result is a corps of officers more reflective of communities served not only in terms of racial and ethnic composition, but also languages spoken.⁷⁷

Emphasizing Community Connection

With service to the community central to a police department's mission, and selecting and advancing the best people to fulfill this mission as its goal, hiring and promoting should emphasize demonstrated commitment or connection to the community. Valuing bilingual language skills is one way of doing so; there are others.

Residency requirements and incentives affirm the connection between officers and the communities they serve. Adopted by eight of the 10 largest police departments in the nation,⁷⁸ officers who have been subject to residency requirements acknowledge the benefits to the department and the community:

[Officers] play a more active role in the community simply because they are living there. While there is no scientific proof that the requirements have created a better police force, they have improved community-police relations by creating a more friendly atmosphere overall.⁷⁹

* * *

When people know police officers are human too ... and see them out cutting their

grass next door just like them ... it makes our jobs easier ... it creates a more community atmosphere.... To get the most impact from residency requirements, police should live in the districts they serve.⁸⁰

* * *

Officers living in the city are more responsible to the city. They're not just an army coming in ... they are your neighbors ... you might have gone to school together, and your kids will go to school together. When there's trouble in your own neighborhood, you respond more quickly.⁸¹

Despite their benefits, residency requirements can be difficult to maintain. They are vigorously challenged and sometimes overturned.⁸²

To encourage residency within the city, and more specifically in the neighborhoods that are most in need of police services, Atlantic City has tailored its officer home loan program to provide a strong incentive—the lowest interest rates and the fewest number of years for loan forgiveness—for residency in the most disadvantaged areas of the city. This type of home mortgage program also encourages individuals who already reside in these communities to apply to become police officers, providing an even stronger connection to community within the department.

Another valuable tool is providing bonus points in hiring or promoting to those that have a history of community service.⁸³ The New Haven Police Department gives applicants up to four extra points for longstanding involvement or a leadership role in the community. At least one law enforcement agency—the Pueblo County Sheriff's Department—has taken this notion a step further, mandating demonstrated, ongoing community service as a prerequisite to promotion.

Similarly, some police departments reinforce community connection by including community-oriented skills assessments in performance evalu-

ations, a consideration for policing assignments and promotions. Lieutenant Tom Penny of the Newport News Police Department acknowledges his department's accomplishments in emphasizing problem-oriented policing (POP), where police officers work in partnership with community members to address public safety issues. While he includes problem-solving ability in annual performance evaluations, he would like to see even more tangible rewards for superior performance in this area:

I wish we had a better way of rewarding outstanding performance in POP. Officers are driven by tangible rewards. The way it stands now, they will get a high rating on their performance evaluation if they do well in POP, but there's no reward such as time off



or a bonus. In contrast, we offer a lot of monetary incentives for education, and so we have a lot of people graduating from college. We know this works. I wish we could do something similar for POP.⁸⁴

Houston, Pueblo County, and Albuquerque: Investing in Situational Assessments

■ Houston, Texas

In 1999, after negotiating it into the union contract, the Houston Police Department began using an assessment center for promotions.⁸⁵ According to Assistant Chief N.D. Wong, the department turned to this approach in evaluating candidates for the positions of sergeant, lieutenant, and captain because paper-and-pencil tests “did not get near the dimensions”⁸⁶ they wanted to assess—verbal skills, ability to act under pressure, and decision-making capabilities.

The department hired an outside vendor

to develop the assessment center exercises and train the assessors. Assessment panels are comprised of police officers from other jurisdictions from the same rank under consideration or higher and from similar-sized departments. Upon completion of the assessment center, candidates are assigned a numerical score that is added to their written exam score and then ranked by their total score. In at least one instance, the candidate who scored highest on the written exam scored lowest on the assessment center—likely an indication of the different skills evaluated by the respective tests.

■ Pueblo County, Colorado

The Pueblo County Sheriff's Department has been using an assessment center in its hiring process for almost a decade to screen applicants for problem-solving ability, communication skills, and bias. Community members are actively recruited and trained to participate in the applicant assessment process.⁸⁷

After a string of corruption scandals between 1964 and 1990, with four indicted and two convicted sheriffs, the newly-appointed Pueblo County Sheriff felt it imperative that the department revisit the mission, values, and culture of the institution and make a conscious effort to restore community confidence in the institution. As a starting point, he set out to identify appropriate institutional values and then build them into the hiring process, the goal being to build a corps of community-oriented officers able to provide professional service to the public. Looking for "JC Penney shoe salesman-like, customer service-types, not Rambo,"⁸⁸ the sheriff wanted to screen applicants for human emotion, analytical and problem-solving ability, leadership skills, reasoning, judgment, communication skills, interpersonal skills, and physical presence. In order to accomplish these goals, the sheriff supplemented the physical agility and "canned" aptitude-testing phases with an assessment center.

The Pueblo County assessment center spans a full day and includes a written essay test, a stand-up resume, role-plays, and an oral board. A panel of trained assessors (which typically includes both sworn and nonsworn personnel and community mem-

bers) evaluates the applicant's performance in each of these exercises. The sheriff seeks diversity of backgrounds in selecting assessors to promote change in the culture of the institution by including perspectives and experiences from outside the department.

After the assessment center, applicants undergo an oral interview, polygraph testing, and background checks prior to any offer of employment. Throughout the hiring process, the department's community-oriented mission and values are reiterated, providing applicants with several opportunities, as the sheriff puts it, to "buy into the [community-oriented] philosophy or go somewhere else."⁸⁹

The sheriff believes the new process has had a positive impact on public confidence in the institution. For example, in two recent, potentially controversial incidents—one involving the use of pepper spray and the other a car accident with loss of civilian lives—he felt the community supported the department. The sheriff believes that, because community members are involved in the hiring process, they can see the department is making a concerted effort to hire good people. According to the sheriff, "now, when something happens, the community is more willing to assume that it was human error or something non-abusive."⁹⁰

■ Albuquerque, New Mexico

The Albuquerque Police Department has invested in both the B-PAD and assessment center methods, using the former in hiring

and the latter for promotions.⁹¹

In the early 1990s, the department replaced the oral board portion of the hiring process with B-PAD, “a more effective tool for evaluating demeanor and character,” according to Lieutenant Gilbert Najjar.⁹² A panel of two officers and one civilian from either the department or the community scores the applicant’s performance. An “absolute eliminator,”⁹³ applicants must pass the B-PAD—which follows the physical agility test, written exam, and a one-on-one interview—to continue to the next phase of the hiring process—background check, polygraph, psychological, and medical.

Replacing the oral boards with B-PAD also reduced opportunities for bias. The presence of well-structured guidelines and

videotaping permit the department to carefully review the grading of applicants who fail B-PAD to determine the fairness and accuracy of their scores.

The department has used an assessment center for promotions for nearly two decades, typically inviting officers from out of state to serve as assessors to shield the process from interdepartmental politics. Despite suggestions that B-PAD replace the assessment center for promotions, the department has retained the assessment center approach because it provides an opportunity to observe live interaction and exchange through exercises such as role-plays that are not present in B-PAD. The department views these exercises as an important component of promotional assessment.

San Jose, Boston, and Santa Ana: Building Language Banks

■ San Jose, California

Bilingual language skills are given “special hiring consideration” and additional salary compensation in the San Jose Police Department.⁹⁴ Currently, there are six qualifying languages: Spanish, Vietnamese, two Chinese dialects, Korean, and Tagalog/Icano. The City of San Jose is 49.6 percent white, 26.6 percent Latino, 18.7 percent Asian/Pacific Islander, and 4.4 percent African American.⁹⁵

After applicants complete the written test and the oral interview, they receive a combined score. Applicant scores are then grouped in bands, with priority given to applicants with certified second language skills in one of the six qualifying languages.

The language hiring consideration has also helped in recruiting. With competition among police departments for qualified applicants, Officer Camille Giuliodibari observes: “[Bilingual applicants] know ... they will have an edge here.... The incen-

tives put them over board to want to come here."⁹⁶ She notes the more bilingual officers hired, the more attractive the department has become to other applicants with similar backgrounds. Bilingual skills are also a positive factor for promotion.

them to particular neighborhoods based on their ability to speak the predominant languages spoken there. Selective certification has also facilitated increased diversity in the department. As Ed Callahan, Director of Personnel, sees it, "it's a two-for."

■ Boston, Massachusetts

In 1994, members of Boston's Chinese community approached the Boston Police Department about communication concerns.⁹⁷ The department responded by turning to a Massachusetts law—bilingual selective certification—that had been "on the books for years, but not used very much,"⁹⁸ which permitted the department to aggressively prioritize and hire Chinese-speaking applicants.

Achieving early successes in hiring officers with Chinese language skills, the department proceeded to use selective certification to hire officers with other bilingual language skills. Since 1994, approximately 20 French-Creole-, five Vietnamese-, 18 Spanish-, and six Chinese-speaking officers have been hired through this process. The City of Boston is approximately 58 percent white, 23 percent African American, 13

percent Latino, and 6 percent Asian/Pacific Islander/Native American.⁹⁹

With more bilingual officers, the department can now deploy

■ Santa Ana, California

Committed to increasing the number of bilingual officers in the police department, the City of Santa Ana—with a population that is 75 percent Latino and about 15 percent Asian—implemented a bilingual-only hiring policy in 1990.¹⁰⁰ To be eligible for hire, entry-level applicants must be proficient in English and either Spanish, Vietnamese, Korean, Samoan, Hmong, or Cambodian. Lieutenant Rick Hicks explains:

The minority population is so large that every call you go on, some element involves a secondary language skill requirement. You tap into a language skill on most anything you do, from routine car stops to being dispatched on calls. A few years ago, we had less bilingual officers and they were being worked a lot harder than the average officer. They were constantly being called on to translate. They also ended up writing more than their share of reports because with a complex report, it's sometimes easier to write it yourself than translate all the statements so that someone else can write it. So it's obvi-

WITH COMPETITION AMONG POLICE DEPARTMENTS FOR QUALIFIED APPLICANTS, OFFICER CAMILLE GIULIODIBARI OBSERVES: "[BILINGUAL APPLICANTS] KNOW ... THEY WILL HAVE AN EDGE HERE."

ous that we need those language skills—nobody disputes that.¹⁰¹

Lateral transfers (those who have prior police experience) are the only applicants for whom the bilingual requirement is waived.¹⁰² As an additional incentive, lateral transfers with second-language proficiency receive a 5 percent salary increase.

While the department has greatly improved its Spanish language capabilities, it acknowledges the need for still greater representation of officers who speak Asian languages. As of June 2000, 40 percent of Santa Ana's police officers were Latino, 3.2 percent Asian, 1.3 percent African American, less than 1 percent Native American, and the remaining 55 percent white.

Chicago and Atlantic City: Rewarding Residency

■ Chicago, Illinois

Since the 1960s, all officers of the Chicago Police Department have been subject to the city's municipal residency requirement.¹⁰³ Virtually a "non-issue" at this point, most recruits and officers accept city residency as a condition of employment. Committed to upholding the requirement, the department has used its internal disciplinary process to ensure that officers live within the city.

The Chicago ordinance establishing residency requirements has withstood numerous legal challenges and has remained unchallenged since 1985. Although various employee unions have attempted to negotiate the requirement out of their respective contracts, the city has consistently prevailed. According to Dan Nestor of the city's legal department, "municipal requirements create better employees" because resident employees have a greater stake in the city.¹⁰⁴

■ Atlantic City, New Jersey

Starting from the premise that officer residency promotes public safety and community revitalization, Atlantic City public officials have invested in a collaborative effort, the "3-2-1" program, designed to motivate officers to live inside the city limits.¹⁰⁵ Developed in 1995 in partnership with the Atlantic City Police Department and the Casino Reinvestment Development Authority (CRDA), and with assistance from the Police Foundation, the 3-2-1 program provides officers with low-interest loans to purchase or build a new home, rehabilitate an older one, or make improvements to their own home if it is within the city limits.

Program requirements were carefully structured to benefit the community. Officers must demonstrate a history of community involvement and a lack of disciplinary offenses to qualify for the program. In reviewing an officer's application, communi-

ty service in Atlantic City is emphasized and a written report is requested from Internal Affairs regarding any disciplinary actions involving the officer.

To encourage revitalization in the areas that need it most, interest rates and loan forgiveness packages correspond to particular neighborhoods. While officers are permitted to live anywhere in the city, receiving 3 percent loans in “more desirable areas,” they can receive only the lowest interest rate—1 percent—if they live in one of the more distressed areas of the city. In 1 percent areas, officers receive one year of loan forgiveness for every year lived in the area (resulting in forgiveness on a 30-year loan in just 15 years); 2 percent areas receive one year of forgiveness for every two years lived; and there is no loan forgiveness available for living in a 3 percent area.

To maximize officer involvement in the community, as part of their loan agreement, officers are required to make themselves available to their neighbors, join their neighborhood association, participate in commu-

nity meetings, and, if not already established, start a Neighborhood Watch program. All of these activities must be conducted when the officer is off duty.

To increase police visibility in the community, when the loan program first started, officers were provided with “take-home” police cars in addition to the low-interest loans. Officers were required to park the take-home cars in their driveway or on the street, reassuring residents of the police presence in the community and deterring criminal activity.

The 3-2-1 program has been so successful it is being expanded. When the program first started, CRDA funded each loan and planned to establish a new loan fund as officers repaid the first phase of their loans. To spread the limited funds further, private lenders will now provide loans and CRDA will use the first-phase loan repayment money to buy down the interest rate on the private loans—a significantly less costly proposition than CRDA funding the entire loan.

New Haven, Pueblo County, and Arroyo Grande: Developing a Corps of Community-Committed Officers

■ **New Haven, Connecticut**

The New Haven Police Department gives applicants with demonstrated community service up to four extra points in the hiring

process.¹⁰⁶ An incentive is also provided for residency, with two points given to current residents of the city or those who have previously lived in New Haven for a significant period of time.

■ Pueblo County, Colorado

The Pueblo County Sheriff's Department requires officers to demonstrate ongoing community service as a prerequisite to consideration for promotion.¹⁰⁷ Viewing the community's agenda as the department's agenda, the Sheriff believes that officers must be connected to the community to know and understand its needs. Future leaders are therefore expected to spend time integrating themselves into the community by volunteering their own time to community activities.

■ Arroyo Grande, California

The Arroyo Grande Police Department

reinforces its community service policing philosophy by emphasizing community interaction, interpersonal skills, and problem-solving orientation in individual officer performance evaluations, which form the basis for all promotional decisions.¹⁰⁸ Consciously moving away from the previous evaluation system geared toward quantity (number of arrests and tickets) and not quality (interaction with the public), the system was revised to include community feedback as an integral part of the evaluation process. Through its Quality Services Program, the department actively solicits community feedback about individual officers, for example, by sending questionnaires to individuals who requested police assistance or were issued a traffic ticket and conducting community audits in person or by telephone.

Training: Developing Skilled Professionals

"Obtaining qualified personnel is extremely important to the police agency; however, this alone is not enough.... Even extremely qualified applicants are often only as good as their training."¹⁰⁹ The academy curriculum is key. Although studies have shown that police officers spend more time engaged in service activities than crime fighting, police academies have traditionally emphasized the technical, tactical aspects of policing, devoting far less time to the service-, people-oriented aspects.¹¹⁰ The critique of this practice is not that the amount of time spent on any particular topic in the academy should have a direct correlation to the percent of time actually engaged in that activity in the field, but rather that there should

be some balance.¹¹¹ More time and greater depth must be provided to developing community-oriented skills and knowledge in the academy.

Beyond the academy, training continues to play a significant role in shaping the development of individual officers. "Police work is constantly changing, and remaining a good police officer is different from becoming one."¹¹² In this respect, field training and in-service training programs are essential to affirming the department's mission and values, identifying and remedying performance deficiencies, and keeping pace with developments in the field.

Police departments nationwide are striking a more appropriate balance in their training programs, supplementing traditional curricula with nontraditional topics and activities.

Promising training programs are:

- People- and place-based
- Problem-solving oriented
- Responsive and dynamic
- Continuous

Prioritizing People and Place

People- and place-based training programs emphasize the need to know, appreciate, and appropriately respond to the individuals, communities, and neighborhoods officers will serve. Attempting to move beyond superficial understandings, the goal is to provide officers with a solid base of substantive knowledge, practical experience, and skills training—both inside and outside the classroom¹¹³—relevant to working with the diverse communities and complex issues officers will encounter in the field.

From culture and race to issues such as mental illness and homelessness, people- and place-based training is of paramount importance. Greater familiarity with the people and understanding of the commonly encountered issues in the places officers will serve can increase officer effectiveness from both a traditional, crime-fighting perspective and a collaborative, problem-solving mode.¹¹⁴ It can also increase officer safety, reduce the use of force, and improve community relations.¹¹⁵

In Memphis, officer injuries during crisis calls decreased 60 percent within three years after instituting an extensive training program. Created in partnership with the mental health services community, the program is geared toward better understanding of, and response to, individuals with mental health services needs. During the first seven years of the program, there were no fatal shootings during crisis call incidents.¹¹⁶ The training curriculum includes off-site interaction in the

community. Lieutenant Sam Cochran, the crisis training program coordinator for the Memphis Police Department, observes:

Most times, police training is only done in a classroom environment because it's easier to do it that way. But, for mental illness you can't take a quick-fix approach. And, you won't get officer buy-in by just having them sit in a class, listen, and leave. Eight hours are spent visiting and talking with consumers in their homes, at work sites, in hospitals, and other places. Some are coping on their own, others are very ill. Like us, they have diverse backgrounds and personalities. After one of the day-long visits, one officer said, "Lieutenant Cochran, they're just like us."¹¹⁷

Other police departments are also realizing benefits from incorporating out-of-the-classroom activities into people- and place-based training curricula. In requiring every recruit to complete a community-based research project as part of its effort to educate them about the communities they will serve, Sergeant Jim Mansell of the Vancouver Police Department notes: "This training strategy was implemented to avoid bringing token representatives and talking heads to the classroom, and to encourage a more experiential learning process that is meaningful to the recruits."¹¹⁸ Similarly, Corporal Jane Naydiuk of the Justice Institute of British Columbia recalls:

We used to schedule a diversity day that brought community members into the academy to tell their story. But, that style was too easy for the recruits to block out. Community issues and relationships deserve more in-depth training than that. Now, they have to gain practical community skills and complete a community research project that is presented by each recruit to the larger group.¹¹⁹

Teaching Problem-Solving

The importance of police as problem-solvers is discussed elsewhere in this report,¹²⁰ as well as the desirability of screening applicants for problem-solving aptitude.¹²¹ Here, the need for police departments to provide officers with training in what it means to be a problem-solver in the public safety context is emphasized.

There is a problem-solving aspect to people- and place-based training. Substantive knowledge of the people in the community and the most common issues they confront is fundamental to identifying and analyzing a problem. Moreover, when officers are required to work with the community on a project involving an issue of community concern as part of people- and place-based training, they are provided with a glimpse of problem-solving.

In addition to the specialized knowledge gained from such training, officers must be provided with general skills training in how to identify, analyze, and appropriately respond to the varying and often unpredictable public safety-related problems they will encounter. Two examples of this type of skills training are “problem-oriented policing” (POP) and mediation.

A common method of teaching POP is through the SARA model: scanning, analysis, response, and assessment. “During the scanning stage officers identify a problem; during the analysis stage they collect and consider information about it; during the response stage they work along with others to develop and implement solutions to it; and during the assessment stage they evaluate how well all of this worked.”¹²²

POP concepts should also be emphasized and woven into other areas of training. Dr. Vance McLaughlin, Training Director for the Savannah Police Department, comments:

POP is just like ethics: it’s fine to have a course, but you try to include it in everything

you do. For instance, training in eyewitness testimony. You have to work with the victim of the crime, maybe bring them back in to make an identification. Then you have a suspect who you think might have been the perpetrator but maybe it wasn’t him, and you bring him in for a line-up. A community-oriented, problem-oriented approach will teach the officer to emphasize promoting trust in all interactions.... For instance, how will the victim feel if you don’t bring in the right guy? We need to go the extra step, explain the process. How will the suspect feel who you brought in for ID but isn’t the perpetrator? Full communication is important, explaining why we picked him, that it wasn’t racial profiling, for example. We need to think about going back to the community again and again, promoting cooperation.¹²³

Mediation is another problem-solving technique, providing an alternative to resorting to physical force or arrest, which “does not solve the problem but merely forestalls the possibility of violence.”¹²⁴ When officers are trained as mediators, they can verbally defuse a confrontational situation that might otherwise escalate into violence and can facilitate a discussion between the parties that can lead to resolution of the underlying dispute.¹²⁵ In this respect, mediation can also promote community problem-solving of public safety-related matters.¹²⁶ Moreover, because of the interpersonal and communication skills training associated with mediation,¹²⁷ it can improve community-police interaction generally.¹²⁸

While mediating a dispute may take more of an officer’s time, resolving the underlying

SUBSTANTIVE KNOWLEDGE OF THE PEOPLE IN THE COMMUNITY AND THE MOST COMMON ISSUES THEY CONFRONT IS FUNDAMENTAL TO IDENTIFYING AND ANALYZING A PROBLEM.

ing problem that gave rise to the dispute in the first place has the effect of decreasing repeat calls for service and freeing the officer's time in the long run.¹²⁹ In Hillsboro, Oregon, since implementation of its 32-hour mediation training program, the police department has reduced repeat calls for service by more than 50 percent and has gone as long as one year without receiving a repeat call to the same household.¹³⁰

Being Responsive and Dynamic

"Police training must be viewed as a dynamic, changing process."¹³¹ As public safety issues become increasingly complex, communities become increasingly diverse, and police departments discover new and more effective techniques, police training programs must be flexible and prepared to accommodate these changes.¹³²

Language training is an example of police departments responding to the changing demographics of the communities they serve, as well as a demonstrable commitment to improving communication with these communities. Recognizing the positive public service and safety implications of having officers who can communicate directly with non-English-speaking community members,¹³³ many police departments now mandate Spanish language training for all recruits and encourage development of additional language skills through salary incentives and tuition reimbursements.¹³⁴ The San Diego Police Department requires 32 hours of Spanish language training in the academy and provides tuition reimbursements of up to \$800 per year, as well as a salary enhancement for bilingualism.¹³⁵ The Redwood City (California) Police Department requires 36 hours of Spanish and has several officers who have continued their language studies beyond the minimum requirement to become fluent and earn a salary bonus for their second-language proficiency.¹³⁶

Ideally, language training programs should go

beyond teaching officers a few command phrases:

In some communities, police master the day-to-day terms necessary to control individuals—that is, to command people to stop, put their hands up, turn around—but never learn to ask questions or converse in a way that solicits community input or validates community concerns. That is, they never learn the language skills needed to listen. "Tactical communication" alone can alienate the community served, undermining the mutual trust necessary for true collaboration.¹³⁷

Antiracism training is another example of police department responsiveness to community-police dynamics. While many people prefer to believe that racism is a thing of the past, it is still very much a part of today's society.¹³⁸

A survey of the Los Angeles Police Department found that one-quarter of the 650 officers responding agreed that "racial bias (prejudice) on the part of officers toward minority citizens currently exists and contributes to a negative interaction between police and the community," and that "an officer's prejudice toward the suspect's race may lead to the use of excessive force."¹³⁹

Acknowledging the existence of and the need to overcome racism to improve cross-cultural relations, some police departments are moving beyond "diversity" training to providing officers with a deeper understanding of the origins, manifestations, and perpetuation of racism.¹⁴⁰ Deputy Chief Bob Grytdahl of the Duluth Police Department notes:

Antiracism trainings should just be part of your work—part of your basic, expected professional development. It is as much

about how to interact with other people in order to provide better service to the community as the other trainings are, like first aid or fire power.... You have to understand the historical perspective of communities of color in relation to police, and you also have to understand what dynamics continue today.¹⁴¹

Use-of-force training is also critical. Police use of excessive force is a significant community concern; tragic incidents have led to several uprisings and fractured community-police relations. It is also an area constantly changing, with new understandings about when and why force is used, alternatives to force, and the development of new less-than-lethal equipment.¹⁴² Police training curricula should be responsive to these issues.

Training should simulate, as much as possible, the actual conditions officers will encounter in the field.¹⁴³ Role-play scenarios are ideal—indoors and outdoors,¹⁴⁴ as well as “at night with dim or variable lighting, after running several blocks, with multiple opponents to think about, with other officers and bystanders on the scene, and while wearing on-duty clothing.”¹⁴⁵ Although more labor-intensive, role-plays are more realistic and effective than the increasingly popular interactive video training, which “is seen by many officers as little more than a video game.”¹⁴⁶

But use-of-force training is more than merely when and how to appropriately use deadly force—the “split-second,”¹⁴⁷ “final frame,”¹⁴⁸ shoot-or-don’t-shoot decisions. Training should also focus on the moments before a situation becomes volatile, teaching officers skills and alternatives that can avoid, prevent, or de-escalate a situation that might otherwise result in deadly force.¹⁴⁹ A range of responses are available along the “force continuum”¹⁵⁰ and officers should be taught to first employ those sufficient to control a situation with the least likelihood of injury under the circumstances. The Burbank

Police Department has implemented a scenario-based, integrated use-of-force training program that teaches officers to use varying levels of force ranging from command presence to deadly force.

It is important to note the significance of the training areas described earlier in this section to the issue of use of force. Skills learned during problem-solving training such as mediation are useful in de-escalating confrontational situations. Culture, diversity, mental illness,¹⁵¹ language, antiracism training¹⁵²—all help officers to better understand, communicate with, and respond to the increasingly diverse communities they serve¹⁵³ and potentially avoid unnecessary use of force:

[P]olice may ... misread the meaning of certain ... culturally-connected behaviors or may miscalculate the ways that certain standard police techniques might be interpreted across different cultures.... [I]n some Hispanic and Asian cultures, it is a sign of respect for a youth to avert his or her eyes when conversing with ... a person in a position of authority.... An officer unaware of this may read [this] as rudeness, deception, or guilt.... [I]n certain Southeast Asian cultures, for a person to be ordered by police to kneel on the ground and clasp his hands behind his head would be taken as a prelude to assassination. An American police officer unaware of this could suddenly find himself or herself in a life-and-death struggle....¹⁵⁴

Police departments can also identify supplemental training needs responsive to

“ANTIRACISM TRAININGS SHOULD JUST BE PART OF YOUR WORK—PART OF YOUR BASIC, EXPECTED PROFESSIONAL DEVELOPMENT. IT IS AS MUCH ABOUT HOW TO INTERACT WITH OTHER PEOPLE IN ORDER TO PROVIDE BETTER SERVICE TO THE COMMUNITY AS THE OTHER TRAININGS ARE, LIKE FIRST AID OR FIRE POWER.”

community concerns by monitoring trends in the allegations made in civilian complaints. “[C]itizen complaints are probably the best available source of information about police performance.... [P]olice administrators can make positive use of this information ... to learn ways to better serve their communities.”¹⁵⁵

Achieving Consistency with Continuity

No matter how solid the training is in the academy, its long-term effects, if any, will be minimal without reinforcement through coordinated field training and in-service training programs.

Field training—the on-the-job training recruits receive subsequent to the academy under the supervision of a senior officer—can literally make or break the academy experience:

The most profound impact on how a police officer works and acts during the early years of his or her career comes from the direction and the example set during field training.... This “on the job” training tends to override whatever trainees learn in academy classrooms, and it sets the stage for what is and is not considered acceptable behavior.¹⁵⁶

For this reason, “field training should be an extension of the formal training learned at the academy. It should help the recruit apply the knowledge he or she has gained from the acade-

my.”¹⁵⁷ Toward this end, the skills and philosophical orientation of field training officers, as well as the training these officers receive, are critically important.¹⁵⁸

In-service training—the policing equivalent of continuing education—should also be used to keep officers’ professional development in line with the department’s mission and values. Structured appropriately, it can provide the necessary vehicle for periodically refreshing skills learned in the academy or during field training, remedying performance deficiencies, and updating officers on developments in the profession and community.¹⁵⁹

Despite their importance, some cities do not require supervised field training for rookie officers or mandate minimum in-service training hours each year. A retired police officer remarks: “You could get out of the academy on Friday and be on the street on Saturday!”¹⁶⁰

In its attempt to firmly embed its problem-oriented policing (POP) mission into every officer, the Newport News Police Department regularly reinforces the POP training taught in the academy with mandatory in-service training hours devoted to POP-related topics. Supplementing the standard in-service training program, the department last year provided supervisors with an additional 32 hours of POP training, as well as hosted a “community engagement” training module that included both community members and officers.¹⁶¹

“FIELD TRAINING SHOULD BE AN EXTENSION OF THE FORMAL TRAINING LEARNED AT THE ACADEMY. IT SHOULD HELP THE RECRUIT APPLY THE KNOWLEDGE HE OR SHE HAS GAINED FROM THE ACADEMY.”

New Haven, Minneapolis, British Columbia, and Memphis: Learning About People and Place

■ **New Haven, Connecticut**

During the early 1990s, the New Haven Police Department (NHPD) completely overhauled its training academy.¹⁶² Having adopted a collaborative, community-based policing philosophy, the police chief determined the traditional training program was largely at odds with the new direction of the department:

The academy stood for the perpetuation of a militaristic tradition, which ... could only worsen the adversarial relationship which already existed between the police and the people of the city.... It was no longer enough to be big, strong, male and tough. Instead, reading, writing, talking, listening, solving problems, caring about people, being part of the community, being "nice" and acting respectfully to felons as well as to elected officials were now what the job was to entail and, therefore, what should be taught in the academy.¹⁶³

The police chief hired a professor from a local university to dismantle the old model and develop a new one that emphasized community involvement in police work. After trial and error, and adding eight more weeks to the academy program, the NHPD arrived at an innovative curriculum that combines important aspects of traditional

police training with a collegiate structure designed to educate students about the communities in which they will work.

At the most basic level, a new vocabulary was adopted. Militaristic, sexist language was replaced with more inclusive, gender-neutral terms. No longer referred to as "recruits," "cadets," or "trainees," they are "students" who are to be "educated" as well as trained. Ultimately, they become "officers" (as opposed to "policemen") in the "department" (as opposed to the "force"), and all positions are "staffed," rather than "manned."

The substantive curriculum was broadened to include topics of community concern such as hate crimes, AIDS, and homelessness. To capture the complexity of these issues and the diversity of stakeholders, courses are taught by multidisciplinary teaching teams. The Sex Industry Workers course is taught by a Yale professor, three prostitutes, and a police officer; the Domestic Violence course is taught by a prosecutor, a resident from a local shelter, and a court-appointed victim's advocate.

Pedagogical approaches are varied to address different learning styles and to take students out of the classroom into the communities they will serve. Traditional lecture methods are now complemented by more experiential and interactive exercises, including clinical rotations in community agencies. Classroom study on mental illness, for example, is supplemented by interviews

with people who have mental health service needs, visits to mental health service facilities, and meetings with families.

A central feature of the academy experience is a group term project where students explore a socially relevant problem, drawing upon both police and community resources. Students conduct original research, write a 10-page paper, and, in collaboration with community members and an artist, develop an oral and a visual presentation. The term project provides an opportunity to develop and assess communication skills, creative problem-solving, and analytical ability, as well as emphasize the importance of community-police collaboration in tackling the complex issues related to public safety.

The importance of the community-based curriculum to the overall training academy experience is reinforced in academy grading practices. The term project can count for up to one-third of the final grade. Written and verbal communication, as well as attitude and demeanor, are also assessed, along with firearms and defensive tactics.

■ **Minneapolis, Minnesota**

As part of its academy training program, the Minneapolis Police Department (MPD) requires every recruit to spend three days with a Minneapolis nonprofit organization.¹⁶⁴ The Police Community Training Partnership, initiated in 1994, is a collaboration between the Minneapolis Urban

League and the MPD. The partnership seeks to provide recruits with an understanding of the communities in which they will work “from the ‘people side’ as opposed to the police academy side.”¹⁶⁵ The Urban League recruits and coordinates different community organizations to participate by accepting a police “intern.” The MPD and the Urban League then collaborate on supervising and evaluating each round of community placements.

Lieutenant Stacy Altonen believes that placing recruits with community organizations—as opposed to having organizational representatives come to the academy to speak to recruits—is an important component of the recruits’ overall training:

They become very knowledgeable both about the work that the agency does and the networks that the agency uses to accomplish its job. They often will make a contact there that stays with them, that they will call on as a police officer to get something done.¹⁶⁶

Shawne Monahan of the Urban League adds:

A lot of recruits come from the suburbs or smaller cities in the state. They’ve never had any kind of inner-city experience.... The time recruits spend with the community organizations is really a chance for them to see a different part of the world.¹⁶⁷

Some recruits have served meals at food lines for the homeless. Others have worked at a domestic violence agency where they sit

in on a group discussion among abusers or have “shadowed” agency staff who work with children. One agency for the elderly conducts a role-play with recruits, providing them with special glasses that simulate the partial blindness that many elderly people suffer, to build awareness and sensitivity about the day-to-day realities faced by the elderly.

Organizations participating in the partnership include, among others, the NAACP Back to School/Stay in School Project, Minneapolis Crisis Nursery, Gay and Lesbian Community Alliance, Bridge for Runaway Youth, Oak Park Neighborhood Center, and Domestic Abuse Project. In any given cycle, approximately 35 organizations accept “interns.” Out of uniform throughout their placement and not identified as police, Lieutenant Altonen observes: “They get a chance to meet the people that are on the street, that live in the area, without the barrier of their uniform.”¹⁶⁸

The community placement can occur anytime in the middle to late phase of the 16-week academy program, depending on the schedules and needs of the community organizations. Prior to being assigned to an organization, recruits spend a day in a workshop with all participating organizations where they listen to presentations and then state their placement preferences.

At the conclusion of the three-day internships, recruits spend another day with organization representatives to participate in an evaluation and a debriefing. Including the pre- and post-placement activities, the partnership program comprises a full week of the 16-week academy training.

■ British Columbia, Canada

The training curricula for Canadian police officers is also instructive, specifically that of British Columbia and the Royal Canadian Mounted Police. To support their community-based policing philosophies, these departments have restructured their training programs to emphasize community connection and collaborative problem-solving.

In British Columbia, Canada, all municipal police recruits are trained in one central police academy—the Justice Institute of British Columbia.¹⁶⁹ Over the course of the Justice Institute’s 33-week training program, recruits are continuously exposed to concepts, information, skills, and activities related to the people and neighborhoods they will serve. Each recruit is required to complete and present a Diversity Project in addition to classroom discussion of issues such as diversity, mental illness, and youth gangs, a directed studies research paper on the philosophy and implementation of community-based policing, and community partnership and problem-solving projects (described elsewhere in this report).¹⁷⁰

The goal of the Diversity Project is to promote understanding and awareness of identifiable, typically underserved community groups, break down stereotypes, and improve police service delivery.¹⁷¹ According to Sergeant Jim Mansell of the Vancouver Police Department, the Diversity Project achieves much more than the typical one- or two-hour lecture and helps recruits to “look outside of the box and breakdown the ‘us and them’ attitude. It takes off the blinders.”¹⁷²

Through original research, recruits are

expected to learn all that they can about the culture, values, issues, and concerns of the chosen community group with an emphasis on how to improve police relations with and service to the community. Diversity Projects culminate in half-hour, graded presentations to the academy class.

Class of 2000 Diversity Projects included the Chinese community, the mentally ill, Boy's Town (a section of Vancouver known for young male prostitution), the Musquem Reserve, the developmentally challenged, the Sikh community, the gay and lesbian community, juvenile offenders, Latino drug dealers, and Vietnamese gangs. With respect to the interviews a group of recruits conducted in Boy's Town, Corporal Jane Naydiuk observes:

This community project really turned people who had been viewed as "criminals" and "freaks" into vulnerable young men who are simply lost. It really changes how you police when you know the community you are working

with from the inside.¹⁷³

ACCORDING TO SERGEANT JIM MANSELL OF THE VANCOUVER POLICE DEPARTMENT, THE DIVERSITY PROJECT ACHIEVES MUCH MORE THAN THE TYPICAL ONE- OR TWO-HOUR LECTURE AND HELPS RECRUITS TO "LOOK OUTSIDE OF THE BOX AND BREAK-DOWN THE 'US AND THEM' ATTITUDE. IT TAKES OFF THE BLINDERS."

Emphasizing the importance of knowing, understanding, and working with the community, the Diversity Project comprises approximately 20 percent of each recruit's academy grade,

with an additional 22 percent of the academy grade based on the directed studies research paper and the community partnership and problem-solving projects described later in this report.¹⁷⁴

■ Memphis, Tennessee

In 1987, Memphis police officers fatally shot a mentally ill man who was stabbing himself with a knife. This tragic episode resulted in an outpouring of community concern about racism and inadequate officer training.¹⁷⁵ The following year, the Memphis Police Department, in partnership with the Alliance for the Mentally Ill, mental health service providers, and two local universities, developed a specialized training program and coordinated services to improve officer response to crisis calls involving consumers of mental health services ("consumers").

Comprised of volunteer patrol officers selected from each precinct, the specially trained corps of officers—the Crisis Intervention Team (CIT)—responds to all mental disturbance calls. In addition to the standard academy training on mental health issues provided to all recruits, CIT officers receive forty hours of specialized, multidisciplinary training from mental health service providers, legal experts, family advocates, and mental health consumer groups. Instruction is conducted both inside the classroom and off site, including interactive sessions with consumers. As part of their continuing education, CIT officers receive mandatory in-service training, typically two

eight-hour sessions per year. This training is provided free as part of the collaboration.

To provide an immediate response 24 hours a day, seven days a week, 18-20 percent of the uniformed patrol division is trained as CIT officers. Growing sixfold since the inception of the program and performing regular patrol duties in the absence of a crisis call, CIT officers are deployed across the city and distributed among all shifts. They respond to over 7,000 calls each year, not including the “immediate threat” (such as attempted suicide) calls to which they also respond.

Mental health services were coordinated to provide officers and consumers with a receiving facility as easily and immediately accessible as the county jail. Doctors at the Regional Medical Center—“The Med”—accept every consumer and have a goal of completing paperwork within 15 minutes so that officers can return to the community without delay. This coordination is essential to the program’s success.

The program has proved highly successful in reducing officer injuries and use of force. Officer injuries during crisis calls decreased 60 percent during the first three years of the program (1988-1990) and continued to decline through the last three years studied (1994-1997). Based on the clinical experience at The Med, and in light of national studies establishing a correlation between rate of officer and consumer injuries, it appears that consumer injuries have decreased as well, with no fatal shootings during the first seven years of the program.

Additional progress made includes collaboration between the police department



and the community, a significant shift in officer attitudes and behaviors, and increased community confidence in the police department’s ability to provide quality service. Lieutenant Sam Cochran observes: “A lot of family members had serious trepidation about calling the police. The problem would just exacerbate because the family would wait. Prior to CIT, consumers wouldn’t call themselves. Now, they will call.”¹⁷⁶ Dr. Randy DuPont of the Psychology Department at the University of Tennessee concurs:

The Department is giving awards out now for not having to use force. And, community advocacy groups have an annual banquet to recognize officers who’ve used their conflict resolution and negotiation skills to successfully resolve situations.¹⁷⁷

The University of Tennessee is studying the cost savings of diverting consumers from the county jail into the healthcare system. It is also determining any economic benefits realized from reducing hostage negotiation (SWAT) team call outs, which is believed to

be attributable to CIT negotiation and conflict resolution skills successfully resolving situations on the front end.

The Memphis CIT model has been replicated in several cities—from small towns like Waterloo, Iowa, with 130 police officers¹⁷⁸

to Houston, Texas, with the seventh-largest police department in the nation.¹⁷⁹ At least one state, California, introduced legislation to fund and evaluate pilot CIT programs in various police departments across the state.¹⁸⁰

Savannah, British Columbia, the RCMP, and Hillsboro: Preparing Police Officers for Problem-Solving

■ Savannah, Georgia

From academy to in-service training, the Savannah Police Department (SPD) emphasizes teaching problem-oriented policing (POP) throughout an officer's career.¹⁸¹ Savannah first exposes recruits to POP practices immediately following their completion of a regional academy. In three additional weeks of training, recruits receive six 3½-hour modules of community-oriented policing and problem-solving training. With the SARA (scanning, analysis, response, assessment) model taught as the basis for the problem-solving approach,¹⁸² recruits learn how to classify a series of incidents or issues into a "problem" and then how to proceed with a project that identifies and implements proactive solutions to that problem.

Dr. Vance McLaughlin, Training Director for the SPD, explains the most dynamic section of the program occurs at the end, when staff and recruits discuss actual POP projects that have been completed by SPD officers:

One of the projects we discuss involves a situation where public housing residents were complaining that several streets within the housing project didn't have names. Police officers shared residents' concerns because the lack of names made emergency response more difficult. So two police officers made it a POP project to get those streets named. They worked with the City and got it to happen. The residents were so happy that they decided to name the streets for the officers.¹⁸³

■ British Columbia, Canada

All of the community-oriented training components the recruits receive at the Justice Institute of British Columbia are focused on preparing them for community partnerships and problem-solving.¹⁸⁴ In addition to the Diversity Project described earlier in this

report,¹⁸⁵ every recruit is required to complete a directed studies research paper on community-based policing, a community partnership project, and a problem-solving project.

The philosophy, history, and implementation of community-based policing are emphasized in the directed studies research paper. As described by Corporal Naydiuk:

Rather than giving [recruits] a presentation on the topic, we require them to go to the library to pour over the literature and the articles themselves. As part of the paper, each recruit has to discuss what their home department has done to weave community-policing philosophy into practice. They are able to cover a lot more ground on their own. There is so much information out there on the topic that they get a deeper understanding of the material if they go into it on their own.¹⁸⁶

To emphasize the importance of communication skills, the paper is graded on the quality of research, writing, logic, grammar, references, and layout.

Building on the community partnership concepts explored in the directed studies research paper, recruits are also required to complete a Partnership Project. They are expected to contact and bring back to the academy the business cards of at least ten people in the community, as well as to complete a brief write-up about each community member that includes a description of the way the community member will assist them to do better police work. The name of the list was changed from a "contact" list to a "partners"

list to emphasize the need to get to know people as opposed to just meeting them. The goal of the Partnership Project is for recruits to connect with community members and begin establishing relationships that will help them to do their job once they become officers.

The academy also includes a Problem-Solving Project to provide recruits with an opportunity to put community-based policing principles into practice and to promote community-police problem-solving from the beginning of their careers. Recruits are required to identify a community problem, research the breadth and depth of the problem, develop an analysis of the root cause, and propose viable responses as a means to equip recruits with the skills to engage in proactive responses to crime as opposed to simply addressing the symptoms of crime.¹⁸⁷ Upon completion, the Problem-Solving Projects are presented to the academy class and several police chiefs from local police departments. Corporal Naydiuk notes that while most of the police chiefs come from "old-school policing, ... they are just thrilled that this is what incoming officers are learning."¹⁸⁸ In addition to receiving feedback from the visiting police chiefs, recruits are graded by academy instructors on the depth of their analysis and the viability of their proposed solutions.

The directed studies research paper, the Partnership Project, and the Problem-Solving Project combined comprise 22 percent of each recruit's academy grade. With another 20 percent of the academy grade based on the Diversity Project,¹⁸⁹ the Justice Institute of British Columbia emphasizes the need to know, understand, and work with the community as a police officer.

■ The Royal Canadian Mounted Police

Aiming to work closely with the communities they serve, the Royal Canadian Mounted Police (RCMP) uses an integrated training strategy to instill community-based policing and problem-solving as the basic approach to police work.¹⁹⁰ The foundation is established at the academy level and continues throughout subsequent training.¹⁹¹

The RCMP Training Academy is centralized in Regina, Saskatchewan, providing a 22-week program for cadets from all over Canada. The explicit philosophy of the curriculum is community-based policing, and the instructional mode problem-based learning. Similar to the SARA model, cadets are taught problem-solving skills through the Client/Analysis/Partnerships/Response/Assessment (CAPRA) method, which, according to the RCMP Employee's Handbook, is "designed to assist the RCMP's personnel to anticipate and prevent problems, and to solve problems before they arise.... [T]he CAPRA model requires an understanding of clients' needs, demands, and expectations and partnership approaches to problem-solving and continuous improvement."¹⁹²

Typically working in groups of six to eight, cadets are presented with a problem through scenarios or simulated practical experiences and then gather and analyze information to solve the problem. Cadets begin by identifying and understanding the client (the "C" in CAPRA) and identifying community partners (the "P"). The model broadens cadets' scope of knowledge about different communities and increases their cultural competence, learning that is also

enhanced by groups being rotated so that cadets of all different ethnic, regional, age, and gender backgrounds are exposed to each other's experience and culture.

The curriculum also incorporates community interaction. School children partner with cadets for a day so that cadets gain sensitivity to and familiarity with working with children. In addition, in 19 sessions, panels of service providers, advocates, community leaders, and experts are convened at the academy to discuss topics including human rights issues, anger management, early childhood education, partner abuse, mental health and disability issues, elderly concerns, hate crimes, aboriginal community issues, and young offenders. These discussions form an important foundation for cadets to begin to identify clients and partners in the community. Officer Joan Kruger observes:

The community-policing philosophy and the problem-solving process become second nature to the cadets while at the training academy. It's integrated within the program. The cadets come out of the academy as thinkers, as problem-solvers, and ready to work right away.¹⁹³

■ Hillsboro, Oregon

After informally analyzing calls for service involving community conflicts between neighbors, in 1996, the Chief of Police for the Hillsboro Police Department instituted a mandatory, 32-hour mediation training program for all personnel—sworn and civilian.¹⁹⁴ Recruits are required to complete the program during their 18-month probation period, and senior officers complete it dur-

ing standard in-service training days.

After completing 32 hours of training, which is also the state requirement for certification as a mediator, officers are prepared to identify appropriate situations for performing basic mediation on site when responding to a call and, if necessary, refer individuals to local mediation centers for further assistance. The training module includes role-plays based on case studies developed from real-life situations encountered by officers.

The program's goals were to reduce repeat calls for service involving neighborhood disputes, prevent escalation of interpersonal conflicts into violence, and provide better service to the community by attempting to resolve the underlying dispute.

According to Patti Williams, the Mediation Program Coordinator, the department wanted officers to be able to see the "big picture and look beyond the moment to find the real cause of the problem."¹⁹⁵

Reducing repeat calls for service by more than 50 percent and successfully closing 90 percent of last year's cases, the mediation training program has been so successful it is now a permanent line item in the budget. The program has also been well-received in the department, with officers now able to get involved in other activities because of the time saved by fewer repeat calls for service, and some officers volunteering for additional training. Officers have also enhanced their listening, communication, and interpersonal skills as a result of this training.

San Diego, Duluth, and Burbank: Incorporating New Training Modules

■ San Diego, California

The San Diego Police Department (SDPD) does not have its own training academy; rather, its recruits are trained in a regional academy along with recruits from other departments in the area.¹⁹⁶ Supplementing the regional academy curriculum, the SDPD added a 32-hour conversational Spanish course to the minimum training requirements for its recruits five years ago.

The goal is to provide officers with

Spanish language skills sufficient for communicating and learning basic information without the need for an interpreter during traffic stops and in taking preliminary crime reports. For officers interested in greater fluency, the department offers an educational incentive through which officers are reimbursed up to \$800 per year for continuing education.

With respect to the department's emphasis on acquiring at least minimal Spanish language skills, Lieutenant Sarah Creighton,

director of the training academy, observes:

We're a border city. It's good customer service in light of the diversity in San Diego County. I think it just makes sense.¹⁹⁷

■ Duluth, Minnesota

In 1997, at the invitation of a community member, the Deputy Chief of the Duluth Police Department attended a People's Institute¹⁹⁸ antiracism workshop.¹⁹⁹ He was so impressed that he joined the planning committee for future trainings and began actively recruiting officers to undergo the training at the police department's expense (allocating resources for both the workshop fees and officer release time). Deputy Chief Bob Grytdahl finds the training of police officers alongside community members particularly beneficial:

Police-only trainings on racism don't work as well.... [With this training,] an officer is able to go as a regular person ... and that brings a more human perspective to the exercise. Officers don't often get a chance to really hear people of color without a vested interest in the outcome—like in the instance of a disputed ticket—complain about racist dynamics.... Police often become so cynical with their work ... that they dismiss all the things that aren't their own opinion or reflect their own view. [This] training really pushes past that cynicism

well.²⁰⁰

Sheryl Boman, one of the community participants in the antiracism training, agrees: "When social workers and community folks are in training together with police officers, the training is very valuable. There is a chance to network and forge better understanding between the community and the police."²⁰¹

Deputy Chief Grytdahl has noticed an improvement in officers who have participated in the training:

When issues of racism are raised, officers who have gone through the training are less likely to personalize the issues. Instead of becoming defensive, they will show more empathy. They also learn how to sincerely communicate that empathy to people in the community in order to be able to actually help them. Officers who haven't gone through the course often just make situations with community members worse.²⁰²

Another public safety entity—the Flint, Michigan, Fire Department—has gone a step further, mandating anti-racism training for all personnel since 1997.²⁰³ After participating in a People's Institute "Undoing Racism" workshop at

"WHEN SOCIAL WORKERS AND COMMUNITY FOLKS ARE IN TRAINING TOGETHER WITH POLICE OFFICERS, THE TRAINING IS VERY VALUABLE. THERE IS A CHANCE TO NETWORK AND FORGE BETTER UNDERSTANDING BETWEEN THE COMMUNITY AND THE POLICE."



the invitation of a local community group (the Community Coalition), the Mayor of Flint and the fire chief decided that the entire fire department—which was becoming increasingly diverse and struggling with the changing composition—could benefit from the training. Since then, starting with command officers, the department has sent several firefighters to each workshop offered.

Margaret Williamson of the Community Coalition notes progress from the workshops: “The trainings really help to build relationships within the department and has helped firefighters better understand people from diverse backgrounds. It also creates a common language to discuss issues that come up around race relations.”²⁰⁴ Assistant Fire Chief James Horton is also pleased with the results:

Initially, the department was getting calls from workshop leaders to stop forcing people to attend. Firefighters went in with a bad attitude but came out with a really great attitude. Many say it is the best training they have been through.²⁰⁵

■ Burbank, California

Training instructors at the Burbank Police Department (BPD) disseminated a department-wide survey in 1993 to gauge officers’ training needs.²⁰⁶ Officers reported a tendency to retreat during confrontations because they lacked confidence in their ability to address these situations without resorting to deadly force. After reviewing the survey results, BPD training instructors reviewed use-of-force reports and discovered that officer and civilian injuries resulted from inappropriate contact and control techniques used by officers.

In designing a new use-of-force training program, BPD trainers researched and visited training programs nationwide to determine which programs met their needs. Ultimately, four training curricula were combined in 1995 to create an integrated use-of-force training program.²⁰⁷

Training scenarios imitate common calls to which officers respond. At the end of the exercise, each officer must explain to a court of fellow officers their reason for each use-of-force decision made throughout the scenario. Officers receive the training three times per year.

Since implementation of the program, incidents involving officer or civilian injuries have decreased from 20 per year to approximately two per year. Civilian complaints alleging excessive use of force have also decreased.

Savannah and the RCMP: Reinforcing and Refreshing with Ongoing Training

■ Savannah, Georgia

Building upon the problem-solving concepts taught to new recruits,²⁰⁸ the Savannah Police Department continues to emphasize problem-oriented policing (POP) in its in-service training program.²⁰⁹ About one-third of the 24 hours of in-service training required each year relates to POP themes.

The department invites outside specialists to teach some of the material. A course on elder abuse, for example, is co-taught with Adult Protective Services. Emphasizing principles of collaboration and communication, officers are taught that addressing situations involving the elderly will often require them to partner with social services agencies. They also learn how to address the special communications challenges that may arise when an elderly person is hearing impaired or suffering from Alzheimer's disease. Another in-service training partner is the Georgia Community Policing Institute.

Recognizing the management challenges supervisory officers face in implementing problem-oriented policing, the department has designed tailored, in-service training modules. Lieutenant William Harvey observes:

The threshold for success is the first-level supervisor.... When that young patrol officer trained in community policing comes to the sergeant and says, "I want to do this" and the sergeant says "no,

you need to be riding the calls, not doing that fancy stuff," that's where the weak link is. That's why we focus on the sergeants, lieutenants, and captains. Sell them first and foremost on community policing.

If you're a traditional sergeant, everything revolves around calls for service. Now you're getting other situations, which increases supervisory stress. You've got a couple of officers working closely on a community-policing project and they are removed from handling calls for service. This means there's got to be more flexibility in work schedules and a change in the work ethic. The sergeant has to have more analytical skills.²¹⁰

The Police Executive Research Forum has supported Savannah's training efforts, teaching one of the supervisory officer courses. Another course (three days for the rank of lieutenant and higher, and two-and-one-half days for sergeants) was taught by a behavioral specialist formerly of the FBI, focusing on leadership and the essential functions of integrity and ethics in the decision-making process. These supplemental training needs were identified as a result of the department's community-oriented policing approach pushing many decisions further down the chain of command.

POP training has been less significant to

the field training program than for academy and in-service training, comprising only one of thirty-one topics covered and in a mostly informal manner. In September 2000, the department offered a one-day training for field training officers about how to integrate community-oriented policing into recruits' field training experience, attempting to provide better continuity between the POP concepts taught to new recruits and the in-service refresher and developmental trainings.

■ **The Royal Canadian Mounted Police**

After completing the 22-week training academy,²¹¹ RCMP cadets are assigned to a division in one of the provinces or territories for a six-month "field coach" program and remain in this division upon completion of the field coaching period.²¹² This program has been a part of RCMP training since 1994, when the CAPRA model was introduced, and was refined in 1997 to make community-based policing a more significant part of field training. Supervised by a coach trained in the responsibilities of field trainers and familiar with the material covered in the academy, cadets learn how to put what they learned in the academy into practice.

An important component of the field

coach program is a community awareness profile assignment. Reinforcing the CAPRA problem-solving approach taught in the academy and guided by the community panels presented there,²¹³ cadets go into the field, talk to different people, and collect statistical information on different communities. The goal is for cadets to identify the needs of a particular community; find the clients most affected by those needs; collect and analyze the information; build partnerships; implement a response; and assess its impact to see whether it meets the needs of the community.

Beyond a training exercise, the cadets' final written reports of community awareness profile assignments (kept on file as a recorded community analysis) frequently have lasting practical application. Officer Sandy Mahon observes:

Through the cadets' work on these projects, detachment commanders have discovered for themselves aspects of the communities which they weren't aware of. Once written up, many of these projects become references and are consulted again and again as a valuable resource about some aspect of the community.²¹⁴

While the RCMP offers hundreds of in-service courses on a variety of topics—many of them using the CAPRA problem-solving model and pertaining to community-based policing, there is no minimum annual in-service requirement.

Retention: Maintaining Diversity and Excellence

Building a capable, diverse police department does not end with improving policies and procedures related to recruitment, hiring, and training. Retention of good employees, especially women and people of color, is a significant challenge that requires conscious, particularized efforts.²¹⁵

Retention is largely an issue of job satisfaction.²¹⁶ One element of that satisfaction is sufficient salary and benefits. However, adequate compensation is not enough.²¹⁷ A comfortable work environment and the fulfillment of basic human needs are additional factors associated with job satisfaction.²¹⁸ John Pape, former Chief of the Weslaco (Texas) Police Department, points to the need for acceptance within a work group; the need to achieve, be recognized, and advance; and the need to meet challenges that are personally meaningful.²¹⁹

Women and people of color pursuing police careers also face particular challenges to achieving job satisfaction by virtue of their entry into a traditionally and predominantly white, male profession. For example, studies have found that women face pervasive and widespread sexual harassment,²²⁰ as well as issues such as uniforms that do not fit.²²¹ "Several studies indicate that minority police officers suffer from ostracism and racist attitudes within their police organizations, in addition to the problems of isolation they experience as officers on the street."²²² Gay and lesbian officers experience similar challenges:

WOMEN AND PEOPLE OF COLOR PURSUING POLICE CAREERS ALSO FACE PARTICULAR CHALLENGES TO ACHIEVING JOB SATISFACTION BY VIRTUE OF THEIR ENTRY INTO A TRADITIONALLY AND PREDOMINANTLY WHITE, MALE PROFESSION.

The discrimination experienced by gay and lesbian police officers ... [includes] the refusal to hire them in the first place, being fired once their sexuality is revealed or discovered, anti-

gay bigotry in the workplace, "glass ceiling" barriers to advancement, having their safety jeopardized by the refusal of other officers to back them up, and having people from their own workplaces assault them.²²³

These workplace issues require attention and proactive strategies to maintain a diverse police department:

[C]hiefs of police have to go further than simply to support the inclusion of women and minority peoples in the police subculture. They have a positive duty to insure that police departments' promotional, operational, and disciplinary systems do not mirror the kind of discriminatory practices that generally plague American society. This will be no mean feat in some police organizations.²²⁴

Efforts made to address these workplace issues benefit the entire department. In Albuquerque, as a result of a workplace assessment designed to improve the police department for women, the department identified the need for smaller handguns, which ultimately benefited men with small hands as well, and revised family leave policies, which improved quality of life for all officers.²²⁵

Beyond the job satisfaction of any particular officer or group of officers, retention efforts can have far-reaching institutional benefits. Increased retention can improve the overall morale and productivity of the department,²²⁶ the department's ability to recruit and retain other officers,²²⁷ and the availability of resources.²²⁸

Promising retention efforts are:

- Proactive
- Supportive
- Embedded and institutionalized

Proactively Identifying and Addressing Workplace Challenges

To improve working conditions and increase job satisfaction, police departments must initially identify unnecessary and inappropriate barriers in the workplace and demonstrate—through words and actions—a commitment to removing them.

Initiating an assessment of the police department reveals obstacles to achieving job satisfaction. In conducting interviews and anonymous surveys, reviewing policies and procedures, and examining statistical information, the former chief of the Albuquerque Police Department observed: “As a police chief, I have always tried to stay connected to the officers on the street, but it’s difficult to know what the work environment is really like for female officers. Thus, the first step ... was to formally assess the work environment.”²²⁹

To the extent that traditionally underrepresented groups face distinct challenges in the workplace due to their status, department leadership must establish a climate of inclusion and tolerance. In the Madison Police Department, the former police chief frequently and publicly affirmed the contribution of officers from underrepresented groups while, at the same time, unequivocally insisting on a harassment- and discrimination-free workplace:

The “zero-tolerance” policy implemented by the administration was initially complied with by supervisors, not because it met their approval, but because they were ordered to implement it and they were subject to sanctions if they did not implement it.... Likewise, subordinates followed the policy because it was clear that their supervisors were going to enforce it....²³⁰ The single most important ingredient is attitudes of those at the top. They have to walk the walk in terms of promotions and rewards.... Under Chief

Couper, you weren’t going anywhere in this department if you didn’t have a pro-diversity attitude.²³¹

As this attitude permeated the culture, the department gained a reputation as a desirable workplace for officers from traditionally underrepresented groups. It now has the greatest percentage of women officers in the nation—over 30 percent—and a percentage of officers of color that exceeds their representation in the general population.

Implementing Supportive Strategies

Strategies specifically geared toward providing support mechanisms for individual officers and promoting their professional development goals are essential to any retention efforts.

Mentoring programs for newly hired officers are widely regarded as promoting cohesion and peer support while enhancing professional development. Supportive, peer relationships frequently develop informally. However, informal mechanisms have not typically proven sufficient for women and people of color.²³² In 1997, the Lansing Police Department developed a mentoring program to provide stability during a time of significant change in its senior levels, rather than allowing the changes to demoralize what was then a largely young and increasingly diverse corps of officers. Through such efforts, the department increased its retention rate from 63 percent in 1997 to 91 percent as of June 2000.

Employee development programs can also help retain officers. These programs send a message that the department invests in its officers, which may stimulate a reciprocal investment in the department. John Pape, former Chief of the Weslaco (Texas) Police Department, suggests that employee development programs minimally include high professional standards, a strong reward and reinforcement plan, educational

incentives, and professional development opportunities.²³³

Embedding and Institutionalizing Policies and Practices

Police departments must develop and institutionalize policies that are consistent with the goals of inclusion and enhanced job satisfaction and discard those that operate to undermine those goals.²³⁴

As a result of its workplace assessment, the Albuquerque Police Department revised several policies from recruitment, training, and promotion to standard operating procedures to improve the environment for women officers. Key changes were made such as providing better fitting uniforms and

equipment and adopting new sexual harassment policies that enhanced officer training and permitted officers to bypass the chain of command in reporting incidents of sexual harassment.²³⁵

Similarly, to enhance the integration and full participation of traditionally underrepresented groups, the Madison Police Department altered various staffing and decision-making policies. For example, instead of randomly dispersing officers of color throughout the department, officers were assigned together in order to reduce isolation. Counter to the traditional “top-down” decision-making process, small “project teams” were established to evaluate key departmental issues, creating an atmosphere more conducive to the participation of officers from underrepresented groups.²³⁶

Madison, Albuquerque, Minneapolis, and Lansing: Actively Improving and Enriching the Workplace

■ **Madison, Wisconsin**

The Madison Police Department has the highest percentage of female officers of any other department in the nation.²³⁷ Women comprise over 30 percent of the 368 sworn officers. People of color represent 17 percent of the department, exceeding their representation in the general population.

Over the years, under the leadership of Chief David Couper, the department gained a reputation as a workplace where diversity is highly valued. Chief Couper established a strong pro-diversity tone for the department and a prohibition on any form of discrimina-

tion or harassment. The entire department soon learned that promotions and rewards, as well as sanctions, would be determined by conformance to the new order. This message from department leadership was essential as women, gays, and people of color were building a critical mass in a traditionally white male-dominated environment.

To facilitate a more welcome and supportive atmosphere, the department also made deliberate decisions about staff deployment. Rather than randomly dispersing women, people of color, and gay officers throughout the department, officers were assigned together to reduce isolation. Captain Cheryll

Maples observes: "You can't isolate people, put them in visible positions, and then leave them without support. So you put them together where they can support each other."²³⁸

Chief Couper also moved toward a more participatory decision-making process to promote greater involvement of traditionally underrepresented groups. From 1986 to 1993, several volunteer "project teams" were established. Composed of seven to ten officers, the teams were provided with resources and time during the work day to address departmental needs such as changing the promotion process and defining future technological needs. The teams were deliberately mixed in terms of race, gender, sexual orientation, rank, and other attributes. According to Captain Maples, a "minor revolution" occurred:

Although women and other minorities would not dare speak up to challenge majority viewpoints in large settings such as briefings or in-services, they were definitely speaking up in these

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small project teams. It was not only less intimidating but there was more support for the minority voices in those settings. I believe it was the amount of work that got done in those types of settings that gave women, racial minorities,

and gay men and lesbians within the organization an opportunity to influence policy and the future direction of the organization in some dramatic ways.²³⁹

Chief Couper retired in 1993. However, the department remains strong in terms of diversity. The number of women and people of color already in the department, as well as the ongoing recruiting and hiring efforts, have developed a self-perpetuating momentum. Some, however, have felt there is a "glass ceiling" in upper management; women currently comprise 17 percent of officers at the rank of lieutenant and above, and people of color comprise approximately 14 percent in those ranks. The department is now addressing the challenge of improving the representation of women of color, which is currently four percent of the sworn officers.

■ Albuquerque, New Mexico

The Albuquerque Police Department initiated a pilot project in 1995 to improve the department as a workplace for women.²⁴⁰ Currently, women constitute 11.6 percent of sworn personnel (as compared to an 8 percent average nationwide), and 13 percent of officers at the rank of lieutenant or above. People of color represent 38 percent of the officer corps and 41 percent of management.

In an attempt to identify barriers in the workplace for women, the centerpiece of the

pilot project was an environmental assessment, including departmental interviews and anonymous surveys, a review of policies and procedures, and an analysis of statistical information. The assessment revealed several challenges in areas from recruitment and training to sexual harassment, uniform and equipment availability, and family leave policies.

The department consequently made several significant policy changes. Among them, the chief delivered a strong and consistent message that sexual harassment and discrimination of any kind would not be tolerated and reinforced that message with new policies, procedures, and training programs. In a departure from the traditional hierarchy, reporting procedures were revised to permit sexual harassment victims to report incidents to anyone in the department with whom they felt comfortable—essential in instances where the perpetrator may be the officer's direct supervisor. Surprise inspections of the department were conducted to guard against inappropriate displays, resulting in sanctions against an officer who posted a racially offensive cartoon. A new sexual harassment training program was developed, using police-specific



cases and exercises to provide a more meaningful learning experience for officers who found the old material less helpful.

Although the training was initially developed to address the sexual harassment of women, it also benefited people of color and gay officers who are sometimes treated differently or are the subject of inappropriate jokes as well.

In response to ill-fitting uniforms and equipment such as bullet-proof vests, guns, and gun belts, the department persuaded initially unwilling manufacturers to provide women's sizes. As Mary Molina Mescall put it:

Women's bodies are different. It's mandatory that police wear a police vest, and it is physically uncomfortable for women for obvious reasons. Making vests available that fit women sends the message that we value women's comfort and needs.²⁴¹

The department also conducted a comprehensive review of its training program, making several changes to address the disproportionate number of knee injuries experienced by women recruits during field training. In addition to obtaining properly cushioned mats, specifying correct footwear, and ensuring that stretching and warm-up exercises were incorporated into the routine, the department hired a female trainer to meet with female applicants before their official hire. The trainer developed a moderate exercise program with each woman to help her enter the academy more physically prepared. Deputy Chief Sal Baragiola, who was involved in the project, recalls:

We had to modify the Academy's physical training based on the recognition that women might take a little longer to

get to the same level as men. We realized that we had to allow for a longer physical curve with an eye to preventing injuries. We didn't want to lose good police applicants to injuries that shouldn't have occurred in the first place.²⁴²

New family leave policies were also developed to minimize potential disruption to a female officer's career path. Rather than mandating restricted duty as soon as an officer informed the department that she was pregnant, the department now permits the officer to continue with regular job duties for as long as she deems appropriate, in consultation with her doctor. Once on restricted duty, the officer is provided with a choice of assignments. Policies were also changed to permit officers to return part-time after a maternity leave and resume their original positions.

■ **Minneapolis, Minnesota**

According to Lieutenant Kevin Stoll, it is a "no-brainer" that the Minneapolis Police Department (MPD) is a "gay-friendly" place to work.²⁴³ Arriving at this point, however, was not without significant effort and required the unwavering support from department leadership.²⁴⁴ In a proactive expression of this commitment, then-Chief of Police John Laux formed the Police/Community Task Force on Gay and Lesbian Issues in 1993 with two clear directives:

[D]evelop recommendations for specific actions the MPD can take to provide a fair and unbiased workplace for its gay and lesbian employees, and to provide fair and unbiased police service to gay men and lesbians in Minneapolis.²⁴⁵

Six officers (four of whom openly identified themselves as gay or lesbian and one of whom was at the rank of deputy chief) and six civilian department employees were appointed, along with twelve community members, including representatives of gay advocacy organizations and city government. After eleven months of information gathering, the Task Force issued a report in January 1994 with a number of recommendations, several of which have since been implemented.

From informal behavior to policies related to recruitment, training, and service delivery, the department has taken specific actions based on the recommendations to address antigay and other insensitive conduct in the department. For instance, the Task Force raised the issue of antigay jokes being told in the department. Supervisors were told to hold employees accountable for violating departmental policy prohibiting such behavior; this has eliminated the conduct. The Task Force also called on the department to overhaul its procedures in responding to gay domestic violence calls, which frequently were not taken seriously by officers. The department has since incorporated specialized training into the academy about domestic violence issues in the gay community and the appropriate manner of response. Supplemental training is provided on bias crimes, terminology in the gay com-

munity, and gay officers in the department.

The Task Force recommended additional training through an “exchange program” with organizations serving the gay and lesbian community. The department later established a community partnership program that includes gay and lesbian community organizations as well as organizations representing other constituencies. As a result, recruits now participate in a three-day community-based “internship” as part of their academy training.²⁴⁶

Since the time Lieutenant Stoll (along with only one other sergeant) openly identified himself as gay, more have followed:

Back then, we were the only ones. Today, there are three lieutenants, one sergeant, and one officer who are definitely “out.” It makes a big difference. I was talking to Out Front [a gay community advocacy and lobbying organization] and we realized that we hadn’t had a meeting in a long time. I think that’s good. It shows how much things have improved.²⁴⁷

■ **Lansing, Michigan**

In 1997, the Lansing Police Department developed an award-winning mentoring program for all sworn personnel.²⁴⁸ Increasing its retention rate from 63 percent to 91 percent since instituting the program,

Captain Julie Williams believes the mentoring program has played a critical role in providing stability and quality intervention during times of turmoil and transition in the agency. In the mid-1990s, a large number of police officers retired, resulting in the promotion of 43 out of a total of 56 command officers in one year alone, and a largely inexperienced corps of officers with nearly half of the department having less than five years experience. Seventy-five percent of sworn personnel have been hired since 1992, and, during a three-year period, the department had four police chiefs.

In a strongly encouraged, voluntary program that begins pre-academy, recruits first complete a questionnaire including background information and current interests. The “best available match” is then chosen from a group of prescreened and specially trained officers, who will support the recruits through their academy experience, integration into the department, and thereafter as needed.

To serve as a mentor, an officer must be viewed as a positive role model in the department, have above-average interpersonal skills, and be willing to devote time above and beyond the structured meeting schedule, if necessary.²⁴⁹ Mentors also receive eight hours of training, covering topics such as the history and definition of mentoring, a detailed explanation of the mentor role, mentor communication skills, and department and community resources. A refresher course is being developed for mentors to discuss their experiences and to provide them with additional tools.

Discipline: Winning Public Confidence

“The public must have confidence in the ability of the police to police themselves.”²⁵⁰ However, in many communities—especially communities of color—the perception is that police cannot be trusted to do this task alone.²⁵¹ Early “[d]emands for civilian review of complaints arose ... after allegations that officers were not being disciplined by local departments for public, official misconduct.”²⁵² And headlines of police abuse—sometimes involving officers at supervisory levels expected by the community to model and enforce appropriate conduct—only engender deeper distrust. While the community plays an important role in the oversight of police conduct,²⁵³ police departments must take primary responsibility for conforming the behavior of police officers to the standards of the community.

Just as the promotion process should reinforce the department’s mission and the community’s expectations by rewarding exemplary, community-oriented skills and behavior, so too must the disciplinary process serve as reinforcement by identifying, controlling, and correcting or punishing behavior that deviates from these values and expectations.²⁵⁴ It starts with clearly defined policies and guidelines so officers know what is expected of them, as well as the conduct that will not be tolerated.²⁵⁵ Any “perceived ambiguity in

WHILE THE COMMUNITY PLAYS AN IMPORTANT ROLE IN THE OVERSIGHT OF POLICE CONDUCT, POLICE DEPARTMENTS MUST TAKE PRIMARY RESPONSIBILITY FOR CONFORMING THE BEHAVIOR OF POLICE OFFICERS TO THE STANDARDS OF THE COMMUNITY.

disciplinary procedures suggests ... that the department is not committed to responsible administration. It leaves open the possibility that a department will fail to recognize, or even allow, officers engaged in deviant behavior to continue operating

at the public’s expense.”²⁵⁶

The policies themselves should provide appropriate discipline for the type of offense and reflect the importance of community-police interaction in defining acceptable behavior. When minor departmental infractions are disciplined more severely than abuse of citizens’ rights,²⁵⁷ officers are sent the wrong message. The remarks of a Los Angeles City Councilman are illustrative:

Obviously, ... when people shoot people and make them quadriplegics or kill them, and they get no investigation at all ... and a guy gets a thirty-three day suspension for being caught reading a magazine while on duty ... there seems to be a greater importance placed on disciplining people who engage in bureaucratic infractions than excessive use of force.²⁵⁸

Policies standing alone, however, are not enough. Without adequate supervision and enforcement, disciplinary policies are meaningless and may undermine their stated goals: “[I]nformal values, practices, and customs of the police often differ dramatically from formal statements of the organization. If enforcement of policy violations is lax or nonexistent, that becomes the ‘unstated’ policy of the organization and can actually promote deviance.”²⁵⁹

It bears noting that discipline is not always negative, as in punitive. Rather, the goal of discipline is to encourage appropriate behavior—an end result that can be accomplished in a variety of ways that include both negative and positive, nonpunitive disciplinary measures.²⁶⁰ Disciplinary policies often contain a combination of both, with options ranging from training and counseling to demotion or dismissal, within a “progressive” framework where discipline escalates with repeated infractions or egregiousness of conduct.

Beyond internal discipline, some states have adopted procedures for decertifying an officer—

permanently revoking an officer's certificate to work in law enforcement—to curb police misconduct by not only terminating the officer's current employment but also preventing the officer from working for any other police department in the state.²⁶¹

Promising disciplinary procedures are:

- Consistent
- Transparent and reviewable

Creating and Preserving Consistency

Consistency is essential to an effective disciplinary process. Both the community and individual officers must have confidence that all officers will regularly be held equally accountable for the same behavior. Discipline must be predictable and uniform.

However, different supervisors have different opinions about what they consider appropriate behavior; they may have personal friendships with offending officers or be more (or less) active in enforcing disciplinary policies generally—any of which can result in inconsistent discipline.²⁶² Inconsistent disciplinary procedures send the message that the department is not committed to a defined standard of conduct or opposing police misconduct; it has several additional ramifications:

[L]oss of morale, encouragement of skepticism about a department's disciplinary procedures, and formation of attitudes critical of management.... If there is no common disciplinary ground, officers will quite naturally be inclined to devote a portion of their time to identifying the informal disciplinary guidelines. They might also be inclined to hesitate before acting in a procedurally complex situ-

ation due to their uncertainty about the possible consequences of their actions.²⁶³

Some police departments strive for consistency through adoption of a "penalty schedule"—a written directive that identifies types of inappropriate behavior and establishes a matrix with ranges of appropriate discipline for each behavior. The schedule helps to conform multiple supervisors' disciplinary actions to a shared departmental standard. Lieutenant Carol Serafin of the Minneapolis Police Department (MPD) observes:

Prior to the development of [our disciplinary schedule] there were no written guidelines for violations, so officers received varying levels and types of discipline, but now there is more predictability in the disciplinary process. [The schedule] allows the officer to know exactly what to expect if they mess up, and they know they won't be twisting in the wind forever.²⁶⁴

Penalty schedules also provide an opportunity for incorporating community standards of appropriate police conduct into formal disciplinary guidelines. In developing its schedule, the MPD included a representative of the Civilian Police Review Authority—Minneapolis' community oversight agency—in the process and considered civilian complaints in identifying types of officer misconduct. The U.S. Commission on Civil Rights observes: "As an internal regulatory tool, citizen complaints are probably the best available source of information about police performance.... [P]olice administrators can make positive use of this information ... to learn ways to better serve their communities."²⁶⁵

Guaranteeing a Transparent and Reviewable System

The disciplinary process should be transparent—the community needs to know and see that it

is working. Community confidence is heightened by concrete, visible assurances that department leadership is responsibly discharging its obligation to control police conduct through the imposition of appropriate discipline. Human Rights Watch suggests:

Police departments should provide a report, respecting privacy concerns, describing at least the number of officers disciplined, the offenses leading to punishment, and the types of punishment, over a set time period. Such a report should also include the names and number of officers indicted or convicted during the reporting period, and the charges brought against them; this information should never be withheld.²⁶⁶

Community oversight agencies have taken the lead in this effort. In their annual reports, both the Minneapolis Civilian Police Review Authority and the San Francisco Office of Citizen Complaints provide information about specific discipline imposed for sustained civilian complaints—such as verbal warning, letter of reprimand, or five-day suspension—correlated to the nature of allegations contained in the complaints—such as harassment, inappropriate language, or exces-

sive use of force.²⁶⁷

The disciplinary process should also be reviewable—the community must have recourse for addressing inappropriate departmental action or inaction in disciplining officers.²⁶⁸ This is not to suggest that the authority to impose discipline be removed from department leadership, but rather there must be some accountability when the authority is taken lightly or abused. Some say redress lies in replacing the chief or in the courts.²⁶⁹ While these are long-term options, they do not resolve immediate problems.

Despite their limitations, procedures in San Francisco and Detroit suggest the potential for structuring external, civilian disciplinary review systems. In San Francisco, the Police Commission adopted a resolution in 1991 empowering the Office of Citizen Complaints (OCC)—San Francisco’s community oversight agency—to challenge any civilian complaint cases in which the OCC disagrees with the chief about the propriety of disciplinary action. And, under the Detroit city charter, the Board of Police Commissioners has the authority to hear an appeal from civilian complainants dissatisfied with the outcome of their complaint and determine the appropriate discipline to be imposed.²⁷⁰

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Minneapolis: Adopting Consistent Guidelines

■ Minneapolis, Minnesota

To achieve greater fairness and consistency in the Minneapolis Police Department disciplinary process, Chief Robert Olson convened a committee in 1995 to review and revise then-existing procedures.²⁷¹ Committee members represented a range of stakeholders—a member of the police union, a community oversight agency board member, a lieutenant as a ranking supervisor, and an inspector on behalf of administration and command staff.

The result of this process: a disciplinary schedule instituted in March 1996. Lieutenant Carol Serafin of Internal Affairs points out: “We don’t call it a ‘penalty’ schedule because the purpose is to correct improper behavior, not just penalize officers.”²⁷² In shaping the schedule, the committee researched the range of officer misconduct by reviewing both civilian complaints filed with the community oversight agency and departmental complaints filed with internal affairs. All potential violations were grouped into four categories, with discipline assigned to each category, ranging from counseling to dismissal.²⁷³ It is a progressive system of discipline, typi-

cally starting with counseling and training prior to imposition of more severe consequences.

When first instituted, officers received in-service training to inform them of the new guidelines. The department began refresher training this year. Lieutenant Serafin observes: “A reminder is always good, and it’s been five years. So it was needed.”²⁷⁴

Discipline is now more consistent and predictable. Prior to the schedule, for example, different supervisors imposed discipline for an officer “driving under the influence” (DUI), ranging from a reprimand to several days’ suspension. Now, a DUI yields an automatic one-day suspension, with a potential increase if the officer is a supervisor or extenuating circumstances are involved. The Internal Affairs caseload has also decreased from 98 cases investigated in 1997 to 45 in 2000. Lieutenant Serafin credits a combination of factors, including the improved disciplinary guidelines:

The general consensus the chief and I have is that we have a better caliber of officers. They are better trained. And they know what to expect if they violate policies and procedures.²⁷⁵

San Francisco: Aiming for Transparency and Accountability

■ San Francisco, California

The disciplinary decisions of the San Francisco Police Department (SFPD) on sustained civilian complaints are subject to some measure of public scrutiny and accountability through the Office of Citizen Complaints (OCC)—San Francisco’s community oversight agency.²⁷⁶

Among the information contained in OCC annual reports—which are publicly distributed and posted online²⁷⁷—is a description of the discipline, if any, imposed as a result of sustained allegations of police misconduct. Detailed with some specificity, the reports indicate whether an officer was admonished, retrained, received a written reprimand, five-day suspension, and so on. Officer identities are not disclosed; so, as Mary Dunlap, Director of the OCC, observes, “no one should claim the information is too identifying. It’s quite anonymous.”²⁷⁸ Since the disciplinary action is correlated to the nature of sustained allegations such as discourtesy, racial slur, or use of force, the community is not only apprised of the disciplinary outcome of specific types of complaints, it can also monitor trends in the type of discipline imposed for various offenses. The reports also indicate the date the complaint was filed, date it was sustained by the OCC and forwarded to the SFPD Management Control Division, and date it was returned to the

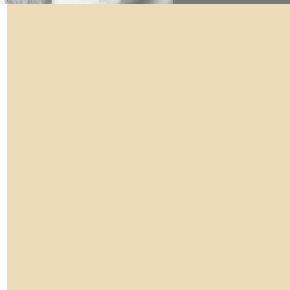
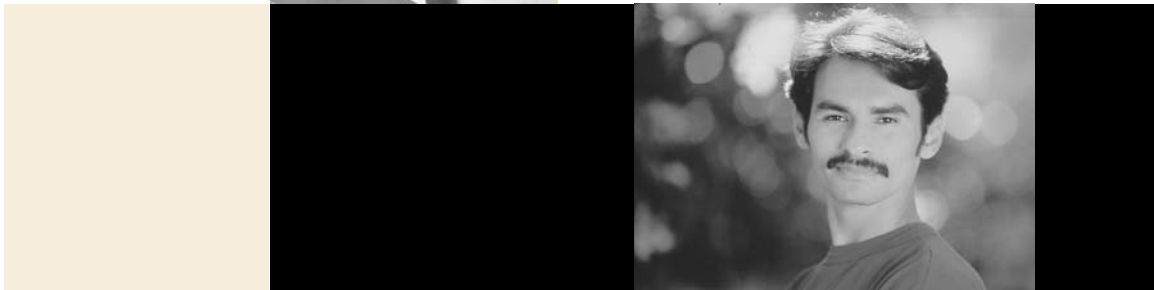
OCC with the SFPD disciplinary determination, allowing the community to track the efficiency of the disciplinary process.

In addition, the OCC can initiate a process that triggers administrative review of SFPD disciplinary decisions. A 1991 Police Commission resolution—adopted in the aftermath of the September 1988 police beating of United Farm Workers’ Union leader Dolores Huerta during a public protest²⁷⁹—empowered the OCC to bring to the Police Commission for review any cases in which the OCC disagrees with the police chief about the propriety of disciplinary action.²⁸⁰ Prior to the resolution, the police chief could ignore OCC disciplinary recommendations without consequence. An amended resolution was adopted in 2001 to clarify and strengthen this process by articulating the standard for Police Commission review of these disputed complaints.²⁸¹

While the ultimate decision to file disciplinary charges remains with the police chief, the review process sheds light on the exercise of that discretion by revealing instances where third parties—namely the OCC and the Police Commission—possessing the same investigative information reach a different conclusion as to the propriety of disciplinary action. Under the resolution, the OCC is required to publish the circumstances and frequency of these disagreements in its annual reports.²⁸²



Community Oversight: Achieving Democratic Participation



Community Oversight: Achieving Democratic Participation

Participation is the fundamental tenet of American democracy. Perhaps nowhere is this more important than in the context of an institution that has been vested with the power to use force and to take life and liberty. Put simply, democracy requires a publicly involved, accessible, and accountable system for reviewing the exercise of police powers.

Traditionally, the internal affairs divisions of police departments have been the primary, if not sole, oversight authority for police services—the police have essentially policed themselves. However, with each new headline of police abuse or corruption,¹ allegation that an officer was not disciplined for proven misconduct,² or incident involving a community member intimidated from lodging a complaint,³ communities are reminded that “police misconduct is not an internal affair; it is the public’s business.”⁴ Shaking up the traditional model, mobilized communities across the nation have led an accelerating movement toward external, community-involved review of police departments, most noticeably in the nation’s largest cities.⁵

Beyond adherence to democratic principles, and as a practical matter, community oversight of police departments is essential to improving community-police relations. Public confidence in the fairness, objectivity, and legitimacy of the oversight process is greatly enhanced by community engagement,⁶ particularly for communities of color.⁷ A case study of seven community oversight agencies found that people are more likely to report police misconduct when they have access to an independent civilian agency than if their only recourse is an internal police department process.⁸

Confidence in the fairness and legitimacy of

the review process also contributes to a sense of justice, regardless of the outcome. “This does not mean that people are indifferent to the results of the dispute, but that they will feel better about even a negative result if they perceive the procedures used in reaching a decision as fair.”⁹

Heightened public confidence and any corresponding increase in use of or satisfaction with the oversight process are important reasons to establish and maintain a commitment to community involvement:

[T]he civilianization of review systems should be continued in order to help those citizens who believe they have been victimized by excessive force to feel that they are treated fairly and objectively. Community perceptions of legitimacy must be fostered in an era where increased violence and criminal behavior will require more, not less, cooperation between police and citizens.¹⁰

Community oversight also provides an external mechanism of quality control and additional accountability of police conduct.¹¹ Captain Bill Bennington, former head of the Portland Police Bureau’s Internal Affairs Division, observes:

Civilian oversight is

“CIVILIAN OVERSIGHT IS NEEDED. IT ALLOWS A CERTAIN REALITY CHECK, SOME FEEDBACK ABOUT WHAT YOU DO AND HOW YOU DO IT. YOU RUN A BUSINESS, YOU DO THE BOOKS, AND YOU THINK YOU’RE DOING A GOOD JOB UNTIL YOU BRING IN AN ACCOUNTANT TO REVIEW THEM.”

needed. It allows a certain reality check, some feedback about what you do and how you do it. You run a business, you do the books, and you think you're doing a good job until you bring in an accountant to review them.¹²

Frequently created by charter amendment or city ordinance, oversight models have emerged with varying degrees of community involvement.¹³ Civilian review boards and auditor/monitor systems are among the more common types; the primary distinction is that the former typically conducts its own investigations and the latter reviews investigations conducted by the police department.¹⁴

Neither form of oversight is perfect.¹⁵ Nor is any single city a "model" system—often understaffed, highly politicized, or lacking sufficient authority—let alone readily transferable from one place to another.¹⁶ However, lessons learned from the successes and failures of existing systems make clear that certain characteristics are necessary for community oversight to function effectively and to gain community credibility.

Promising community oversight procedures minimally require:

- Resources
- Independent and representative appointments
- Policy-making capacity
- Accessible and timely processes
- Broad investigative authority

Mandating Necessary Resources

Community oversight entities must be provided with the human and financial resources necessary to carry out their charge effectively.¹⁷ The alternative—insufficient staff and an inadequate budget—will doom the oversight process.¹⁸

There is a direct relationship between resources and the effectiveness of community oversight procedures.¹⁹ At the most basic level, people are needed to get the job done. While volunteers are valuable, a sufficient number of hired administrative and investigative staff is necessary to keep pace with the workload.²⁰ Beyond numbers, the skill and professionalism of the staff are also important and equally affected by resources.²¹

In domino fashion and with history as example, inadequate staffing leads to slow and unsatisfactory investigations, which undermine public confidence and raise questions of credibility and competence.²² Further, the likelihood of continued community engagement in the process is diminished, the opportunity for officer deterrence discouraged, and meaningful public participation in the review of police practices defeated. Community oversight expert Sam Walker weighs in on the historic failure to provide the necessary funds and expertise to monitor fully police behavior:

We should really think of that as consumer fraud. It is promising an independent review of complaints and not delivering. And that's really fraud.²³

It is not enough to state generally that funds will be provided. In Washington, DC, for example, the law establishing its first Civilian Complaint Review Board stated: "There are authorized such funds as may be necessary to support the Board, its staff, and support services."²⁴ However, adequate resources were not allocated to the DC Board, which is widely regarded as a significant factor leading to the Board's demise in 1995. New legislation was passed in 1999 to establish another community oversight agency in the District, as discussed later in this report.

The commitment to providing adequate resources for community oversight must be firm and specific, not vulnerable to the political interests or priorities of individual public officials.

Moving in this direction, voters in San Francisco amended the city charter through a ballot initiative to mandate a 150:1 ratio of police officers to Office of Citizen Complaints (OCC) investigators. Praising the organizing efforts of community oversight advocates in achieving this change, Mary Dunlap, Director of the OCC, observes:

The ratio was a brilliant stroke. Its advocates were absolutely insightful about the need for it. It is legally mandated employment [for OCC investigators]. So, technically, someone could sue to enforce it.²⁵

Attaining Independent and Representative Appointments

The appointment process—the power to make appointments and the choices made about who will govern community oversight activities—is also significant. “A mayor, city manager, or city council can determine, through the power of appointment, the caliber of personnel who will head the agency and serve on its board.”²⁶ In addition, the community credibility of the individuals appointed will have impact on public perceptions of the fairness and objectivity of the process.²⁷

Independence and representativeness are key components. Typically, the community oversight appointment process is highly politicized, with appointment power in the hands of one elected official;²⁸ it often includes only political insiders and places pressure on those appointed to put politics ahead of the public interest. To achieve fairness, objectivity, and credibility, the power of appointment should be balanced and accountable, and the appointments themselves reflective of a broad cross-section of the community.²⁹ Adequate representation of community interests is also essential to realizing a central goal of community oversight: ensuring that police services are consistent with community standards and expecta-

tations.

Appointments to the Police Review Commission (PRC) in Berkeley are a step in this direction. In providing each of the nine city council members—who are elected by district—with one appointment to the nine-member Commission, Douglas Perez observes: “The Berkeley system is designed to widen the political spectrum and the indirect accountability of the PRC.... Instead of representing a thin slice of local political perspectives, the Berkeley commission represents a broad spectrum of attitudes and philosophies.”³⁰

Procedures in Miami-Dade and Portland raise the possibility of community-driven appointments. In Miami-Dade, five of the nine appointments to the Independent Review Panel are selected from names submitted by five organizations. In Portland, neighborhood associations designate seven of the 13 Citizen Advisors who work closely with the Police Internal Investigations Auditing Committee.

The person appointed to manage the day-to-day oversight activities, whether as executive director or in some other capacity, must also be fair, accountable, and deeply committed to community oversight. This person sets the tone and scope of the process on a daily basis, particularly with regard to interaction with the public through complaint intake and community outreach. In San Francisco, voters amended the city charter to create a more accountable, public



process for the appointment of the director of the Office of Citizen Complaints—an advise and consent procedure was adopted that subjects the mayor’s appointment to confirmation by the Board of Supervisors.

Participating in Policy-Making

A central purpose of community oversight is to review individual complaints of police misconduct, to provide a check on the abuse of police power.³¹ However, to stop there is to miss an opportunity—in fact, an obligation—to examine system-wide problems in the police department and to provide community-informed policy solutions to improve the quality and nature of police services.

Individual complaints are often a symptom of a much larger problem that goes beyond individual officers’ conduct to flawed policies and procedures.³² Under these circumstances, merely reviewing individual complaints and disciplining individual officers may address short-term problems, but has little impact on the likelihood of future complaints based on the same conduct by other officers.³³

To achieve long-term solutions and sustained improvements, the role of community oversight representatives must be expanded to encompass a policy-making role in addition to individual complaint review. Trends must be studied and inappropriate policies uncovered and corrected, preventing future abuses,³⁴ providing a public forum for debate and discussion of police policy,³⁵ and proactively striving to improve community-police interaction.³⁶ Where community oversight representatives have been vested with a formal role in policy review, thoughtful and insightful recommendations have followed, which, upon implementation, have led to more responsive and effective policing.³⁷

However, even where policy review authority

exists, community oversight representatives are often restricted to reviewing only those policies implicated by an accumulation of civilian complaints. In other words, their policy review authority is complaint driven. Consistent with the forward-looking, service-improving spirit of the policy-making role, community oversight representatives should be permitted to evaluate police policies and recommend that they be refined or replaced as necessary, even in the absence of formal complaints. As Mary Dunlap, Director of the San Francisco Office of Citizen Complaints, puts it: “You shouldn’t have to wait for the perfect facts to come to make the perfect law!”³⁸

Also uncommon but essential: the police department should be required to respond to policy recommendations in writing, with some specificity and within a defined period of time. Without these safeguards, there is no way to know the extent to which recommendations have been accepted or rejected, when and how they will be implemented, or whether additional information or other action is needed.

In Portland, the civilian review authority (PIIAC) is required to submit a quarterly report to the police chief containing policy recommendations based on trends observed in its review of civilian complaint files.³⁹ The police chief must respond to the recommendations in writing within 60 days of receipt of the report, or the matter can be placed on the city council calendar for a hearing.⁴⁰ While the city council hearing procedure has never been used because the police chief usually responds on time or after a simple reminder call, Lisa Botsko, former PIIAC staff auditor, believes the mere existence of the procedure helps secure a timely, written response, adding:

You have to hold their feet to the fire. And, there is a lot of power in the public nature of our business. The threat of public embarrassment is real.⁴¹

Ensuring Accessible and Timely Processes

The accessibility and efficiency of the community oversight process has a direct impact on public perceptions of the credibility and openness of the process, as well as the commitment to meaningful oversight of the police department.⁴²

Accessible—Several accessibility issues are recurring and fundamental. Among these, locations for receiving complaints must be considered, as well as communication and language skills of community oversight staff, permissible methods of filing complaints, and public access to and knowledge of the process.

Complaint locations must be convenient and nonthreatening to encourage the public to gain access to the process.⁴³ Since police departments are probably the most intimidating location for filing a complaint against an officer, complaint forms must be available and accepted in nonpolice settings.⁴⁴ Several locations in various neighborhoods—with convenient hours and near public transportation—are necessary for maximum accessibility. Minneapolis has moved in this direction with a city ordinance that mandates the “review authority [to] select at least one location for the receipt of complaints that is not affiliated with the Minneapolis Police Department, nor

staffed by Minneapolis Police Department employees.”⁴⁵

The communication and interpersonal skills of those receiving complaints are also important. A rude, impatient, or otherwise intimidating intake person is likely to be a discouraging factor in filing a complaint⁴⁶—a good reason to

require staff training in the complaint process.⁴⁷ Some cities require tape recording of complaint investigation interviews.⁴⁸ In Portland, the city code requires investigators to tape record interviews of the complainant, officers, and any other witnesses, providing an opportunity for the oversight committee and its Citizen Advisors to audit investigation processes and identify inappropriate behavior.⁴⁹

Complaint forms should be translated into multiple languages and staff members should be fluent in the languages spoken in the community.⁵⁰ Access is effectively denied when the complainant can neither understand the materials nor be understood. Reflecting the demographics of the region, San Francisco’s Office of Citizen Complaints has complaint forms, along with instructions, on its website in four different languages (English, Spanish, Tagalog, and Chinese),⁵¹ and the San Jose Independent Police Auditor’s Office has staff capable of conducting complaint intake in five languages (English, Vietnamese, Cantonese, Tagalog, and Spanish).⁵²

With respect to methods of filing a complaint, the more options available, the better. By phone, mail, or fax; in person by the victim, a witness, or some other person; and over the Internet—all should be accepted.⁵³ Considering fear and intimidation, anonymous complaints must be permitted and taken seriously.⁵⁴ San Diego and San Jose accept complaints by phone, mail, fax, or in person by the person directly involved or a third party.⁵⁵ Complaint forms may be filed over the Internet in Sacramento, New York City, and San Diego.⁵⁶ Among the cities that accept anonymous complaints are San Francisco and Miami-Dade County.⁵⁷

Public proceedings are another key component of accessibility. To promote greater understanding of and full participation in the review process, community oversight meetings, as well as hearings on individual complaints, should be open to the public and held in various locations through-

THE ACCESSIBILITY AND EFFICIENCY OF THE COMMUNITY OVERSIGHT PROCESS HAS A DIRECT IMPACT ON PUBLIC PERCEPTIONS OF THE CREDIBILITY AND OPENNESS OF THE PROCESS, AS WELL AS THE COMMITMENT TO MEANINGFUL OVERSIGHT OF THE POLICE DEPARTMENT.

out the city.⁵⁸ In Berkeley, the city ordinance requires that Commission meetings be held in a central, public, nonpolice location large enough for 75 people. In addition, at least every three months, meetings must be held in “other places and locations throughout the City for the purpose of encouraging interest and facilitating attendance by people in the various neighborhoods in the City at the meetings.”⁵⁹ Hearings on individual complaints are also open to the public. Spread out across the city, regular meetings are held at the North Berkeley and South Berkeley Senior Centers, and hearings at the West Berkeley Senior Center.⁶⁰

Proactive efforts encouraging participation, community outreach, and public education about the oversight process are integral to engaging people in it.⁶¹ Essential to increasing community awareness of and confidence in the process, community oversight represen-



tatives must be required to conduct outreach campaigns regularly, as well as distribute throughout the city informational materials in the languages spoken in the community.⁶² The New York City charter section establishing the Civilian Complaint Review Board provides: “The board shall have the responsibility of informing the public about the board and its duties, and shall develop and administer an on-going program for the education of the public regarding the provisions of this chapter.”⁶³ In San Jose, the Independent Police Auditor has a full-time staff person devoted to community outreach and has established 17 referral sites throughout the city with staff trained

to explain the complaint process and provide informational materials.⁶⁴ Referral sites were chosen based on an analysis of complaints to identify the areas where most complaints originate, a homeowner survey and personal knowledge, and with the goal of making the first introduction to the Auditor’s Office and the complaint process somewhere in the neighborhood where people are more likely to feel at ease.

The Internet is another method of education and outreach. While it is not a substitute for more active forms of outreach, the Internet is a valuable tool for disseminating information about the com-

munity oversight process and procedures. Copies of the community oversight ordinance or charter and administrative rules and regulations should be available over the Internet, along with nontechnical explanations of complaint processes. Portland, Berkeley, Miami-Dade, and San Diego all provide copies of their

enabling legislation and administrative rules online.⁶⁵ Supplementing this information, the Miami-Dade Independent Review Panel has outlined the hearing process on its website, providing complainants with a glimpse of what to expect from (and therefore an opportunity to prepare for) the complaint hearing, as well as posting outreach materials in three different languages (English, Spanish, and Creole).⁶⁶ Similarly, the Berkeley Police Review Commission provides an explanation of the complaint, investigation, hearing, and appeal processes on its website.⁶⁷

Ideally each of the above criteria should be a baseline requirement mandated by the enabling

legislation. While voluntary efforts in this regard should be applauded, it is important that access issues not be left to the good will of a particular administrator or governing body.

It is difficult to know whether there are additional or unique obstacles to access without taking affirmative efforts to evaluate the process. As a result, to improve accessibility and effectiveness, community oversight representatives should periodically audit their processes.⁶⁸ The Minneapolis Civilian Police Review Authority not only documents community contact and service provided,⁶⁹ but has also conducted a Quality Service Audit based on evaluation forms completed by community members and police officers regarding their personal experience with the complaint process.⁷⁰

Timely—Complaints should be handled in a timely fashion. If not, the implications are significant. Civilian oversight expert Samuel Walker observes:

The adage that “justice delayed is justice denied” applies to citizen complaints. Complainants have a right to have their complaints handled quickly. By the same token, it is unfair for police officers to have unresolved complaints hanging over their heads. And in terms of the goal of achieving thorough investigations, delay increases the probability that memories will fade and potential witnesses be difficult to locate.⁷¹

In addition, police administrators need to know if they have in their employ an officer who is guilty of serious misconduct.⁷²

Yet, the reality is that timeliness in processing civilian complaints—and, more specifically, the lack thereof—is a pervasive problem nationwide.⁷³ In some instances, complaints have lingered in the system for years before a final determination was made. Community oversight representatives must be subject to explicit deadlines to keep the process moving in a timely and an effi-

cient manner.⁷⁴ They must also be provided with adequate resources to meet these timelines without compromising effectiveness.

In most cities, to the extent that timeliness is even an explicit consideration in the community oversight enabling legislation, the requirements are vague: “as expeditiously as possible,” “promptly,” “in a timely fashion,” in an “expeditious manner,” within a “reasonable” period of time. By contrast, the Minneapolis Civilian Police Review Authority is subject to clear, express timelines from the period of preliminary review of complaints to deadlines for completing investigations, evidentiary hearings, and reports of findings and determinations.⁷⁵

Providing for Meaningful Investigative Authority

Conflicting opinions exist about whether meaningful oversight of the police requires independent, external investigative authority—as in civilian review board systems—or whether having broad authority to review internal investigations is sufficient—as in auditor/monitor systems. Similarly, there is no clear answer to the question of whether investigators must be current or former police officers, as opposed to civilians with investigative training but no prior law enforcement experience.⁷⁶

While some are of the opinion that the auditor/monitor model may be just as, if not more, effective than civilian review boards,⁷⁷ the overwhelming consensus of community oversight advocates is that independent investigative authority is needed for community credibility and effectiveness.⁷⁸ John Crew, former Director of the Police Practices Project for the ACLU of Northern California, writes:

These systems—often called monitoring or auditing systems—usually only allow civilians to review the investigation conducted by police internal affairs bureaus. The result is

the illusion of oversight without the reality. Instead of direct civilian review of police conduct, the public is left with civilian review of police review of police conduct. While this approach may be better than no civilian review at all, bringing in selected civilian “insiders” to look over police shoulders during a process that remains shrouded in secrecy does little to address the wider community skepticism about police ability and willingness to police themselves.⁷⁹

Most also agree that subpoena power is another essential dimension of independent investigative authority. As a practical matter, the lack of subpoena power can negatively affect the ability to perform a thorough and an effective investigation. One civilian review board member observes:

Where it really counts is ... some people who would be willing to be witnesses against a police officer but are afraid of harassment or retaliation would come forward if they were subpoenaed. They could say, “I had to.” They have to live with the cops they see in their precinct every day.⁸⁰

The need for subpoena power is not necessarily extinguished by a provision in the enabling legislation requiring police department cooperation.

“THE CITY CHARTER LANGUAGE CHANGE IS A GREAT BEGINNING. BUT, IMPLEMENTATION IS ALSO IMPORTANT. YOU HAVE TO HAVE THE PERSONNEL STRUCTURE AND BUDGET IN PLACE TO MAKE IT REAL.”

As Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (CPRA), points out, while the city ordinance gives the CPRA the authority to compel the cooperation of the police department, without

subpoena power, it has no authority over private parties.⁸¹ This could have proven problematic in a recent investigation, where the CPRA needed important

evidence of police misconduct in the possession of a private property owner. If the individual had been unwilling to cooperate, the CPRA would have been unable to get the evidence absent the authority to subpoena it.

The growing demand for independent investigative authority appears to be playing itself out in Portland, where an auditor system (PIIAC) has been in place for the past several years, but the issue of independent investigative authority has surfaced and is the current focus of a working group. According to Dr. Michael Hess, PIIAC staff auditor, without investigative authority, the process lacks credibility with the community:

The community wants independent investigations. No matter how much I tell them how well the police are doing their investigations, you can’t change that public perception. It’s a matter of credibility. They think the police will just cover for themselves. Public support is so important, and the public won’t stand for anything else. I don’t think the police need it. From what I’ve seen they’re doing a good job. But, nobody’s going to believe that.⁸²

A testament to the deep divides in public trust and confidence in the police—not just in Portland, but across the nation—*independent investigative authority and subpoena power are necessary for credible community oversight, at least in the short-term.*

Among the oversight entities with independent investigative authority, including subpoena

INDEPENDENT INVESTIGATIVE AUTHORITY AND SUBPOENA POWER ARE NECESSARY FOR CREDIBLE COMMUNITY OVERSIGHT, AT LEAST IN THE SHORT-TERM.

power, are the Berkeley Police Review Commission and the recently established Washington, DC, Office of Citizen Complaint Review. The Minneapolis Civilian Police Review Authority and the San Francisco Office of Citizen Complaints (OCC) conduct independent investigations and have the authority to compel police

department cooperation, but are without subpoena power. The Portland Police Internal Investigations Auditing Committee, which has no authority to conduct independent investigations, but rather monitors investigations conducted by the police department, does have subpoena power, though it apparently has never been used.

San Francisco: Formally Committing Resources

The San Francisco charter does not leave investigative staffing levels vulnerable to the budget set by the particular public official who happens to be in office at the time—and his or her individual commitment or lack thereof to community oversight.⁸³ Instead, the city charter provides:

As of July 1, 1996, the staff of the Office of Citizen Complaints shall consist of no fewer than one line investigator for every 150 sworn members. Whenever the ratio of investigators to police officers specified by this section is not met for more than 30 consecutive days, the director shall have the power to hire, and the city Controller must pay, temporary investigators to meet such staffing requirements.⁸⁴

Described by Mary Dunlap, Director of the OCC, as a “brilliant stroke,” the mandated minimum staffing level was a 1995 amendment to the city charter resulting from the organizing efforts of San Francisco community oversight advocates. Capitalizing on a “political moment” where everyone—including the police—was dis-

satisfied with the slow and ineffective investigations into a couple of incidents of police abuse, a group of community advocates drafted charter amendment language to tie the number of investigators to the number of police officers.⁸⁵ They knew how many investigators were in the internal police investigations unit and that the number of OCC investigators did not even come close. With little money to run a campaign and fortunate to have no organized opposition, the community advocates were successful in convincing the Board of Supervisors to place the charter amendment on the ballot.⁸⁶

While praising the victory at the ballot box, Ms. Dunlap cautions that achieving a mandate is only the first step:

The City Charter language change is a great beginning. But, implementation is also important. You have to have the personnel structure and budget in place to make it real. Even with the ratio, we had an 18-month struggle to get the funding for the appointments. They have to go through the civil service processes and City human resources department.

It took two years to finally get the ratio filled.⁸⁷

Although not mandated by the charter, the OCC also has 15 staff members, includ-

ing the director, the chief investigator, three senior investigators, two attorneys, a policy/outreach specialist, and a total of eight clerical, accounting, and database/statistical staff.

Berkeley, Minneapolis, Miami-Dade, Portland, and San Francisco: Seeking Balanced and Accountable Representatives

■ Berkeley, California

Unlike some cities where the mayor appoints most, if not all, of the community oversight representatives, the City of Berkeley ordinance establishing the Police Review Commission (PRC) provides:

Said Commission shall consist of nine (9) members. Each Councilmember shall appoint (1) member to the Commission. All members shall be residents of the City of Berkeley. No officer or employee of the City shall be appointed to the Commission.⁸⁸

Berkeley's appointment process appears to have reduced the unbalanced nature of community oversight appointments found in some other cities. With district elections for city council members, there is some accountability to different communities for the choices made about their community oversight representative. In addition, Douglas Perez

and William Ker Muir contend:

[T]he political heat that might be generated by concentrating such appointments in one set of hands is avoided to some extent. A mayor or city manager might be accused of slanting such a board in one direction or another. ... By dividing the responsibility for appointments within the council, Berkeley has avoided problems that might have developed from a process containing no "advise and consent" procedure.⁸⁹

Osha Neumann, a former PRC Commissioner for eight years, agrees that the appointment structure is important, but he notes its limitations:

It really depends on the quality of appointments and the individual Council members' support of civilian review. But, the chances of getting Commissioners who are supportive of

civilian review is certainly greater if you have a structure in place that requires broad representation.⁹⁰

makes some of the appointments because you could get a bad mayor.⁹⁵

■ Minneapolis, Minnesota

While appointments to the Minneapolis Civilian Police Review Authority (CPRA) are not spread as broadly across the city council as in Berkeley, the Minneapolis city council has a slight majority of the appointments and approval authority over the remaining ones.⁹¹ The relevant provision of the Minneapolis code reads:

The review authority shall be comprised of seven (7) members, four (4) of whom shall be appointed by the city council, and three (3) of whom shall be appointed by the mayor, subject to the approval of a majority of the city council (7).⁹²

Although the CPRA does not choose its chairperson, who is appointed by the mayor,⁹³ it does have the authority to select its own administrative and investigative staff, namely the executive director, who is required to be an attorney.⁹⁴

Patricia Hughes, Executive Director of the CPRA, believes it is important to strike some balance in the appointment process:

I think it's important to have balance between the council and the mayor. I'd rather be in a city where the council

■ Miami-Dade County, Florida

The Miami-Dade Independent Review Panel (IRP) exemplifies an attempt to provide better community representation in a community oversight board by including greater specificity in the enabling legislation.⁹⁶ The ordinance outlining IRP membership provides for representation of specific organizations:

(A) The Panel shall consist of nine (9) members, each of whom is a qualified elector of Miami-Dade County and possesses a reputation for civic pride, integrity, responsibility, and has demonstrated an active interest in public affairs and service.

(1) Members:

(a) In order to secure representative membership on the Panel, each of the following five (5) community groups or organizations shall submit a list containing the names of three (3) qualified persons [and] the Board of County Commissioners shall select one (1) panel member from each of the five (5) lists:

(i) The Community Relations Board; (ii) The Community Action Agency; (iii) The Miami-Dade County League of Women Voters;

- (iv) The Miami-Dade County Bar Association;
- (v) The Miami-Dade Police Chiefs' Association....
- (b) In addition to the five (5) Panel members selected in accordance with the preceding subparagraph ..., four (4) members shall be appointed by the Panel based on consensus of integrity and community representation, considering ethnocultural and gender balance.⁹⁷

When it was first established in 1980, the IRP membership structure was slightly different. The ordinance was revised in 1997 to achieve greater independence and broader representation. The County Manager no longer has an appointment—a remedy for the apparent conflict of interest that existed by the County Manager also supervising the police department, and the overrepresentation of police interests with the police association also having an appointment.

The executive director appointment process was also restructured to achieve independence and autonomy from political influence by delegating such authority to the Chief Judge of the Eleventh Judicial Circuit.⁹⁸ Another 1997 revision aimed at increasing independence authorizes the chief judge—as opposed to the County Commissioners—to set the executive director's salary. As Dr. Eduardo Diaz, Executive Director of the IRP, sees it, these procedures help to depoliticize his position: "I get a county paycheck. But, I don't work for the

county administrator or the mayor. I work for the citizens of the county."

Nathaniel Wilcox, Executive Director of People United to Lead the Struggle for Equality (PULSE), a civil rights organization born out of the 1980 Miami riots and a desire to "stem the tide" of police brutality, observes:

[We wanted a board] more reflective of the community, rather than just political appointees, their friends and family, [people who] reflect the needs and concerns of the community. We felt it important that people of color were on the board, African Americans, Cubans, people from all ethnic backgrounds and walks of life.... The IRP is not everything we want it to be by a long shot. But, I think the representation on the panel is good.⁹⁹

Currently appointed to the four undesignated positions are three African-American men—two ministers and an employee of the local chapter of the Urban League—and a Latina small business owner. One of the ministers is also a member of the PULSE board, which in some ways provides PULSE with an organizational representative on the IRP and direct participation in the formal oversight process.

"[WE WANTED A BOARD] MORE REFLECTIVE OF THE COMMUNITY, RATHER THAN JUST POLITICAL APPOINTEES, THEIR FRIENDS AND FAMILY, [PEOPLE WHO] REFLECT THE NEEDS AND CONCERNS OF THE COMMUNITY."

■ Portland, Oregon

Similar to the IRP in Miami-Dade, the Portland oversight structure is also an auditor model of community oversight without the ability to conduct independent investigations.¹⁰⁰ The composition of Portland's board—the Police Internal Investigations Auditing Committee (PIIAC)—and its attempt to incorporate neighborhood representation through the appointment of Citizen Advisors provide another example of an attempt to seek balance and representativeness in oversight appointments. The city code sections establishing PIIAC provide:

- (1) The Committee shall consist of the five members of the City Council. One City Council member shall be selected by the Committee as Chairperson.
- (2) ...
- (3) The Committee may utilize Citizen Advisors consisting of 13 persons to assist in performing its duties and responsibilities pursuant to this Chapter....
 - (a) Each member of the City Council shall appoint one Citizen Advisor;
 - (b) The Commissioner in Charge of police [the mayor] shall appoint two Citizen Advisors; and
 - (c) Seven Neighborhood Coalition areas shall be represented by a

Citizen Advisor....

- (d) ...
- (e) In selecting Citizen Advisors, consideration shall be given to the current composition of the group of Citizen Advisors and appointments should be made that will cause the group to reflect the demographic make-up of the community.¹⁰¹

The current appointment process for Citizen Advisors (who are actively involved in PIIAC's review of and recommendations regarding investigative files) was the result of a 1994 amendment to the city code. Responding to the perception of the prior system as being skewed in one direction, with the city council making all of the Advisor appointments, the new process gives the neighborhood associations seven of the 13 appointments. This was an effort to get the neighborhoods more involved, achieve more community-reflective appointments, and bring a broader base and wider range of individuals to the table.

Acknowledging that there is no perfect system, Dan Handelman of Portland Copwatch



believes neighborhood appointments are a step in the right direction but would like to see even broader representation:

The problem is that the neighborhood association system in Portland is mostly structured to draw homeowners. So, renters and those disenfranchised don't tend to go to these meetings and know about Advisor openings. So, as it stands, the process doesn't guarantee anything. But, it does create a demographic, and it's now certainly more diverse than it's ever been. It would be better if community nonprofits were able to put people forward for appointments. Then it might be more grassroots. The current process isn't necessarily representative of the grassroots people concerned about police accountability in Portland. On the other hand, it is much better than just being appointed by the city council.¹⁰²

Among the current group of PIIAC Citizen Advisors are four white women and nine men, one of whom is gay, one Latino, one Asian, and two African American.

■ San Francisco, California

Under the original city charter, the mayor of San Francisco essentially appointed everyone—the five Police Commissioners and, through the Commissioners, the executive director of the Office of Citizen Complaints (OCC).¹⁰³ The mayor still appoints all Commissioners, but, with respect to the executive director, the charter now reads:

The Mayor shall appoint a nominee of the Police Commission as the director of the Office of Citizen Complaints, subject to confirmation by the Board of Supervisors.

The advise and consent procedure was an amendment to the city charter achieved in 1995 at the same time as the improvements in the investigator-to-officer ratio. It was an attempt to create a more accountable, public process for the appointment of the director by requiring it to be presented to the Board of Supervisors for approval. The only director appointed by the mayor since the amendment was passed is the current one, Mary Dunlap, who is respected in the community as a strong advocate for community oversight.

Portland, Berkeley, and San Francisco: Playing a Proactive, Formal Role in Policy-Making

■ Portland, Oregon

The Portland city code requires the Police

Internal Investigations Auditing Committee (PIIAC) to monitor trends in civilian complaints and provide policy recommendations

as follows:¹⁰⁴

- (1) The Committee shall prepare a quarter-year report highlighting the trends in police performance and stating its findings, conclusions, and recommendations regarding changes in police policy and procedures. Patterns of behavior, unclear procedures, policy issues, and training needs may be identified for review.
- (2) The quarter-year report shall be based on: (a) A review of the IID [Internal Investigation Division of the police department] complaint files with the focus on analysis of specific categories of complaints (e.g., use of deadly force and pretext stops). The report may include analysis of closed files which were not appealed to the Committee...; (b) A review of IID process to insure that it is effective, efficient, fair, thorough, timely, and shows equal concern for the rights of both citizens and police officers; (c) The quarter-year report prepared and submitted by IID; (d) The findings of the Community Outreach Program; (e) The statistics of the City Office of Risk Management.
- (3) The Committee may accept the report of the Citizen Advisors as its own if it finds it complete.¹⁰⁵
- (4) The report shall be submitted to the City Council, the Chief of Police, the Chief's Forum, and Office of Neighborhood Associations.
- (5) The report shall be placed on the Committee's agenda and considered during a regularly scheduled Committee meeting. Public testimony may be invited.¹⁰⁶

Lisa Botsko, former PIIAC staff auditor, notes the significance of this function:

It carries so much more weight. If you just concentrate on investigating and disposing of individual complaints, you're missing the biggest opportunity for making significant and lasting change because you're not looking at trends, and most complaints are not substantiated.¹⁰⁷

Unlike many cities where a response from the police department about policy recommendations is anticipated but not mandated, Portland incorporated accountability into the city code by requiring the police chief to respond to the report within 60 days, indicating "[w]hat, if any, policy or procedural changes within the IAD [Internal Affairs Division] are to be made as a result of [the] report."¹⁰⁸ If the chief fails to respond within the allotted time, the city council can place the matter on its calendar for a formal hearing.¹⁰⁹ While the hearing procedure has not been used so far, Ms. Botsko believes the deadline and potential for a public hearing facilitate a timely response from the police chief.

Dan Handelman of Portland Copwatch also acknowledges the value of PIIAC's role in policy. A policy change was implemented recently that resulted from complaining motorists who were left stranded after the

police had towed their cars. Now officers are required to provide transportation assistance as long as it does not interfere with officer safety. Commenting on this change, Mr. Handelman remarks: “As ineffective as [PIIAC is] with individual cases, a lot of their policy recommendations have borne fruit.”¹¹⁰

However, Mr. Handelman points out, the police chief’s response to PIIAC recommendations is not always thorough, with respect to the changes planned or timeframe. To increase accountability for and responsiveness to policy recommendations, current PIIAC staff auditor, Dr. Michael Hess, suggests that a public hearing could be held for the chief to explain the reasons for rejecting a recommendation and to respond to public inquiries in this regard.

■ Berkeley, California

The Berkeley Police Review Commission (PRC) has a broad mandate with regard to policy recommendations.¹¹¹ The city ordinance empowers the PRC to:

[R]eview and make recommendations concerning all written and unwritten policies, practices, and procedures of whatever kind and without limitations, in relation to the Berkeley Police Department ... [including] treatment of rape victims, police relationship with minority communities, use of weapons and equipment, hiring and training, priorities for policing and patrolling, budget development,

[and] other concerns as specified from time to time by the City Council.¹¹²

In a 1993 case study of several oversight entities, the New York Civil Liberties Union observed:

The commission’s recommendations have been bold and innovative; and, based on the police department’s response, the recommendations have been sound. Acting on PRC proposals, the police instituted department-wide training in civil disorder procedures, as a corrective to the riotous police sweeps of People’s Park; abolished the SWAT team, following a shoot-out involving the police; and established a program to integrate the police department, increasing the numbers of women and minority members.¹¹³

While the PRC has enjoyed some policy successes, Osha Neumann, a former PRC Commissioner, and Andrea Pritchett of Berkeley Copwatch provide a sobering reminder of the lack of accountability when police department responsiveness is not mandated and the policy role is merely advisory. Both believe the policy function is important, but Mr. Neumann notes that in some cases the police department has simply ignored PRC recommendations. Ms. Pritchett, pointing to the police department’s rejection of the PRC recommendation that pepper spray be banned, believes there should be some “higher authority” in cases where the police department refuses to abide by a policy recommendation.

■ San Francisco, California

Also required to provide policy recommendations, the Office of Citizen Complaints (OCC) is directed under the city charter to:

prepare recommendations quarterly concerning policies or practices of the department which could be changed or amended to avoid unnecessary tension with the public or a definable segment of the public while insuring effective police services.¹¹⁴

The OCC has made numerous policy recommendations over the years.¹¹⁵ For example, as a result of several instances of questionable use of “billy clubs” by police officers for crowd control during the early 1980s, the OCC recommended—and the police department ultimately implemented—a policy that required police officers’ helmets and cars to be stenciled with identification numbers. Protective of police officers as well as community members, the new policy made it less likely that officers who were innocent of wrongdoing would be pulled into a complaint process as a result of misidentification, and officers guilty of misconduct would be able to escape their actions in the chaos of the crowd. The spirit of this early recommendation—that officers should not be permitted to act anonymously—has

“MAYBE WHAT’S NEEDED IS A POLICY MASTER, SOMEONE TO MONITOR THE POLICE DEPARTMENT’S PROGRESS WITH RECOMMENDED POLICY CHANGES SO THAT THERE’S SOME ACCOUNTABILITY FOR THE RECOMMENDATIONS.”

been reinforced through other OCC policy recommendations, including, more recently, the recommendation that officers be required at all times to carry business cards with identifying and contact information.

Mary Dunlap, Director of the OCC, believes the policy recommendation role is critical, but it needs to be supported by accountability on the implementation side:

The policy recommendation power is hugely important. There are situations in which the officers are doing things by the rules, but the rules are wrong, or at least insensitive. Sometimes the rules need to be revised, modernized.... It’s [also] another way of formalizing the civilian voice.... But, if the Department and Police Commission do not respond, the OCC’s resources and energy are wasted.

During 1996 through 2000, our policy recommendations sat in limbo for too long. I do give the Commissioners credit for calling a series of meetings to discuss all of the recommendations we’ve made. By early 2001, all pending recommendations were acted upon, and most were adopted. So, there’s been a bunch of progress in a short time.... You have to have a mechanism that requires a response, and you have to have timelines.... Maybe what’s needed is a policy master, someone to monitor the police department’s progress with recommended policy changes so that there’s some accountability for the recommendations. The Police Commissioners, who are volunteers, can’t be expected to run the Department day-to-day.

Minneapolis and Washington, DC: Aiming for Accessibility and Efficiency

■ Minneapolis, Minnesota

While some cities have mandated one aspect of accessibility or another, and many have made commendable voluntary efforts, few have been systematic about formally evaluating their processes. Fewer still have mandated timeliness through the imposition of clear deadlines for completing various stages of the process. The Minneapolis Civilian Police Review Authority (CPRA, also referred to as the CRA)—by engaging in ongoing evaluation of its processes from both a community and police perspective and establishing firm timelines—stands out as a promising example of a community oversight entity aiming for accessibility and efficiency.¹¹⁶

According to civilian oversight expert Samuel Walker, the CPRA Quality Service Audit (QSA) system “is a pioneering effort in the United States. No other citizen oversight agency ... offers its clients an opportunity to evaluate the quality of the service

received.”¹¹⁷ Prompted by a redesign study conducted by the Minneapolis City Council to analyze CPRA’s performance and structure, the agency designed and began distributing a survey in 1998 to both civilians and police officers to solicit feedback about their experience with the complaint process. In an effort to document every civilian contact with the CPRA and the service received, the evaluation form is provided to both those who actually file a complaint (complainants) and those who contact the CPRA but, for one reason or another, do not end up filing a complaint (pre-complainants).¹¹⁸ With some variations among ethnic groups, complainants versus pre-complainants, and police officers versus civilians, the CPRA generally received high ratings in terms of providing civilians and officers with an opportunity to tell their side of the story, listening, treating people with respect, and conducting fair and impartial processes. Taking account of criticisms received and recommendations for improvement, the CPRA is continuing to audit its processes and hold itself accountable for the quality of service provided.

With respect to timeliness, the CPRA is required to maintain a certain level of efficiency in reviewing complaints, conducting investigations and hearings, and issuing its determinations. The city ordinance provides:

Within thirty (30) days of the date that a complaint was filed, the review authority shall make a preliminary review of each



complaint and determine whether an investigation ... is warranted, whether the matter shall be mediated or whether no further action is necessary.¹¹⁹ ...

[If an investigation is necessary, it] shall be completed within one hundred and twenty (120) days of the date that the complaint was filed. The review authority may once extend this deadline by an additional sixty (60) days, with a written explanation of the reason(s) for the extension.¹²⁰ ...

[If an evidentiary hearing is necessary, the] review authority shall make reasonable efforts to commence and complete evidentiary hearings within sixty (60) days of the completion of the investigation.¹²¹ ...

Within thirty (30) days of the completion of an evidentiary hearing, the review authority shall issue a written report containing findings of fact and a determination of whether the complaint is sustained.¹²² ...

While in many cities a complaint may linger in the system for years before a final determination is made, frustrating both the complainant and the officer who is the subject of the complaint, CPRA guidelines mandate resolution in less than one year. Patricia Hughes, Executive Director of the CPRA, says she seeks even greater efficiency, completing investigations, on average, in 89 days. Although she is permitted 120 days and, if necessary, a 60-day extension, she prefers to complete investigations within 90

days because follow-up may be needed and, in those situations, would otherwise have to prolong the process by requesting an extension of time. Providing external legitimacy and internal structure, Ms. Hughes believes the timeline “gives credibility to city officials and the public.... And it gives us some guidelines.”¹²³

■ Washington, DC

While it is still untested, the 1999 legislation establishing the new community oversight agency in Washington, DC—the Office of Citizen Complaint Review—sets out timelines for not only some of the agency’s processes, but also for the police department’s action on substantiated complaints as follows:¹²⁴

Within 7 working days of the receipt of the complaint, ... the Executive Director shall... : (1) Dismiss the complaint...; (2) Refer the complaint to the United States Attorney ... for possible criminal prosecution; (3) Attempt to conciliate the complaint; (4) Refer the complaint to mediation; or (5) Refer the complaint for investigation.¹²⁵ ...

[The] mediation process may not

“THE EXPERIENCE WE HAD WITH THE OLD CCRB IS THAT WHAT WILL KILL ANY CIVILIAN REVIEW BOARD IS A BACKLOG. IF YOU DON’T HAVE SOME MECHANISM FOR ADDRESSING THESE COMPLAINTS EFFICIENTLY, YOU’LL HAVE A PROBLEM.”

extend beyond 30 days from the date of the initial mediation session without the approval of the Executive Director.¹²⁶ ...

Upon receipt of a complaint file..., the Police Chief shall cause the file to be reviewed within 5 working days....¹²⁷ Within 15 working days..., the reviewing officers shall make a written recommendation ... to the Police Chief regarding an appropriate penalty....¹²⁸ ... Within 5 working days..., the Police Chief shall notify the complainant and the subject [officer(s)] in writing of the staff recommendation, and shall afford [them] an opportunity to file ... a written response....¹²⁹ ... Within 15 working days..., ... the Police Chief shall issue a decision as to the imposition of discipline upon the [officer(s)].¹³⁰ ... [If further administrative review is sought, and] the final review panel concludes that the merits determination should be upheld as to any allegation of the complaint ..., the Police Chief, within 15 working days..., shall issue a supplemental decision as to the imposition of discipline

upon the [officer(s)] that is fully consistent with the panel's decision.¹³¹

Like many civilian review boards, the Civilian Complaint Review Board (CCRB) that was abolished in 1995 suffered from a reputation of ineffectiveness and inefficiency largely due to its tremendous backlog of cases. In drafting the 1999 legislation establishing the new agency, community oversight advocates were deliberate about requiring clear timelines, using Minneapolis as a model. Mary Jane DeFrank, Executive Director of the ACLU-NCA and involved in drafting the new legislation, remarks:

The experience we had with the old CCRB is that what will kill any civilian review board is a backlog. If you don't have some mechanism for addressing these complaints efficiently, you'll have a problem. You need deadlines and they need to be part of the legislation so you can hold people accountable for deadlines and know whether they're being met or not. Under the old board, there was no accountability.¹³²

Berkeley, Minneapolis, San Francisco, and Washington, DC: Conducting Independent Investigations

■ Berkeley, California

The city ordinance establishing the Berkeley Police Review Commission (PRC) provides for

independent investigative authority supported by subpoena power as follows:¹³³

The Commission established by this

Ordinance shall have the following powers and duties: ... to receive complaints against the Police Department and any of its officers and employees, and fully and completely investigate said complaints ... [and] consistent with provisions of the Berkeley City Charter and to the extent permissible by law, to exercise the power of subpoena.¹³⁴

William White, Chair of the PRC, notes that the Commission has invoked its subpoena power only once in his tenure, but acknowledges the value of having the authority even if it is not regularly exercised:

In my four years, I've only seen it used once. It was when we were doing an investigation about the use of pepper spray. We filed for a subpoena, but before it was implemented, the [police] department acquiesced.... It's something I think is a necessary tool for an investigative-type of oversight [agency].¹³⁵

To strengthen and depoliticize the exercise of subpoena power, however, Andrea Pritchett of Berkeley Copwatch believes independent legal representation for community oversight entities is needed to avoid conflicts of interest, noting that, in Berkeley, the city attorney represents the PRC as well as the police department.

■ **Minneapolis, Minnesota**

In Minneapolis, the Civilian Police Review

Authority (CPRA) conducts independent investigations and, while it has no subpoena power, it does have the authority to compel cooperation from the police department and other city employees.¹³⁶ The city ordinance provides:

Requirement of cooperation by the Minneapolis Police Department and all other city employees and officials with the review authority. The Minneapolis Police Department and all other City of Minneapolis employees and officials shall, except as expressly prohibited by law, respond promptly to any and all reasonable requests for information, for participation in evidentiary hearings, and for access to data and records for the purpose of enabling the review authority to carry out its responsibilities under this chapter. The failure ... to comply with such requests ... shall be deemed an act of misconduct.¹³⁷

At the time the ordinance establishing the CPRA was enacted, subpoena power was contemplated as follows:

Subpoena power. The chairperson of the review authority may compel the presence of witnesses and/or documents at evidentiary hearings by applying to the Hennepin County District Court for subpoenas. The chairperson may also apply to the district court [sic] to punish a person who disobeys a subpoena obtained at the chairperson's request, in like manner as a contempt proceeding is initiated in Minnesota District Courts. This section shall

become effective after charter or legislature authorization.¹³⁸

However, when Patricia Hughes, Executive Director of the CPRA, and the CPRA board members went to the legislature in 1994 seeking subpoena power as well as authority to conduct public proceedings, they faced strong opposition and were unable to secure legislative authorization. Ultimately, there have been few instances where the CPRA has needed subpoena power, but Ms. Hughes acknowledges its importance:

In a perfect setting, it's important because of perception. Having it is an asset from a community perspective. The way our ordinance is written, police have to comply or they will be disciplined, so we get police cooperation that way. On the other hand, subpoena power would be important if you have a reluctant witness ... [or] private entity. In this situation, you might be able to get the information without a subpoena, but that may not always be the case.¹³⁹

■ San Francisco, California

Similar to Minneapolis, San Francisco police officers are legally compelled to cooperate with the Office of Citizen Complaints (OCC) in the course of its independent investigations.¹⁴⁰ The city charter provides:

In carrying out its objectives the Office of

Citizen Complaints shall receive prompt and full cooperation and assistance from all departments, officers, and employees of the City and County. The director may also request and the Chief of Police shall require the testimony or attendance of any member of the Police Department to carry out the responsibilities of the Office of Citizen Complaints.¹⁴¹

Supplemented by a department General Order and the Garrity-Lybarger Admonishment,¹⁴² Mary Dunlap, Director of the OCC, observes:

In San Francisco, we have the department's full cooperation in requiring officers to testify. If we have advance notice that an officer is not going to answer any questions, or is going to be instructed by his attorney not to answer, we'll call the police department for a ranking officer to come over and give the [Garrity-Lybarger] warning so we can keep the case moving.

■ Washington, DC

Under the 1999 legislation establishing the new community oversight agency—the Office of Citizen Complaint Review—the agency has independent investigative authority, as well as subpoena power.¹⁴³ With regard to subpoena power, the legislation specifically provides:

(a) ...

- (b) ...
- (c) The Executive Director is authorized to cause the issuance of subpoenas ... compelling the complainant, the subject officer or officers, witnesses, and other persons to respond to written or oral questions, or to produce relevant documents or other evidence as may be necessary for the proper investigation and determination of a complaint. The service of any such subpoena on a subject police officer or any other employee of the MPD [Metropolitan Police Department] may be effected by service on the Police Chief or on his designee, who shall deliver the subpoena to the subject police officer or employee....
- (d) Employees of the MPD shall cooperate fully with the Office in the investigation and adjudication of a complaint. Upon notification by the Executive Director that an MPD employee has

not cooperated as requested, the Police Chief shall cause appropriate disciplinary action to be instituted against the employee, and shall notify the Executive Director of the outcome of such action.¹⁴⁴

Learning from past experience, community oversight advocates were deliberate in supplementing the subpoena power with a provision requiring the police chief to accept service. Mary Jane DeFrank, Executive Director of the ACLU-NCA and involved in drafting the new legislation, recalls:

We didn't have subpoena power before the way we do now. And, that's for a reason. Before, we couldn't get the officers to accept service or we couldn't find them. We would go in the front door with the subpoena and the police would go out the back door. Now, the chief of police will accept service.¹⁴⁵

Collaborative Information Gathering and Sharing: Getting the Facts



Collaborative Information Gathering and Sharing: Getting the Facts

The ability to accomplish many of the goals articulated in other sections of this report is dependent upon gathering comprehensive information about policing and sharing that information with the community. The absence of information compromises efforts to improve policing, public safety, and community-police relations—whether through making the right personnel decisions, engaging in neighborhood problem-solving, or facilitating meaningful community oversight.

For example, systematic compilation and examination of civilian complaint data may reveal that an individual officer—or an entire department—needs additional training in the proper use of force, a need that might otherwise go undetected in the absence of information.¹ Similarly, to be effective and credible in the community-police partnerships so essential to solving neighborhood problems, each partner must have access to information.² John Crew of the ACLU of Northern California poses the question: “Would you enter into a partnership where the other partner made all of the decisions and strictly controlled access to the information upon which the decisions were based?”³

In some instances, a particular type of data that may be useful is simply not collected. For example, with respect to use-of-force data, Kenneth Adams observes:

[In a survey of a cross-section of 13 medium to large police departments across the country,] only four departments, or less than one-third, could provide statistics on citizen injuries that go beyond firearms-related

injuries. More than half the departments were unable to provide any information on the number of citizen injuries. Similarly, almost half of the departments could not furnish statistics on the number of times police used force, and the proportion rises to well over half when the focus shifts to injuries that did not result from police use of a weapon.... [D]ramatic improvements in the types of information police departments collect on the use of force are needed if we are to understand the nature and scope of the problem of police abuse of force.⁴

In other instances, the data may be collected but are not provided to the community. Amnesty International reports that information about policing is frequently withheld from victims and their attorneys in civil actions for police misconduct, and its own requests for information have been denied.⁵ Further, “[c]ivil rights groups and others have also frequently reported difficulty in obtaining data that should be available under public records acts, such as information on shootings, compensation payments, and lawsuits.”⁶

Often, information about policing becomes public only in a controversial, confrontational context, such as a lawsuit, an external investigation, or in response to public outcry following a high-profile instance of alleged police misconduct.⁷ Police departments are then perceived as not only secretive, but also arbitrary and uncooperative. Disclosing information when compelled to do so suggests the information could have been provided voluntarily all along without undermining operational efficiency or officer confidentiali-

ty—two reasons frequently cited by police departments for withholding information in the first place.

Recognizing the value of having information, several police departments have developed promising practices for gathering important data and sharing this information with the community.

Promising data practices:

- Increase public knowledge
- Include communities
- Improve policing

Increasing Public Knowledge About Policing

At the most basic level, police departments can begin to break down the public perception of secrecy and build public confidence in policing by being more open about how they work. Increasing the public's knowledge in areas such as department policies and procedures, personnel, and performance are key starting points.

Most people know very little about the mission and operations of their local police department, and many would like to learn more. Attempting to bridge this information gap, some police departments make official policies and procedures available for public review. The Madison Police Department's entire policy manual is easily accessible over the Internet.⁸ Among the many rules and regulations disclosed in the manual are use of force, stop and frisk, consent to search, treatment of emotionally disturbed persons, investigation of complaints, and administration of discipline.

For community members who want a closer, interactive look, Citizen Police Academies (CPA) are another vehicle for sharing information.⁹ Typically structured as a shortened version of the police academy,¹⁰ community members are invit-

ed to participate in 10–12 weeks of classroom (and sometimes field) instruction in various aspects of policing policy and procedure.¹¹ In addition to the public information benefits, the interactive format of CPAs allows police to learn about community concerns, recruit new applicants to the department, conduct community outreach, and improve community-police relations.¹²

While there are many benefits, CPAs also have limitations. For example, they are narrow in their reach since enrollment is often limited and programs are usually offered only once or twice a year. Police departments should maximize accessibility by scheduling classes at times and in locations convenient to the community,¹³ conduct classes in the languages spoken in the community, focus class time on public education as opposed to merely public relations,¹⁴ and recognize that CPAs are only a beginning in the process of sharing information.¹⁵ As one CPA proponent succinctly states: "Obviously, achieving the support and cooperation of diverse segments of a metropolitan population will require more than an annual course for a few hand-picked participants."¹⁶ The Corcoran (California) Police Department has attempted to expand the reach of its CPA program by establishing a CPA conducted entirely in Spanish.¹⁷

Questions about the demographics—and, more specifically, the diversity—of local police departments are frequently raised in connection with controversial, racially polarized incidents. How many women and people of color are in the department? In supervisory ranks? In my neighborhood? In this context, the information itself becomes another subject of controversy. If the information is difficult to obtain or lacks sufficient detail, it becomes another example of the police department's failure to address community concerns.

However, since the information itself is not confidential, police departments should make detailed demographic information about their

POLICE DEPARTMENTS SHOULD MAKE DETAILED DEMOGRAPHIC INFORMATION ABOUT THEIR OFFICERS READILY AVAILABLE TO THE COMMUNITY ON A CONSISTENT BASIS, DISAGGREGATED BY RACE, ETHNICITY, GENDER, AND RANK, AND CORRELATED TO PRECINCTS, PATROLS, AND NEIGHBORHOODS.

officers readily available to the community on a consistent basis, disaggregated by race, ethnicity, gender, and rank, and correlated to precincts, patrols, and neighborhoods. At worst, disclosure of such information may indicate the need for improvement. At

accounts of events on the beat.... [And,] whether accurate or not, they also act as important indicators of public perception of the [police] agency.²⁰

Moreover, the accessibility of complaint information has direct bearing on the community's perception of the legitimacy of the complaint review system: "This kind of openness costs review organizations little ... [and] is a simple public relations action that can be an important tool in developing support for any kind of review process."²¹

Most, if not all, of the external civilian agencies that review complaints against police officers regularly publish data about the nature, number, and outcome of complaints received.²² Some provide detailed information that educates the community about complaint trends in various neighborhoods or among particular officer profiles, as well as department-wide trends.

In Minneapolis, the Civilian Police Review Authority publishes an annual report with statistical data, including the number of victims disaggregated by race, gender, and age; number of complaints by allegation such as excessive use of force; number of complaints against an officer by officer age, experience, and years in the department; number and type of complaints by police precinct; number of off-duty complaints; and nature of disciplinary action on sustained complaints correlated to the allegations made in the complaint.²³ Much of the Minneapolis data is provided for a five-year period, allowing for comparisons and monitoring trends.

Other external oversight agencies include data such as the number of complaints cor-

best, it may demonstrate progress or encourage the community to assist the department in improving.

In 1997, the San Antonio Police Department began posting various breakdowns of personnel information on its website, including a chart that provides race and gender data for each rank from "officer" to "Chief," indicating the actual number of officers in each category as well as their percentage of representation in the department.¹⁸ Similarly, as a result of a court order to increase diversity, the Frederick City (Maryland) Police Department annually issues a detailed report containing demographic statistical information about applicants at each stage of its recruitment and hiring processes.¹⁹

Data related to police performance—in particular, police interaction with the community—should similarly be made available for public review. While there are many measures of police performance, at least two categories of information should be provided with sufficient specificity: complaints against police officers and lawsuits against the police department.

The U.S. Commission on Civil Rights observes:

[C]itizen complaints are probably the best available source of information about police performance.... [They] can provide valuable

DATA RELATED TO POLICE PERFORMANCE SHOULD BE MADE AVAILABLE FOR PUBLIC REVIEW, ESPECIALLY COMPLAINTS AGAINST POLICE OFFICERS AND LAWSUITS AGAINST THE POLICE DEPARTMENT.

related to where they were filed—the police department or a civilian agency; and how they were filed, such as in person, by phone, or mail; the allegations made in complaints correlated to the officer unit; and the race and gender of complainants correlated to the race and gender of officers.²⁴ These data are increasingly available over the Internet with agencies such as the San Francisco Office of Citizen Complaints and the San Jose Office of the Independent Auditor posting their reports on their websites.²⁵

In contrast to external oversight agencies, internal police review systems have generally been less forthcoming with complaint data and are considered by some to be “cloaked in excessive secrecy.”²⁶ One report indicates that only one-third of the nation’s internal review systems publishes such information,²⁷ and, for the few that do, the information varies.²⁸ Amnesty International reports that such information is frequently withheld from victims and their attorneys in civil actions for police misconduct, and its own requests have been denied “on the grounds that these concern ‘personnel matters’ not subject to disclosure under state confidentiality laws.”²⁹

Internal police review systems without public disclosure practices should adopt disclosure policies consistent with external review systems. At a minimum, comprehensive data regarding all civilian complaints should be published. Disclosure of nonconfidential data regarding internal complaints is also important—and not without precedent.

As a result of a 1996 lawsuit,³⁰ the Madison Police Department provides the media with summaries of internal complaints, including the complaint number, date of occurrence, date of complaint, nature of complaint, investigative outcome, and the officer’s name or an explanation for withholding of the officer’s name, such as exoneration.³¹ Similarly, under the terms of a 1997 consent decree with the U.S. Department of Justice, the Steubenville (Ohio) Police Department pub-

lishes semi-annual reports, including data regarding the number of cases investigated by the Internal Affairs Division, general allegations, disposition, and any consequential supervisory steps or discipline.³²

While the Madison and Steubenville disclosure practices were implemented as a result of lawsuits, they demonstrate that the information can—and should—be made public. Voluntary adoption of such policies by police departments would send a strong message to the community about their commitment to openness and improving community-police relations.

Lawsuits alleging police misconduct also provide important information about police performance. Although typically a matter of public record, the information is often inaccessible. In some instances, requests are denied or granted only under threat of a lawsuit to force disclosure.³³ In others, the information is provided in a cumbersome, imprecise format—one community advocate reports receiving information on all police-related lawsuits settled by the city, with police misconduct cases indistinguishable from “fender-benders” involving police vehicles.³⁴ Human Rights Watch suggests:

[C]ities should begin to publish reports on civil lawsuits, with descriptions of allegations, amounts paid through settlements or after a jury trial, and how the police department dealt with the officer named in each suit leading to significant settlements or jury awards, whether through retraining, counseling, or disciplinary sanctions.³⁵

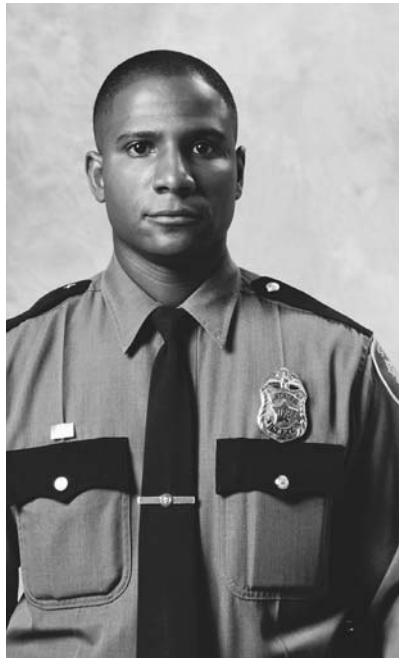
Moving in this direction, voters in San Francisco approved a charter amendment in

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1995 that requires the city to pay awards and settlements for police misconduct lawsuits from the police department's budget and itemize the dollars spent as a separate line item.³⁶ The goal is to provide greater public accountability by segregating police misconduct lawsuits from other suits against the city and focus the department's attention on officers' performance, particularly those repeatedly sued.³⁷

Including Communities in Data Collection and Analysis

Local communities should be an integral part of a police department's data practices—from the type of data collected to how they are utilized. Data should be gathered and analyzed, for example, to better understand community conditions, to promote and support community well-being, and to learn more about community perspectives about policing. Moreover, the community should be included in this process and provided with access to these data to increase public



knowledge and encourage community participation in public safety. Several police departments are developing data practices—from computerized mapping to public surveys—that are including communities in these ways.

Harnessing advancements

in technology, many police departments have moved away from studying high-crime areas with printed maps and push pins and moved toward tracking crime trends through the use of computerized geographic mapping. These Geographic Information Systems (GIS) are increasingly being used not just to support traditional policing goals by increasing police presence and stepping up enforcement in high-crime areas, but also to identify, analyze, and solve neighborhood problems.³⁸ In one such effort:

[P]olice analysts used mapping to identify a rash of burglaries. Further analysis revealed that most of the burglaries were residential, took place during daytime hours, and were spatially distributed around a local public high school. Officers contacted school officials and learned that the school had a serious truancy problem. Police worked in partnership with school administrators to tackle the truancy problem, and this effort reduced burglaries from 58 incidents per month before the intervention to 19 per month after the intervention: a decrease of 67 percent.³⁹

Some police departments have expanded the types of data mapped beyond crime statistics to incorporate additional information of community significance. For instance, in some systems, neighborhood conditions and community assets such as vacant buildings, streetlights, parks and recreation, housing, city services, and other demographic data are also mapped.⁴⁰

The departments making the most significant strides in mapping technology are providing the community with this wealth of information. Through an interactive website, these departments provide the public with access to both crime and noncrime data, as well as the ability to easily and quickly create maps tailored to particular community needs and interests. The Columbus Police Department website provides citywide

crime statistics for various offenses and a map of precincts to generate statistics by precinct area or police cruiser district.⁴¹ The Charlotte-Mecklenburg Police Department website allows users to map incidents by street address or intersection and to generate various incident and calls-for-service reports.⁴² The Lansing Police Department (LPD) website provides general crime data by precinct and citywide; it provides mapping by street address or intersection, Police Team Area, Neighborhood Watch Area, or within a one-mile radius of schools.⁴³ In addition, the LPD launched a website in partnership with the city and neighboring counties to link residents to community assets and services within a tricounty region.⁴⁴

Providing the public with this type of information can prove beneficial in many ways. Access to computerized mapping encourages community involvement in crime prevention efforts and facilitates neighborhood revitalization. In addition, the willingness to share information can improve police-community relations. Lieutenant Steve Person of the Lansing Police Department, which has developed one of the more comprehensive websites, observes:

What better way to get people involved than to give them information about what's going on in their neighborhood, what's available to them, and where to find it?... Just being able to see crime statistics, which have always been hidden from them, gives them a sense we're being open and honest with them. It also creates accountability for officers because they know they have to be prepared at meetings because they know people in these meetings will have information.⁴⁵

Making the information easily accessible over the Internet is an important first step. However, as Lieutenant Person points out, additional work is necessary to achieve widespread access, particu-

larly in the communities that often need the information most:

We put 33 computers in 7 different learning centers around the city to help bridge the digital divide. The people who use our services the most don't have access to the Internet. We still have a long way to go. Thirty-three computers are not enough, but it's a nice start.⁴⁶

Another community-inclusive information practice is the use of public surveys. Several police departments use surveys to gather data about public perceptions of police performance,⁴⁷ sometimes inquiring as to specific ideas for improvement.⁴⁸ When analyzed according to various community characteristics, these surveys "can show changes in community concerns about the police and show how perceptions vary by neighborhood, age, race, gender, and other characteristics. Large stable differences among groups may be indicators of perceptions of inequity."⁴⁹

Public surveys can also be used to seek community input into police policy or the prioritizing of police services. In the late 1980s, the Lansing Police Department conducted a survey soliciting community input into, among other things, "how much police attention nine common crimes deserve, which five of 10 crimes listed require top





investigative priority, which six of 13 community-oriented services police provide should receive top priority.”⁵⁰ The Lincoln (Nebraska) Police Department has used community surveys as a personal development tool for officers since 1994. More recently, in October 1999, the Montgomery County (Maryland) Police Department distributed a public survey seeking input into its mission statement and organizational values in an attempt to adopt policies consistent with community expectations.⁵¹

Public surveys should also be developed to learn more about the excessive use of force.⁵² “In these surveys, the focus would be on direct involvement and observations in order to gauge the prevalence of excessive force, as well as on opinions and attitudes in order to better understand the public’s perception of the problem.”⁵³

Once public input is sought, the results of the surveys must be publicly disseminated and concrete actions must be taken to respond to community suggestions and concerns. The Madison Police Department conducts annual neighborhood surveys—through the mail and online—and posts the results on its website by police district.⁵⁴ Survey results have been used to address specific policing issues, including improving staffing levels in high-crime neighborhoods that have complained about a lack of police presence.⁵⁵

While public surveys are useful in attempting to gauge community perspectives about various aspects of police services, they have their limita-

tions. Those that return the surveys may not be representative of the larger population or even a particular neighborhood, especially if the distribution area is not broad or the return rate is low. Moreover, if the format of the survey instrument is confined to a narrow evaluation of existing services, it will not provide an “opportunity for citizens to express their model of the ideal.”⁵⁶ Police departments therefore should not rely solely on public surveys, but rather develop additional methods for seeking and incorporating community input.

Gathering Information to Improve Policing

Police departments should expand their data collection efforts to include information geared toward improving policing, particularly with regard to police interaction with the community. Use of public surveys is a step in this direction. Departments must do more, however, to satisfy communities’ widespread concerns.

The two most common complaints about police performance, especially in low-income communities of color, are that police engage in racial profiling—the practice of targeting drivers for stop and search on the basis of their race—and acts of misconduct, ranging from disrespect to excessive use of force. While communities of color believe these inappropriate practices are commonplace, police departments often deny such practices or dismiss their occurrence as a few “bad apples.”

Racial profiling, for example, is a practice people of color—rich and poor—have complained about for years⁵⁷ and is considered by the vast majority of Americans across racial lines to be an objectionable police practice.⁵⁸ Moreover, a majority of both black and white Americans recently polled believe it frequently occurs.⁵⁹ The incidence of racial profiling is so pervasive, the “offense” has been given its own name: “driving while black or brown” or “DWB.”⁶⁰ However, despite this widespread public perception and

objection, “[m]any police officials see the ‘racial profiling’ crisis as hype.”⁶¹

The failure of police to acknowledge or respond to public concerns about racial profiling erodes the community’s sense of legitimacy of law enforcement,⁶² which has ramifications for the entire criminal justice system.⁶³ It is also destructive of community-police relations.⁶⁴ The loss of public trust and credibility makes it difficult, if not impossible, for police to forge partnerships in local communities, let alone have any expectation of community cooperation in criminal investigations.

Instead of continuing to debate whether racial profiling and police misconduct are fact or fiction, police should address these issues of grave public concern by gathering data. Without the collection of appropriate data, there is no way of knowing for certain whether such practices occur or how widespread they are, and there is no opportunity to intervene through training, discipline, or some other departmental action. Once collected, the data should be available to the public.⁶⁵

Confronting the racial profiling issue head on, several police departments are beginning to collect race-based data during traffic stops. In several cities, police departments have undertaken these efforts voluntarily. In others, they have been required to do so as a result of a consent decree with the U.S. Department of Justice or a settlement agreement in connection with a pending lawsuit. In several states, Republican and Democratic governors have signed legislation requiring such data collection,⁶⁶ and, at the federal level, similar bills have been introduced in both the House and Senate.⁶⁷

Not all of these efforts require collection of the same data; some are more comprehensive than others. At a minimum, five categories of information must be included in any data collection effort—the race and ethnicity of the motorist stopped; the reason for the stop; whether a search was conducted; whether drugs or other evidence

of illegal activity were found; and whether a citation was issued or an arrest made—without which a meaningful analysis of racial profiling practices cannot take place. Michelle Alexander of the ACLU of Northern California explains:

The race category is obvious. We need to know the reason because ... African Americans and Latinos are [often] stopped for trivial reasons, like a burned-out license plate light ... while whites are stopped for speeding, reckless driving, etc.... Search information ... tells you whether the officer believed the person was someone likely to be engaged in criminal activity. [Knowing] if something was found ... is the only way to disprove the prevailing myth that people of color are more likely than whites to be carrying contraband. The citation/arrest information tells you whether there was any justification for stopping the person in the first place—people of color are usually more likely to be stopped, searched, and released.⁶⁸

Among the more promising data collection examples are the voluntary efforts of the Sacramento Police Department, legislation in Rhode Island⁶⁹ and Missouri,⁷⁰ and the consent decrees in New Jersey and Highland Park, Illinois.⁷¹ Using technology to make collection more efficient and the data more accessible, the Montgomery County (Maryland) Police Department has equipped every officer with a hand-held computer for entering the required data,⁷² and the Michigan State Police Department has posted its Traffic Enforcement Data Report on its website.⁷³

Ultimately, only time will tell as to the effectiveness of

“THE CITATION/ARREST INFORMATION TELLS YOU WHETHER THERE WAS ANY JUSTIFICATION FOR STOPPING THE PERSON IN THE FIRST PLACE—PEOPLE OF COLOR ARE USUALLY MORE LIKELY TO BE STOPPED, SEARCHED, AND RELEASED.”

these efforts or the need for modifications. However, with any one of these, the prospects for improving policing are encouraging. With regard to Great Britain's experience with collecting data to combat racial profiling, David Harris observes:

Now, several years later, preliminary results are in, and they are striking. According to police officials, data collection and other reforms have had the effect of decreasing the number of pedestrian and traffic stops made by police.... Police are using stops more judiciously and cautiously, focusing on those most worthy of police attention instead of using stops in a wholesale, dragnet fashion. The result has been better policing—more focused, better crime fighting, better use of resources, and interactions with the public that are much less likely to produce cynicism and long-term damage to police-community relations.⁷⁴

Similar efforts are being made to determine the extent of police misconduct. Several police departments have created computerized databases—commonly referred to as “early warning systems”—to collect comprehensive information related to individual officer performance with the goals of identifying “high-risk officers before they become major problems”⁷⁵ and providing early intervention. At a minimum, the databases typically track civilian complaints and use-of-force incidents. Some go further, collecting additional data such as firearms discharges, resisting arrest reports, vehicular accidents, absenteeism, and any other criteria that may be an indication of “behavior problems in the making.”⁷⁶ The early warning system being developed by the Pittsburgh Bureau of Police is considered to be one of the more comprehensive in terms of data collected.⁷⁷

For police departments that do not have the in-house capacity to develop their own system, the Police Foundation has developed a prepackaged

program, The RAMS[®] (Risk Analysis Management System).⁷⁸ Developed in 1991, the program enables departments to track behaviors such as civilian complaints, use of sick leave, use of injury leave, use-of-force incidents, vehicle accidents, and vehicle pursuits. Another module was recently developed for The RAMS[®] to facilitate tracking of race-based pedestrian and vehicle stops as well. Some departments use the system to routinely generate reports on every officer in every division; others generate reports to identify officers who are at risk. Investing in The RAMS[®] to address its concern about the number of civilian complaints, the Newark Police Department uses the system to “flag” an officer who receives ten complaints, counting both civilian and “in house” complaints such as neglect of duty and excessive use of sick leave for purposes of reaching this threshold number.⁷⁹

While some of these developments have occurred as a result of court orders, several departments have taken their own initiative to collect data to combat racial profiling or establish early warning systems. These voluntary efforts are especially encouraging because they send a message to the community that police take these matters seriously and are concerned enough to take proactive, concrete action to improve service and build public confidence without being compelled to do so. They also reinforce the police commitment to fair and quality policing.⁸⁰

The Charlotte-Mecklenburg Police Department (CMPD) is developing a new information system using its GIS mapping technology to better understand the connections between use of force and other factors such as location and officer assignments.⁸¹ Major Dave

CONDUCTING AN EXTERNAL AUDIT IS ONE—AND PERHAPS THE MOST CREDIBLE—WAY OF COMPILING OBJECTIVE INFORMATION ABOUT THE STRENGTHS AND WEAKNESSES OF AN INTERNAL REVIEW SYSTEM TO UNCOVER AREAS FOR IMPROVEMENT.

Stephens of the CMPD describes the project's goal:

We want to be able to map locations, times of day, by shift.... [For example,] are there certain types of locations that generate more use-of-force complaints? We certainly have anecdotal information that suggests that. Our intent is to be able to see what's going on around this location. Why is it that an officer is using force in this location? Maybe there are tactical implications.... For individual officers, you can look at their record. But, for example, is it a supervisor or particular shift?... You may have a problem with the work culture on a shift. It might tell us that it's not just a single officer issue; it's a shift problem.... Our goal ... is not to hammer people, but to get better.⁸²

Beyond racial profiling and early warning systems, data should be gathered to improve other police processes—internal review of complaints of police misconduct is just one. For some, confidence in the fairness of the procedures used to resolve complaints against police is as important as the outcome of the complaints themselves.⁸³

Conducting an external audit is one—and perhaps the most credible—way of compiling objective information about the strengths and weaknesses of an internal review system to uncover areas for improvement. In 1996, the CMPD contracted with an outside consulting firm to audit its complaint review processes.⁸⁴ When the audit was completed, the CMPD presented the consultant's report (which contained 32 recommendations for improvement) to the city council and held a news conference as well.

Corcoran, Minneapolis, Frederick, Madison, Steubenville, and San Francisco: Making Information Available and Accessible

■ Corcoran, California

To better serve the city's 80 percent Latino population, the Corcoran Police Department established a Spanish language citizen's police academy in 1998.⁸⁵ Several residents had expressed interest in the department's original citizen's academy but could not attend because of the language barrier. Taking account of another obstacle to attendance, the Spanish language academy is offered during the winter because farm workers are unable to attend during the spring and summer farm seasons.

Typically a 10-week program, the Spanish language academy covers the same material as the English academy, including topics such as use of force, driving under the influence, domestic violence, and traffic citations. Participants also go on "ride-alongs" and to the shooting range. The department seeks to build public confidence in policing and to increase awareness of police policies and procedures so that the community can better understand and assess police actions. For example, community members have questioned officers as to why they did not arrest someone involved in a fight before the

police arrived on the scene. In the citizen's academy, residents learn about the limitations on police authority when a misdemeanor is not committed in the officer's presence. Similarly, the academy teaches that officers are not supposed to draw their guns without justification; rather, they have rules and procedures they must follow regarding the use of their weapons.

Some academy graduates have completed an additional four weeks on community patrol, joining the "Amigos de la comunidad" (Friends of the Community). In addition to conducting community patrols in a police-provided vehicle, these graduates have begun fundraising with the goal of sending a Spanish-speaking youth to the regular police academy. The department is pleased with the success of the program and has plans to double its frequency, offering both academies—English and Spanish—twice a year.

■ **Minneapolis, Minnesota**

For the past six years, the Minneapolis Police Department (MPD) has offered a 12-week Citizens Academy to Minneapolis residents twice a year.⁸⁶ To publicize the Academy, advertisements are placed on the department's website and in various media outlets; the Academy is held in rotating police districts.

The department is now extending its outreach to Latinos, an increasing population in Minneapolis and one that is underrepresented in the department. The idea is to put on a

Citizens Academy for adult leaders in the Latino community and, separately, a smaller academy for high school students and young adults. While the youth academy will likely be conducted in English, the adult academy may be conducted in Spanish or in both English and Spanish to reach leaders in the Latino community with limited English skills.

According to Lieutenant Greg Reinhardt of the MPD, in reaching out to the Latino community, the department wants to eliminate the "fundamental mistrust between Latinos and police nationwide."⁸⁷ By exposing the Latino community to the training and professionalism of the MPD, the department seeks to overcome whatever negative experiences they may have had with police in another city or country. The department is hopeful the youth academy will also function as a recruiting tool, encouraging youth to apply after learning more about what officers do.

If the new programs are successful, the department will consider expanding them to other new and increasing populations in the Minneapolis area, including Somalians, Nigerians, and Southeast Asians.

■ **Frederick, Maryland**

The Frederick City Police Department is required, by court order, to issue annually a report containing demographic statistical information about its recruitment and hiring process.⁸⁸ The information includes a detailed breakdown of the number of applicants by

race, ethnicity, and gender at each stage of the hiring process—from physical agility and written testing to oral interviews and polygraph testing. These data make it possible to observe trends such as where in the process applicants typically drop off; it also allows for comparisons among various groups.

The report further outlines the department's recruitment efforts, including lists of each job fair attended and media sources used for advertising, and it provides a comparison from one year to another of recruiting results by race and ethnicity of applicants. Data regarding the race, ethnicity, and gender of all applicants ultimately hired by the department in that hiring cycle are also included.

Publicly available, the report is distributed to the Frederick County Human Relations Commission, an independent agency that reviews and provides comments and suggestions on the department's recruitment and hiring processes. In addition, the report is provided to the public upon request.

■ **Madison, Wisconsin**

As a result of a lawsuit, the Madison Police Department (MPD) now publishes information about its internal complaint processes. In 1996, members of the Wisconsin media sued the MPD, seeking access to “all complaints brought against Madison police officers—formal and informal, internal and external—... and all records concerning disposition of those complaints,” except records from closed or

pending complaint files.⁸⁹ The MPD disclosed some of the records requested but withheld internal complaints, including those “brought by Madison police officers against other Madison police officers, and [those] brought by outside professionals whose professional work brought them in contact with the officers.”⁹⁰

The court considered the public interest in being informed about the nature and consequences of police misconduct, as well as the police department's interest in protecting the privacy rights of individual officers and the free flow of information within the department. In ordering disclosure of the internal records, the court stated:

Even in the case of minor misconduct or internal agency discipline, the preventive aspect of discipline cannot be overlooked, nor can the importance of public oversight of the disposition of these matters, especially in terms of ensuring and increasing public confidence in police officers and departments. Release to the public of records of internal complaints, minus any identifying information such as officer names and addresses and complainants' identities, will serve to both deter and educate other officers and to instill public trust and confidence in the Department.⁹¹

The MPD settled the lawsuit and now provides the media with summaries of internal investigations, including the complaint number, date of occurrence, date of complaint, nature of complaint, investigative outcome, and the officer's name or an explanation for withholding the officer's name, such as

"CITIZENS SHOULD DRIVE GOVERNMENT, NOT GOVERNMENT DRIVING CITIZENS."

exoneration.⁹² The summaries are delivered to Madison media outlets at the conclusion of each

investigation.

■ Steubenville, Ohio

The Steubenville Police Department (SPD) also publishes information about its internal investigations. In 1997, the SPD settled a lawsuit brought by the U.S. Department of Justice alleging a pattern and practice of police misconduct.⁹³ Under the terms of the settlement, the SPD is required to publish twice-yearly reports about internal investigations of complaints against its officers. The reports must "include each investigation's significant dates, general allegations, disposition, and any resulting supervisory steps or discipline."⁹⁴ The SPD also forwards its reports to the news media.

■ San Francisco, California

Voters in San Francisco approved a charter amendment in 1995 that requires segregation and specificity of public dollars spent resolving police misconduct lawsuits. The charter now provides:

BUDGET. Monetary awards and settlements disbursed by the City and County as a result of police action or inaction shall be taken exclusively from a specific appropriation listed as a separate line item in the Police Department budget for that purpose.⁹⁵

A change designed to facilitate public monitoring and accountability, community advocate Jill Tregor recalls:

It seemed like the police had an unlimited budget for [misconduct].... We felt they would care more if it came out of their budget.... We [also] wanted the department to track ... how much it costs to cover for officers. Before, it was mushed into so many places we couldn't figure it out. All you could say was, "I know at least \$3 million was spent because I saw it in the newspaper."⁹⁶

Lansing and Overland Park: Using Technology for Communicating Information and Community Building

■ Lansing, Michigan

The Lansing Police Department (LPD) has developed a comprehensive mapping system to support crime prevention and community building. It has used mapping technology internally for years in strategically deploying resources. Wanting to encourage community participation in public safety and neighborhood problem-solving, the department recently extended this technology to the community:⁹⁷

We wanted to put the crime mapping on the Internet because we saw how useful it was to us in-house.... Community policing and problem-solving

IN ADDITION TO MAKING THE INFORMATION AVAILABLE OVER THE INTERNET, THE DEPARTMENT HAS TAKEN STEPS TO INCREASE ACCESS TO THE TECHNOLOGY IN LOW-INCOME COMMUNITIES. THE DEPARTMENT USED A PORTION OF ITS COMPUTER MAPPING FUNDS TO INSTALL 33 COMPUTERS IN SEVEN LEARNING CENTERS AROUND THE CITY.

are a joint effort between the police and the community.... For the community to trust us and work with us, they need to know what's going on. When they can see the information

themselves, we hope it will spark their interest in calling in a police problem-solving team to help.... Citizens should drive government, not government driving citizens.⁹⁸

In addition to gaining access to citywide or precinct-specific crime data, community members can create customized maps to monitor crime in particular areas by selecting a street address or intersection, police team area, neighborhood watch area, or a school name.⁹⁹ Once a geographic area has been selected, the user can further specify a period of time—such as the preceding 14 days—and a particular type of crime—such as alcohol violations. The community response to this new technology has already exceeded the department's expectations. Lieutenant Steve Person observes: "In the first month of crime mapping being up, we've averaged 1,000 maps created per week. We thought it would be maybe 50 to 100 at most."¹⁰⁰

Moving beyond crime statistics, the department has expanded the mapping system not only in terms of access, but also content. In partnership first with Ingham County and then with two additional nearby counties, it developed a website with mapping technology designed to link residents to com-

munity assets and services, not just within the city of Lansing but within the entire tricounty region. The department's goal in this effort: "Sustainability in neighborhoods and business areas. That's what we want to get to."¹⁰¹

The new, collaborative website—In Touch Lansing—has four main clusters of information: Local Government, Things of Interest, Map Community Info, and Basic Needs.¹⁰² In the "Map Community Info" cluster, residents can generate maps tailored to particular needs in public safety, health, and community services.¹⁰³ Demonstrating the potential of community access to such information, Lieutenant Person remarks:

When people have problems with loud music next door, let's say, now they can go to the Lansing Parcels Locator [one of the mapping options in the community services area] and find out who owns it, whether it's rented, etc. So, now they can call code compliance. That's an example of how parcel information can help the community to police itself. The Traffic Counts Mapper [another community services mapping option] can encourage business. Prospective businesses, like a gas station, can look by street to see how many traffic counts there are per hour to see where to locate their business.

The east side neighborhood organization—they're a very proactive organization and neighborhood—is one of the heaviest users for mapping. They've been running maps to look at sustainability factors like ... more street lights, roads that need to be fixed. They use

the data to go to the city to get those assets. Now it's much more available to them. Before, they would come to the police department, pay their money, and do a FOIA [make a request under the Freedom of Information Act] to get crime data. Now, they can get the data any day online. And, I update the information every Friday.¹⁰⁴

In addition to making the information available over the Internet, the department has taken steps to increase access to the technology in low-income communities. The department used a portion of its computer mapping funds to install 33 computers in seven learning centers around the city.

■ Overland Park, Kansas

The police department in Overland Park has used computerized crime mapping since 1993.¹⁰⁵ In addition to generating, analyzing, and publishing crime statistics for traditional crime-fighting purposes, the Overland Park Police Department (OPPD) has used its mapping technology to help solve neighborhood problems and address specific community concerns.

Through its Crime Prevention Through Environment Design (CPTED) program, the OPPD advises community members on ways to protect and secure their property by altering its physical design. One such effort involved a call from an elementary school principal concerned that the school's courtyard had become a hangout for neighbor-

hood youth. The OPPD mapped crime data and discovered that youth were allegedly using alcohol and drugs in the area, as well as vandalizing the courtyard walls. The OPPD analyzed the problem and proposed the following solution:

The school was shaped like the letter "U" and the courtyard was in the center of the "U". An eight-foot-high brick wall, with iron gates at each end, enclosed the courtyard at its open end. This wall concealed the courtyard from the school's parking lot and several neighboring homes across the street.... [N]atural surveillance opportunities existed in the homes across the street. With the wall removed the courtyard would no longer be concealed, but would be in plain view of residents who could observe illegal activity.

The school employed ... the suggested recommendations by removing the wall. The courtyard's border was maintained with the addition of some well-trimmed shrubs. The concealment has been eliminated and there have been no more incidents of vandalism or delinquent acts in that area.¹⁰⁶

In another instance, the OPPD was approached by a group of residents who were concerned that a proposed development project to build a large entertainment center in the neighborhood—including a bowling alley with 100 lanes, restaurants, a bar, and a video arcade—would increase crime in the area. The residents believed the proposed mega-complex was like putting all

of the city's other bowling alleys, nightclubs, and bars (a total of eight business establishments) in one location.

Using the residents' logic, the OPPD researched crime data from the eight other business establishments going back several years, and then separately compiled crime data for a local grocery store, a high school, a middle school, and a gas station. The OPPD discovered that the combined total of calls-for-service at the eight business establishments identified by the residents was less than the number of calls-for-service at any one of the other locations. In other words, the gas station, for example, had more calls-for-service than all of the other business establishments combined.

After the OPPD shared this information with the residents and the city council, the city council approved the plans to build the entertainment center. The OPPD reports that the location has not presented a problem.



Lincoln, Lansing, and Madison: Obtaining Public Input Through Surveys

■ Lincoln, Nebraska

The Lincoln Police Department conducts regular community surveys for use as a personal development tool for officers.¹⁰⁷ Designed to provide officers with an understanding of how they are perceived by the public, the surveys are targeted to three categories of respondents: those who received a police citation, victims of a crime (except sexual assault or child abuse), and drivers involved in an accident.

In developing the survey instrument in 1993, the Gallup organization convened two focus groups—a group of Lincoln residents and a group of police officers—who were asked to identify the key components of customer satisfaction in contacts with the police. From their responses, survey questions were developed such as: When you were contacted, did the officer seem to know

what he or she was doing? Did he or she listen to your side of the story? Were you treated with dignity? Was the officer's behavior professional in every way? Did the officer say he or she would follow up with you? Did the officer in fact fol-

low up with you? Was he or she considerate of your feelings?

Originally designed as a mail survey, the department adapted the instrument in 1994 for use in phone calls—a method that has been used ever since. Calls are made throughout the year by academy recruits based on a random computer-generated sample of the three categories of police contacts. The chief of police has an annual goal of 4,000 successful contacts.

Several reports are generated from the survey results. Each officer receives a privately mailed report of the survey responses from his or her contacts each month. Captains receive an aggregate report for the officers in their area with officer identities concealed. Department-wide statistical reports are also generated without identifying information. According to Captain Joyce Citta, officer confidentiality is important to the effectiveness of the survey:

The officers received guarantees from two successive police chiefs that the information would remain confidential. Their supervisors would not have access to the information and could not use it to rate them. Rather, the information is a tool to help officers do better work. We told them: "If you're doing something wrong, we'll find out about it anyway through other means. The survey results are for you, to help you develop."¹⁰⁸

"THE INFORMATION IS A TOOL TO HELP OFFICERS DO BETTER WORK. WE TOLD THEM: 'IF YOU'RE DOING SOMETHING WRONG, WE'LL FIND OUT ABOUT IT ANYWAY THROUGH OTHER MEANS. THE SURVEY RESULTS ARE FOR YOU, TO HELP YOU DEVELOP.'"

The survey has been a valuable tool on many levels. With academy recruits making the survey phone calls, they are exposed early in their career to key information about what the community expects in police contacts, a training tool for recruits. Perhaps most significant, the survey has led to concrete changes in officer behavior. If there are consistent negative responses from the community on the same question, department officials will review the behavior associated with the question in department-wide meetings:

We kept getting negative answers to the question “Did the officer introduce himself.” We told the officers the respondents don’t think you’re introducing yourselves.... So now, instead of just stating who they are, the officer will shake the person’s hand, and say “hi, my name is” After they started doing that, there was a dramatic change in public response to that question.

Another problem we had was the issue of follow-up.... [T]he citizen had expected the officer to follow up and the officer hadn’t done it. We looked at those cases and ... often times there was no follow-up to do. The officer needed to state that more clearly. So now, when officers take an initial report, ... they are told to say: “there is nothing more I can do with your case unless you come up with more information,” for example, the license plate of the car, or whatever. By making this kind of statement, ... we stopped getting negative responses to the follow-up question.¹⁰⁹

■ Lansing, Michigan

In the late 1980s, the Lansing Police Department (LPD) conducted a community survey seeking input into policing priorities.¹¹⁰ More recently, in 1999 the LPD conducted two customer satisfaction surveys, one by phone to victims of breaking and entering, and the other by mail to people who received citations from police officers during traffic stops.¹¹¹

Targeting a random list of 300 people who had filed reports over the previous six months, the survey sent to breaking-and-entering victims focused on whether officers had fulfilled task-oriented functions and on officer demeanor. The department learned valuable lessons: Officer response time, for example, was the most important predictor of customer satisfaction, and people were generally satisfied with response time. People also gave positive feedback regarding the officers’ handling of the crime scene and the investigation process in general. But, the survey also uncovered a key deficiency:

We found that breaking-and-entering victims were frustrated by the fact that they didn’t know the outcome of the case. No one was telling them if the case had been put to bed, if there had been an arrest, or if we’d cleared it through work on another case. They had no sense of closure. People said, even if nothing has happened on the case, they wanted to be informed of the status.

We reviewed those cases and found that

often we had cleared the case, but informing the victims had somehow fallen through the cracks.... As a result of the survey, we developed a protocol that requires several points of mandatory contact with the victim on the part of the detectives to provide information on the status and disposition of the case. We never would have corrected this problem if we hadn't done the survey.¹¹²

The traffic stops survey was mailed to a random list of people who received citations during March 1999. It also provided useful feedback:

We were nervous about what people would say—you probably can't find a more hard-core unhappy group than people who have just gotten traffic tickets. We asked them about how they had been treated, what they thought the reason for the stop was, what happened, what they expected to happen, etc.... [M]ore than half of the respondents said that they were satisfied with officer conduct.... We used information from that survey to reinforce some things administratively with the officers. For instance, we found that people really like being told why they are being stopped from the get-go. They didn't like this cat-and-mouse playing around that some of the officers did. Because of the survey, we directed officers to tell people immediately the reason for the stop.¹¹³

Committed to an open process, the department announced the surveys before

launching the project and, once completed, made the survey responses available to the community:

We made it public every step of the way. Our attitude was, we're confident we're doing a good job, and if we're not, we want to fix it. When the survey was over, we held a press conference, sent out a press release, even did a report card on the department. We took the data and quantified it into letter grades. We gave ourselves a D in one area. We also made full copies of the survey results available as well as an executive summary. It was very successful as a public relations effort, although I think its value goes far beyond public relations.¹¹⁴

■ Madison, Wisconsin

Annual neighborhood surveys have been conducted by the Madison Police Department since the late 1980s.¹¹⁵ Initially, the department pulled every 50th case file and mailed surveys to the victims, witnesses, and suspects involved in those cases, surveying over 190,000 people in the Madison area. However, this process proved too costly and involved significant manual labor. As a result, the department modified its procedures and now mails the surveys to a random sample of Madison residents drawn from the city treasurer's database. Sample sizes range from 400 to 500 residents and typically yield a response

rate of 50-60 percent. The survey can also be completed online through the department's website.¹¹⁶

Survey questions include perceptions of the neighborhood and the police, police response to calls for assistance, community involvement with policing, city services and other programs, and demographic information about the resident completing the survey. After analyzing the survey data, the department provides an overview of the results to

Madison elected officials and members of the police department. In addition, a summary of the survey responses is posted on the department's website by police district.

The department has used survey results to address specific policing issues. For example, when the surveys revealed complaints about the lack of police presence in neighborhoods experiencing a high incidence of crime, the department increased staffing in those neighborhoods.

Sacramento, Rhode Island, Missouri, New Jersey, and Highland Park: Seeking Statistics on Racial Profiling

■ **Sacramento, California**

The data collection program adopted by the Sacramento Police Department is considered one of the most comprehensive efforts voluntarily undertaken by a police department and a model for the nation.¹¹⁷ This program requires officers to use computer cards to collect 17 categories of information, including the time, date, location, and reason for the stop; race, gender, and birthdate of the driver; driver's license number; whether the driver was asked to exit the car; number of passengers; whether a search was conducted; authority for the search; anything discovered or seized during the search; result of the stop; vehicle license plate number; duration of the stop; officer badge number; and whether the patrol vehi-

cle is equipped with an in-car camera. Despite the detailed information, during a pretest of the form, officers were able to complete it in 1½ to 2½ minutes.

The department partnered with the Police Foundation to develop the project and held a well-attended, department-wide meeting to receive input from both sworn and civilian staff on the survey instrument before launching the project. The department mailed letters, made telephone calls, issued a press release, and published a notice in the local newspaper encouraging the community to attend a series of public forums to discuss the project, respond to questions and concerns, and receive community input on the data collection instrument. The department also contacted various organizations, including the NAACP, ACLU, and the

Mexican American Legal Defense and Educational Fund.

Data are being gathered from July 2000 to July 2001. Researchers from the University of Southern California will audit and analyze the data.

With the data collection effort publicly endorsed by the Sacramento Police Officers Association, Sacramento Police Chief Arturo Venegas Jr. commented: "The men and the women of the Police Department want the public to know they are prepared to withstand the scrutiny. We're looking forward to making it happen."¹¹⁸

■ Rhode Island

One of the most comprehensive data collection protocols passed by a state legislature is Rhode Island's "Traffic Stops Statistics Act," signed by Governor Lincoln Almond (R) in July 2000.¹¹⁹ The law requires both state and local police departments to collect data over a two-year period—from January 2001 to May 2003—to study whether racial profiling is occurring in Rhode Island.

Under the legislation, the Attorney General is conducting the study based on information collected by police departments, including the date, time, and location of the stop; the race, ethnicity, gender, and age of the driver; the reason for the stop; whether a search was instituted; the scope of any search; the basis for the search; whether any contraband was seized; whether a warning or citation was issued; whether an arrest was made; the duration of the stop; and

whether the vehicle is registered in Rhode Island or out of state.

Police departments must provide monthly reports to the Attorney General, who will prepare quarterly reports and issue a final report within four months of concluding the study. All records, reports, and conclusions generated during the course of the study will be made public.

Providing an enforcement measure, the legislation expressly permits "[a]n organization chartered for the purpose of combating discrimination, racism, or of safeguarding civil liberties, or of promoting full, free, or equal employment opportunities" to pursue a civil action against any police department that fails to collect or report the data as required and awards the organization its costs and attorneys' fees for the action.¹²⁰

The legislation also establishes a 13-member committee—the Traffic Stop Study Advisory Committee—to advise the Attorney General throughout the process with members appointed as follows:

[T]hree ... from the House of Representatives, not more than two ... from the same political party, to be appointed by the Speaker; three ... from the Senate, not more than two ... from the same political party, to be appointed by the Majority Leader; two ... appointed by the Governor; one ... shall be the Attorney General's designee, who shall be the president of the Rhode Island Police Chiefs Association; one ... shall be the executive director of the Urban League of Rhode Island ...; one ... shall be the executive director of the National

Conference for Community and Justice ...; one ... shall be the executive director of the Rhode Island Commission for Human Rights ...; and one ... shall be a representative from a college or university in Rhode Island, who shall be a professor of statistics, to be appointed by the Governor.¹²¹

Gary Dias, president of the Rhode Island Police Chiefs Association and chief of police in East Providence, affirmed the need for data collection: "I think the feeling is, everyone recognizes the need for an answer, and the only way to get the information for that answer is some type of survey or some kind of data collection process."¹²²

■ Missouri

Promising legislation was also passed in Missouri and signed into law by the late Governor Mel Carnahan (D) in June 2000.¹²³ In addition to requiring collection of data similar to the Rhode Island legislation, the Missouri law appears to be of unlimited duration, as opposed to a short-term study, and requires police departments to develop policies for monitoring trends among individual officers and providing for appropriate interventions:

- (1) Each law enforcement agency shall adopt a policy on race-based traffic stops that: ...
- (2) Provides for periodic reviews by the

law enforcement agency of the annual report of the attorney general ... that:

- (a) Determine whether any peace officers ... have a pattern of stopping members of minority groups ... in a number disproportionate to the population ...; and
- (b) If the review reveals a pattern, require an investigation to determine whether any peace officers ... routinely stop members of minority groups ... as a pretext for investigating other violations of criminal law;
- (3) Provides for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within ninety days of the review; and
- (4) Provides for annual sensitivity training for any employees who may conduct stops of motor vehicles regarding the prohibition against racial profiling.¹²⁴

Another provision of the legislation states that the failure of any police department to fulfill its obligations under the new law may result in the governor withholding state funds from the noncompliant police department.¹²⁵

NJSP SUPERVISORS ARE REQUIRED TO MONITOR THE TROOPERS' VEHICLE STOPS AND INVESTIGATE ANY INCIDENTS BELIEVED TO VIOLATE THE TERMS OF THE CONSENT DECREE. TO KEEP THE PUBLIC INFORMED OF ITS PROGRESS, NJSP PUBLISHES SEMI-ANNUAL REPORTS AND POSTS THEM ON ITS WEBSITE.

■ New Jersey

In December 1999, the U.S. Department of Justice filed a lawsuit against the New Jersey State Police (NJSP) alleging a pattern and practice of civil rights violations.¹²⁶ The lawsuit was settled by a consent decree, which contains a broad and detailed mandate for collecting data to combat racial profiling.

Among the information NJSP troopers are now required to collect are the name, race, gender, and identification numbers of all troopers involved in the stop; date, time, location, and duration of the stop; vehicle description, license number, and state; race, gender, and ethnicity of the driver and anyone asked to exit the vehicle. Also mandated: whether the driver was issued a citation and the type of violation; reason for the stop; whether any occupants were frisked or asked to consent to search; basis for requesting search; whether a drug-detection dog was deployed; whether a nonconsensual search was conducted; and whether any contraband was seized. Further, the troopers must indicate whether anyone was arrested and the specific charges; whether anyone was subjected to the use of force; and a description of any injuries that occurred. Troopers are also required to



record each traffic stop on the video and audio equipment contained in the patrol car.

NJSP supervisors are required to monitor the

troopers' vehicle stops and investigate any incidents believed to violate the terms of the consent decree. To keep the public informed of its progress, NJSP publishes semi-annual reports and posts them on its website.¹²⁷

■ Highland Park, Illinois

Settling a lawsuit between the City of Highland Park and two African-American residents represented by the ACLU, the Highland Park consent decree bans not only race-based stops, but also race-based surveillance.¹²⁸ The agreement reached in July 2000 requires data collection similar to the efforts previously discussed and contains several additional measures designed to guard against racial profiling.

Under the agreement, the Highland Park Police Department (HPPD) is required to install video and audio equipment in every marked patrol car and provide training in their use. In addition, a program must be developed and implemented for reviewing the video and audio recordings, as well as any other documentation of racial profiling incidents. Incidents that suggest possible discrimination based on race or ethnicity must be referred to an internal investigative unit for appropriate disciplinary action. The agreement also requires officers to inform civilians that they have a right to submit a complaint.

Supplementing these efforts, officers will receive mandatory training in areas such as cultural diversity, communication skills, integrity and ethics, reporting misconduct by fellow officers, and professionalism, which

will be reinforced through mandatory in-service training every year.

The agreement also provides for external review. The HPPD must make all stop-and-search incident reports, stored computer data, and all complaints alleging racial discrimination available quarterly to ACLU attorneys.

Although the agreement provides for a five-year obligation, it “will terminate in three years if the City shows consistent compliance by enforcing initiatives, making the required records available for review, and properly handling any allegations concerning racial discrimination.”¹²⁹

Pittsburgh and Newark: Identifying Officers in Need of Intervention with Early Warning Systems

■ Pittsburgh, Pennsylvania

Under the terms of its 1997 consent decree with the U.S. Department of Justice, the Pittsburgh Bureau of Police (PBP) is required to develop a computerized early warning system to monitor officer conduct and identify those in need of intervention.¹³⁰ Establishing one of the most comprehensive early warning systems, the consent decree contains a detailed description of the minimum categories of data that must be collected:

[O]fficer name and badge number; citizen complaints ...; hit and non-hit officer-involved shootings; commendations and other indicia of positive performance; discipline imposed ...; all training, reassignments, transfers, and mandatory counseling; status of any administrative appeals or grievances; ... all criminal investigations of possible officer misconduct; ... all civil or admin-

istrative claims filed against the City arising from PBP operations; ... all other civil claims or suits [against the officer] involving ... untruthfulness, physical force, racial bias, or domestic violence; ... all lawsuits filed against the City, the PBP, or its officers arising from PBP operations; all arrests ..., the race of each arrestee, and the code violation(s); searches and seizures ...; use of force ...; and traffic stop information....¹³¹

The consent decree also mandates the minimum categories for retrieval of information:

The ... automated early warning system shall have, at a minimum, the capability to retrieve information in the following categories: individual officer; squad, zone, shift, or special unit; arrests by officer(s) and types of arrests to determine the number of times a par-

ticular officer or groups of officers have filed discretionary charges of resisting arrest, disorderly conduct, public intoxication, or interfering with the administration of justice.¹³²

In setting up the system, the city must enter data for the three years preceding the consent decree and consistently thereafter. Officer data will be maintained in the computerized system throughout an officer's term of employment with the PBP and for three years after departure. Once removed from the system, the data will be archived indefinitely.

■ **Newark, New Jersey**

Faced with a large volume of civilian complaints, the Newark Police Department installed The RAMS[®] program to provide an early warning system for tracking shootings, verbal incidents, excessive force, and other civilian complaints, and for monitoring trends of individual officers.¹³³ The system flags an officer with ten complaints, whether filed by civilians or "in house," such as neglect of duty or excessive use of sick leave.

This system has helped the department to

better understand the connections between various officer behaviors, providing an opportunity for earlier intervention. For example, The RAMS[®] generates data about all firearms discharges, whatever the target. When reviewing a RAMS[®] report, a high-ranking officer noticed a number of incidents involving firearms discharges at dogs (frequently, dogs are used by drug dealers to guard drug stashes) and wondered if there was a connection between shooting at dogs and shooting at people. After generating additional statistics, the officer discovered that officers with a high incidence of firearms discharges at dogs were also more likely to have discharges at people. This signaled an opportunity for early department intervention with an officer involved in a lot of dog shootings before the problem escalated to people.

In another instance, the department identified a correlation between vehicle accidents and shootings: officers involved in high-speed chases and accidents are more likely to use their guns against suspects. It also came to the department's attention through RAMS[®] that most firearms discharges occur at night. However, firearms training was conducted during the day. The department consequently started providing firearms training at night.

Charlotte-Mecklenburg: Auditing Internal Procedures to Improve Complaint Processing and Monitoring Use of Force

■ Charlotte-Mecklenburg, North Carolina

To improve internal procedures for reviewing complaints against police officers, in 1996, the Charlotte-Mecklenburg Police Department (CMPD) initiated an external audit of its complaint review process.¹³⁴ By conducting a compliance audit similar to those performed in the private sector, the CMPD sought to assure citizens that complaints against police officers were handled appropriately and to identify any areas for improvement in the department's policies and procedures. From the beginning, the department planned to make the audit public.

The department hired KPMG Business Ethics Services, a Washington, DC, firm, in late 1997 to conduct the audit, which involved multiple phases. First, after examining the department's written policies and procedures, the firm prepared a preliminary document outlining the department's officially stated method of reviewing complaints. This document was then compared to the way the department actually reviewed complaints by reviewing a random sampling of case files. Second, focus groups were conducted within the department to discuss the complaint and disciplinary process. Finally, CMPD processes were compared to those of

other police departments and "best practices" in law enforcement administration. A panel of experts, which included police chiefs, academics, and individuals involved in citizen review, reviewed the procedures, providing feedback and proposed revisions.

The consultant's final report included 32 recommendations for improvement. Among these were suggestions for improving communication with complainants regarding the process and status of complaints; preparing periodic reports to the public regarding discipline; developing an early warning system to identify officers in need of additional training or counseling; reviewing use-of-force reports by high-ranking officers; documenting contact with witnesses; establishing timelines for completion of investigations and use-of-force reports; and improving the consistency of disciplinary actions. Many of the recommendations have already been implemented, such as establishing a 45-day timeline for investigating and disposing of complaints. Others have not been implemented because of resource constraints or are under review.

The results of the audit were distributed at public meetings, and the CMPD formally presented it to the city council after it was completed in 1998. A press conference was held to announce the results and to

"OUR GOAL WITH THE AUDIT, WITH ALL THIS STUFF, IS NOT TO HAMMER PEOPLE, BUT TO GET BETTER."

provide copies of the audit to the media and the public. A follow-up audit was conducted to evaluate the department's compliance with the consultant's 32 recommendations, which was also made public.

At the conclusion of the first audit, the city council decided that the Community Relations Committee (one of several civilian review bodies in Charlotte-Mecklenburg)¹³⁵ would commission any future audits as opposed to the police department. The city council thought the audits would be better received if an outside body supervised them.

Audits are ongoing, conducted every two years, with the most recent audit completed in 2000. Adding another dimension to the audit process, the consultant interviewed complainants and officers who were the subject of complaints to gather information about their perspective of the process, including its fairness and any suggestions for improvement.

The CMPD is also developing an informa-

tion system—using its GIS mapping technology—to better understand the connections between use of force and other factors such as location and officer assignments.¹³⁶ The department plans to map use-of-force incidents according to factors such as location and shift to see what patterns emerge. It may be, for example, that certain locations generate more use-of-force complaints than others, and the department wants to understand why in order to take appropriate actions. Further analysis may reveal that there are tactical implications that require additional officer training. It may also be, for example, that use of force occurs more frequently on a particular shift, which can also have procedural implications.

Focusing on the department's intent to improve policing in the use-of-force mapping project and the external audits of internal complaint processing, Major Dave Stephens remarks: "Our goal with the audit, with all this stuff, is not to hammer people, but to get better."¹³⁷

Conclusion

Collaborating with community advocates to solve neighborhood problems in Seattle; police recruitment efforts that actively elicit community input in New Haven; promotion policies that reward community involvement in Pueblo County; neighborhood-designated advisors to assist in reviewing police practices in Portland; community access to computerized maps of crime and police services in Lansing: The work of redefining the relationship between the police and the communities they serve is happening right now, in many places. As this report has shown, there is no shortage of ideas and opportunities for community consideration, inclusion, connection, and participation in almost every aspect of policing.

And yet, with all the promise that already exists, there is no simple, one-size-fits-all blueprint for police reform, nor is this report intended to suggest one. Rather, it is meant to both encourage and challenge—to show what is possible. The practices highlighted here are a beginning, not a culmination, of work that must continue if community-centered policing is to be fully realized.

The best strategies for any given community will depend upon local needs, circumstances, size, culture, history, demographics, and leadership. While some practices may be replicable from one locale to another, others will need refinement. Indeed, many communities may come up with better, more innovative ideas altogether. Those reform efforts that will prove most successful will be tailored to account for and reflect the distinctive characteristics of the communities in which they are implemented.

Essential to any effort, however, police departments, in collaboration with local communities, must implement change on several fronts, not just a few. A department can put unprecedented resources into recruiting a diverse applicant pool, but its efforts will fall short if it does not also address an aggressive policy of street sweeps in communities of color. Likewise, a police chief may indicate a willingness to change the department's approach to policing, but if there is a failure to structure personnel processes to hire and promote individuals willing and able to rise to the challenge, nothing will change. To be effective, strategies must be fully integrated throughout the spectrum of police services and functions.

Achieving this level of reform—realizing the promise of fair, equitable, and community-centered policing—will require an unequivocal and unyielding commitment from the police department, a commitment that transcends the personality of any given police chief to become part of the department's institutional culture. Otherwise, any progress made and innovation implemented will last only as long as the tenure of the police chief who had the courage and conviction to chart a newer, better course.

In the end, the catalyst for meaningful reform will be the community itself. Police officers come and go. Good ideas are born and fade away. But a mobilized and an informed community organized around an agenda for reform is the key to sustained change.

Endnotes

Neighborhood Problem-Solving: Engaging Communities as Partners

1. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 33 (March 27, 1998) (“Although some cities have employed oppressive, dehumanizing police tactics such as indiscriminate zero tolerance of street disorder, others have obtained equally impressive crime reductions with vastly different approaches.”).

2. See, e.g., Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 16 (1999) (“Many mayors and police chiefs have told us that one reason they adopted community-oriented policing was that ‘the community just demanded it.’”); Herman Goldstein, *Problem-Oriented Policing* 18 (1990) (reflecting on progress made in police attention to community problems, notes: “Significantly, however, most of these problems were examined as a result of outside pressures, not at the initiative of the police who deal with them all the time.”); Warren Friedman, “Grassroots and Persistent: The Chicago Alliance for Neighborhood Safety,” *National Institute of Justice Journal*, Issue No. 231 (August 1996) (discussing role of community in bringing community policing to Chicago); Warren Friedman, “The Community Role in Community Policing,” at 264 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (In Chicago, for example, “[t]he campaign to put community policing on the city’s agenda was sustained through two police administrations and two mayors. The campaign involved thousands of people in educational forums and workshops, in the design of their own pilot project proposal, in explaining, organizing, lobbying, and testifying. Over the last two years this activity has involved a coalition of more than 60 community organizations working together in the Community Policing Task Force.”).

3. See Orlando Patterson and Christopher Winship, “Boston’s Police Solution,” Op-Ed page, *The New York Times* (03/03/99) (“African Americans today face few dilemmas more painful than the tension between the need to safeguard their neighborhoods and the need to safeguard their rights. All too often, however, both critics and defenders of the police have portrayed this tension as a stark choice, in which lowering urban crime rates necessarily requires the kind of policing that makes civil rights advocates and community leaders cry foul. Not so. Consider the case of Boston, where the homicide rate has fallen 77 percent since 1990—5 percentage points more than in New York.”); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A*

Venture for The Edna McConnell Clark Foundation, at 31 (March 27, 1998) (Quoting Jeremy Travis, former Director of the National Institute of Justice of the U.S. Department of Justice: “As Travis puts it, ‘The choice between prevention and police and punishment—which is the way our policy debates are often framed—is a false choice.’”).

4. See John E. Eck and Dennis P. Rosenbaum, “The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing,” at 11 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (discussing the 1991 Independent Commission on the Los Angeles Police Department and the 1987 Philadelphia Police Study Task Force).

5. Report of the Independent Commission on the Los Angeles Police Department, 100 and 105 (July 9, 1991).

6. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 12 (August 1994).

7. See Robert C. Wadman and Robert K. Olson, *Community Wellness: A New Theory of Policing*, at i (Police Executive Research Forum, 1990) (“Until the advent of modern technology, police officers were members of the communities they served.”), and at 7 (“... America’s police organizations collided with the products of continued technological development. The mass production of telephones, radios, and other communication devices, along with the development of the automobile, directly enhanced the reaction capability of the police. The police could now receive calls for assistance or reports of crime and respond quickly. [With] the telephone and two-way radio, police departments throughout the country replaced walking police officers with radio-dispatched police officers in automobiles. With the most benign amiability, citizens began to lose touch with their police. The desire for cost-effective police service overshadowed the unknown value of close police and community interaction.”); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 1 (March 27, 1998) (“Some of the standard police procedures questioned by the studies (for instance, consigning officers to cars instead of foot beats in densely populated areas) also had the unintended consequence of contributing to police-community estrangement”); Herman Goldstein, *Problem-Oriented Policing* 22 (1990) (The police “adopted operating procedures that had the effect of divorcing them from the communities they policed.... No value was attached to maintaining ties with members of the community. Officers in some cities were even prohibited from talking with citizens ‘except in the line of duty.’ They were often prohibited from working in the areas in which they resided. Assignments were made without regard for an officer’s familiarity

with a neighborhood.”); Robert Trojanowicz, “Community Policing curbs police brutality” (“[T]raditional policing, which isolates line officers in patrol cars where they often become slaves to the police radio, reduces the time and opportunity for people and their police to interact. This, in turn, fosters mistrust and negative stereotyping on both sides, all the more dangerous when race is a factor.”).

8. See Herman Goldstein, *Problem-Oriented Policing* 22–23 (1990) (“It took the racial disturbances of the 1960s to call this trend into question. The outpouring of hostility toward the police, evidenced in the riots and documented in the studies that were subsequently conducted, awakened the police and the citizenry generally to just how removed the police had become from minority communities. The police were commonly characterized as ‘an occupation army’ whose practices offended the residents living in these areas.”).

9. George L. Kelling and Catherine M. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* 88 (1996).

10. The idea being that “if police can get to the scene of a crime quickly, they will more likely be able to protect or rescue victims, make arrests, capture criminals in the act of committing crimes, and therefore make strong cases against them in court.” Kelling and Coles 89 (1996).

11. The idea being that “police cruising randomly and unpredictably through city streets in cars would create a feeling, among both good citizens and criminals, of police omnipresence.” Kelling and Coles 78 (1996).

12. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 1 (March 27, 1998); George L. Kelling and Catherine M. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* 70–107 (1996).

13. The “broken windows” theory has been particularly influential in this regard. See James Q. Wilson and George L. Kelling, “Broken Windows: The police and neighborhood safety,” *The Atlantic Monthly*, Vol. 249, pp. 29–38 (March 1982) (Using the analogy of a broken window to describe the connection between disorder and crime: “[A]t the community level, disorder and crime are usually inextricably linked, in a kind of developmental sequence. Social psychologists and police officers tend to agree that if a window in a building is broken and is left unrepaired, all the rest of the windows will soon be broken. This is as true in nice neighborhoods as in rundown ones.... [O]ne unrepaired window is a signal that no one cares, and so breaking more windows costs nothing.... [S]erious street crime flourishes in areas in which disorderly behavior goes unchecked. The unchecked panhandler is, in effect, the first broken window.... Just as physicians now recognize the importance of fostering health rather than simply treating illness, so the police—and the rest of us—ought to recognize the importance of maintaining, intact, communities without broken windows.”).

Another theory that has received attention is that of “collective efficacy.” See Robert J. Sampson, Stephen W. Raudenbush, and Felton Earls, “Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy,” *Science*, Vol. 277, p. 918 (August 15, 1997) (“collective efficacy, defined as social cohesion among neighbors combined with their willingness to intervene on behalf of the common good, is linked to reduced violence”). See also HSPH Press Releases, “Study of

Chicago Finds Neighborhood Efficacy Explains Reduction in Violence,” www.hsph.harvard.edu/press/releases/press081497.html (August 14, 1997) (“collective efficacy, defined as mutual trust and a willingness to intervene in the supervision of children and the maintenance of public order, offers a deeper understanding of the social mechanisms that have linked neighborhood poverty and instability, in many previous studies, with high crime rates. An active and shared willingness to monitor children’s play groups, help neighbors, and intervene in preventing acts such as juvenile truancy or street-corner loitering are key examples of neighborhood collective efficacy.”).

14. See Herman Goldstein, *Problem-Oriented Policing* 17–18 (1990) (“For the police to develop beyond their present state...., they must devote more effort to understanding the conditions and behaviors they are expected to prevent and treat and, using this knowledge, develop and improve methods for dealing effectively with them.”), and at 21 (“need for increased concern with the substantive problems reflected in the calls that are received”); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 2 (March 27, 1998) (“What was being suggested by the problem-oriented policing strategy ... is that entire police organizations should be oriented around—should develop a ‘culture’ and a technology focused on—both furnishing emergency services and addressing problems.”), and at 1 (“Another cornerstone of conventional wisdom—that police should concentrate on major crimes instead of street disorder such as ‘hanging out,’ panhandling, public drunkenness, excessive noise, abandoned vehicles, illegal trash dumping, and vandalism—was blasted by [Wilson and Kelling’s “Broken Windows” article]. They argued that, by downgrading the importance of order maintenance efforts, the police were unwittingly tolerating neighborhood hot spots of incivility and blight in which fear and more serious crime could incubate. As Kramer and McElderry put it, police need to attend to the ‘background noise of a community’ if they are to help avert downward spirals of economic disintegration and more robust lawlessness.”).

15. See Herman Goldstein, *Problem-Oriented Policing* 23 (1990) (“Upon discovering that their traditional methods were nowhere as effective as previously assumed, the police realized the need to enlist the community in preventing and controlling crime.... The police were going to have to cultivate an entirely different type of relationship with the citizens they served.”), and at 21 (“... The police have erred in pretending for all these years that they could take upon themselves—and successfully discharge—all of the responsibilities now theirs.”); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 10 (March 27, 1998) (“As Travis suggests, ‘communities [are] independent forces for social well-being. In other words, communities may be our most powerful crime prevention “program.”’”); David Cole, *No Equal Justice: Race and Class in the American Criminal Justice System* 174 (1999) (“as interconnectedness to community goes up, crime goes down, and as individuals are increasingly alienated from social ties, crime rises”).

16. See Herman Goldstein, *Problem-Oriented Policing* 23 (1990) (“What the police can do in dealing with crime, public order, and fear is heavily dependent upon the kind of partnership they

develop with the community.”); Robert C. Wadman and Robert K. Olson, *Community Wellness: A New Theory of Policing*, at 41 (Police Executive Research Forum, 1990) (“Police executives are recognizing that they must have a supportive public if they are going to survive. The police must work with the public, not against or in spite of them.”); Robert C. Wadman and Robert K. Olson, *Community Wellness: A New Theory of Policing*, at 87 (Police Executive Research Forum, 1990) (“The police should develop liaisons with any and every organization in the community that is interested in contributing to the positive quality of life in the neighborhoods.”); Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 15 (1999) (“While police were mostly reactive, community groups were instinctively proactive. They wanted to keep bad things from happening in the first place.”).

17. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 3 (March 27, 1998) (“In time... the new orthodoxy has evolved so that, regardless of whether one dubs an initiative ‘community policing’ or ‘problem-oriented policing,’ if the initiative is done well, it will involve both elements of collaboration and problem-solving.”), and at 16 (“[C]ommunity policing—and the sister concept of problem-oriented policing—have two essential elements: partnerships and problem-solving. The partnerships involve vastly expanded and intensified collaborations between police officers and diverse people and institutions who have a stake in—and sometimes conflicting visions of—the well-being of a community. The purpose of these partnerships is to reduce the incidence of such problems as crime, disorder, and fear and to enhance community resistance to these problems, through an imaginative array of criminal justice and unconventional non-criminal justice tactics.”).

18. See Mary Ann Wycoff, “Community Policing Strategies,” *National Institute of Justice: Research Preview* (November 1995) (survey of more than 2,000 law enforcement agencies revealed “[a]lmost half (47 percent) of the police chiefs and sheriffs were unclear about the practical meaning of community policing.”); William A. Geller, “Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation,” at 15–16 (March 27, 1998) (“In many jurisdictions, there are no significant local examples of community policing implementation. Activities and projects labeled community policing are very pervasive.... It is widely believed by most of the architects and advocates of community policing, however, that only a fraction of the efforts dubbed community policing really represent meaningful strategic departures from business as usual and organizational and community changes to institutionalize the innovations.”); John Crew, “Community Policing vs. Policing the Community,” *HRO News*, at 1 (February/March 1999) (“While most law enforcement agencies are now ‘talking the talk’ on community policing, fewer are truly ‘walking the walk’ of trust, openness, accountability, and equity.”). See also Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 2 (1999) (“A great deal has been written about problem solving.... However, while problem solving is a widely discussed policing strategy, descriptions of the theory greatly outnumber analyses of actual practice.”); U.S.

Department of Justice, *Community Policing: A Survey of Police Departments in the United States*, at 1–3 (1994) (“Confusion exists, however, within many departments, as to just what community policing is.... Unfortunately, community policing has become no more than a convenient ‘buzz word’ among far too many. Administrators often say they are doing it when they are not, perhaps because they are unaware of the elements involved....”); Stephen D. Mastrofski and Jack R. Greene, “Community Policing and the Rule of Law,” at 99 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd & Craig Uchida, eds. 1993) (“what are generally passed off today as ‘community policing’ programs are shallow, faint, diluted, and unsatisfying renderings of what community policing might be”); Michael E. Buerger, “The Challenge of Reinventing Police and Community,” at 104 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd & Craig Uchida, eds. 1993) (“To many commentators, ‘community policing’ is the latest police fad, a label in search of a definition. Everybody is doing it, it seems, but no one can really define it.”).

19. See David Cole, *No Equality: Race and Class in the American Criminal Justice System* 44 (1999) (“‘Quality of life’ policing ... depends on the aggressive use of stop-and-frisk tactics, pretext stops, and arrests for minor quality-of-life infractions, such as drinking or urinating in public, panhandling, littering, or sleeping on park benches. The theory of quality-of-life policing is that subjecting people to regular frisks and reducing the incidence of quality-of-life crimes will also prevent more serious crime by promoting a sense of law and order, making it more costly to carry weapons in public, and using arrests for minor infractions to detect, detain, and deter more serious criminals.”).

20. See George L. Kelling and Catherine M. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* 22–24 (1996).

21. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 32 (March 27, 1998) (“A judicious dose of zero tolerance which is narrowly limited concerning time, place, and behaviors may sometimes be justified to bring some modicum of order to flagrantly out-of-control crime hot spots. This can help law-abiding people ‘take back their streets’ from hoodlums and gain the courage and energy to better control their lives and neighborhoods. Yet, zero tolerance as practiced in too many neighborhoods is the police equivalent of carpet bombing rather than surgical strikes. Predictably, there is a fair amount of what the military would call ‘collateral damage.’”).

22. See Geller, *Supporting Community Policing...*, at 33 (“Although some cities have employed oppressive, dehumanizing police tactics such as indiscriminate zero tolerance of street disorder, others have obtained equally impressive crime reductions with vastly different approaches.”). See also David Cole, *No Equality: Race and Class in the American Criminal Justice System* 45 (1999) (“It is never easy to identify causes for change in the crime rate. So many factors have been found to correlate with crime rates, from unemployment to age demographics to the incidence of broken homes to drug problems to the role of gangs, that it is difficult if not impossible to say what role quality-of-life policing in particular has played

in the recent downward trend.”)

23. See Geller, at 32 (March 27, 1998) (research has shown such police practices can backfire, increasing crime in the long run).

24. See Stephen D. Mastrofski, “Law Enforcement in a Time of Community Policing,” *National Institute of Justice: Research Preview* (July 1996) (“Many community policing reformers encourage officers to seek alternatives to arrest that may be more effective or efficient for solving the problem at hand.”); Robert C. Trojanowicz and Bonnie Bucqueroux, “Community Policing and the Challenge of Diversity,” *The National Center for Community Policing* (1991) (“[A]ll too often with the traditional approach, making arrests drives the agenda, regardless of whether or not the problem on the street is solved.”).

25. See Kelling and Coles, *Fixing Broken Windows...*, 22–23 (1996).

26. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 4 (August 1994). See also William A. Geller, “As A Blade of Grass Cuts Through Stone: Helping Rebuild Urban Neighborhoods Through Unconventional Police-Community Partnerships,” at 17 (1997) (“In a brief review of literature on crime control in public housing, Jack Greene concluded: ‘Cumulatively, these studies suggest that “community building” as a strategy for addressing crime and disorder problems has promise.’”).

27. David Cole, *No Equality: Race and Class in the American Criminal Justice System* 190 (1999) (“[W]e must rethink our approach to criminal justice and develop what I will call a community-based criminal justice policy. Its first principle would be that all criminal justice decisions must take seriously the role that a cohesive community plays in deterring and preventing crime. A community-based criminal justice policy would adopt measures that support rather than destroy communities. Instead of building more prisons, imposing longer sentences, and incarcerating more criminals, it would focus on reinforcing the community ties that deter crime in the first place, encouraging community associations, involving the community in punishment and rehabilitation, using alternatives to incarceration wherever consistent with community safety, and reintegrating offenders into society.”).

28. Jack R. Greene, “Communities and Crime: Reflections on Strategies for Crime Control,” at 47 in National Institute of Justice, *What Can the Federal Government Do To Decrease Crime and Revitalize Communities?*, January 5–7, 1998 Panel Papers (“Such an approach will require that we focus not on offenders, victims, and crimes exclusively but also on children, families, and communities, providing interventions that strengthen individual and collective capacity to resist criminal behavior.”).

29. See David Cole, *No Equality...*, 192 (1999).

30. David Cole, *No Equality...*, 192 (1999).

31. See Susan Sadd and Randolph M. Grinc, “Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities,” at 8 *National Institute of Justice* (February 1996) (In case study of eight cities piloting neighborhood-oriented policing projects, “[m]ost police officers defined ‘real’ police work as work involving crime-related tasks.”). Cf. Jack R. Greene, “Communities and Crime: Reflections on Strategies for Crime Control,” at 46 in National Institute of Justice, *What Can the*

Federal Government Do To Decrease Crime and Revitalize Communities?, January 5–7, 1998 Panel Papers (“Although we often do not see it directly as such, effective crime prevention is about building and sustaining relationships in community settings. The presence or absence of relationships within neighborhoods and communities has been suggested as greatly affecting disorder and crime. Strengthening the community’s involvement in and capacity to sustain local crime prevention efforts should become a central goal of any community crime prevention initiative.”); David Cole, *No Equal Justice: Race and Class in the American Criminal Justice System* 202 (1999) (“The preventive elements of the [community-based criminal justice] policy—community policing, incentives to remain in school, youth activities—seek to stop crime before it happens.”); Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 6 (1999) (“problem solving is about preventing problems from resurfacing in the future, not just about submerging them today.”).

32. Robert C. Trojanowicz and Mark H. Moore, “The Meaning of Community in Community Policing,” *The National Center for Community Policing* (1998).

33. Matthew Purdy, “Our Towns; Extending a Hand, Not Cuffs,” *The New York Times* (02/02/00). See also U.S. Department of Justice, *Community Policing: A Survey of Police Departments in the United States*, at 6 (1994) (“As part of providing full-service policing, community policing balances reactive responses to crime incidents and emergencies with a proactive focus on preventing problems before they occur or escalate.”), and at 6 (“Community policing maintains a strong law enforcement focus; [community police officers] answer calls and make arrests like any other officer, but they also focus on proactive problem-solving.”); John E. Eck and Dennis P. Rosenbaum, “The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing,” at 7 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“These [traditional] functions—crime control, emergency aid, nonemergency services, and justice—have not been discarded by community policing advocates. Instead community policing rearranges priorities among functions and adds new ones.”).

34. See William A. Geller, “As A Blade of Grass Cuts Through Stone: Helping Rebuild Urban Neighborhoods Through Unconventional Police-Community Partnerships,” at 1 (1997) (“While the federal government’s ‘Weed and Seed’ program has begun recently to enable or inspire some promising programmatic efforts, for much of its life Weed and Seed has been an intriguing metaphor waiting to happen more than halfway. The program has, indeed, helped some communities to thin their gardens of people (and conditions) contributing to crime, disorder, and fear. It’s the seeding that has been dubious.”); Michael E. Bueger, “The Limits of Community,” at 271 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“Proponents may correctly argue that it is impossible to engage in cohesion-building while under siege and that system responses are necessary to clear the ground for planting seeds of hope, but experience teaches us that the seeds only rarely take root.”).

35. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell*

Clark Foundation, at 31–32 (March 27, 1998) (“The point is not that harsh and swift punishment is an inherently inappropriate tactic; it is that all tactics—whether considered hard or soft—should be used where they will do the most good and achieve the greatest justice. As Travis puts it, ‘The choice between prevention and police and punishment—which is the way our policy debates are often framed—is a false choice.’ There will never be consensus, but there is considerable evidence that stringent punitiveness in the wrong types of cases is both criminogenic and fiscally irresponsible.”).

36. See Geller, *Supporting Community Policing...*, at 32 (March 27, 1998).

37. “In 1989, the high-profile murder of Carol Stuart—a pregnant white woman—created a wave of terror, as the Boston police descended on inner-city neighborhoods in their search for a ‘young black male’ suspect. Mrs. Stuart turned out to have been murdered by her own husband, who had fabricated the description. The police tactics in the Stuart investigation, along with the stop-and-frisk policies of the Citywide Anti-Crime Unit here, provoked such outrage among African Americans that the city was forced to disband the unit and change its strategy.” Orlando Patterson and Christopher Winship, “Boston’s Police Solution,” *The New York Times* (03/03/99).

38. Interview with Claudia Owumi, Quincy Geneva Housing Corporation (10/19/00).

39. William A. Geller, “As A Blade of Grass Cuts Through Stone: Helping Rebuild Urban Neighborhoods Through Unconventional Police-Community Partnerships,” at 4 (1997) (emphasis in original).

40. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 33 (March 27, 1998) (“It helps problem-solvers keep in mind that, whenever possible, their solutions should not undermine community development opportunities and capacities.”).

41. Geller, *Supporting Community Policing...*, at 33 (March 27, 1998).

42. See William A. Geller, “As A Blade of Grass Cuts Through Stone: Helping Rebuild Urban Neighborhoods Through Unconventional Police-Community Partnerships,” at 15 (1997).

43. William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 10 (March 27, 1998).

44. See Michael E. Bueger, “The Limits of Community,” at 272 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“[T]he catalyst role of the police—both in terms of their ability to mobilize citizen participation and in their greater leverage with other agencies—may conceivably tip the balance in a positive direction.”).

45. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 28 (August 1994) (“Law enforcement agencies alone do not have the resources to address all contemporary problems; however, community policing can be a catalyst for mobilizing resources at the national, state, and local levels to impact these problems more successfully.”); Robert C. Wadman and Robert K. Olson, *Community Wellness: A New Theory of Policing*, at 52–53 (Police Executive Research Forum, 1990) (“The neighborhood must have the support of an organized government entity that will take a

nonpartisan leadership role in addressing the condition that is affecting the wellness level of that neighborhood. That entity is the police. The police have the resources to collect data and the public forum necessary to spearhead the development of neighborhood groups and to support and guide them in the quest for community wellness.”).

46. Robert C. Trojanowicz and Mark H. Moore, “The Meaning of Community in Community Policing,” *The National Center for Community Policing* (1998) (“The police are the only governmental agency open 24 hours a day, which makes them the ideal public agent to begin regenerating community spirit.”).

47. Interview with Mark Scott, Ella J. Baker House (10/18/00).

48. Joan Walsh, *Stories of Renewal: Community Building and the Future of Urban America*, at vi (1996) (defining one of the eight principles of National Community Building Network members: “forge partnerships through collaboration”).

49. See U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 21 (August 1994) (“The problem-solving process relies on the expertise and assistance of an array of social and government agencies and community resources.”); Susan Sadd and Randolph M. Grinc, “Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities,” at 11–12 *National Institute of Justice* (February 1996) (“Traditional enforcement strategies—e.g., making arrests, filing reports, and issuing summonses—do not involve public agencies other than the police. But many problems cannot be solved through traditional means alone and require input from other agencies and from community residents. This is especially true of quality-of-life problems (such as abandoned cars, noise, graffiti, and other signs of neighborhood disorder and decay.”); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 3 (March 27, 1998) (“Multi-lateral collaboration (including other government agencies and any of a wide array of private organizations and institutions) is an inherent component of most problem-oriented policing because it is a rare community-based problem which is best and most enduringly addressed solely by the police.”). See also Joan Walsh, *Stories of Renewal: Community Building and the Future of Urban America*, at ii (1996) (“Community building assumes that associations within a geographic area are important for community well-being; that bringing together a broad spectrum of stakeholders will provide a better understanding of problems; that sustainable solutions are based on knowing the facts, building on assets, and having a shared vision of improvement; and that an independent community-based capacity for analysis, planning, and convening is essential for success.”).

50. John E. Eck and Dennis P. Rosenbaum, “The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing,” at 14 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994). See also Susan Sadd and Randolph M. Grinc, “Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities,” at 17 *National Institute of Justice* (February 1996) (“community policing involves crime prevention and quality-of-life issues, not all of which fall within the purview of the police”).

51. See Wesley G. Skogan, "The Community's Role in Community Policing," *National Institute of Justice Journal*, Issue No. 231 (August 1996) ("Research that has examined participation in crime prevention programs has revealed that in disadvantaged neighborhoods it is not easily initiated or sustained. Crime and fear stimulate withdrawal from, not involvement in, community life. In crime-ridden neighborhoods, mutual distrust and hostility often are rampant; residents may view each other with suspicion rather than neighborliness, and this undermines their capacity to forge collective responses to local problems. Because they fear retaliation by drug dealers and neighborhood toughs, programs requiring public meetings or organized cooperation may be less successful in areas with high levels of fear."); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 15 (March 27, 1998) ("[O]f all the implementation challenges facing community policing, the most difficult seem to be educating and mobilizing community groups and individual residents—especially in high-crime, low-income, poorly organized, and fear-ridden communities—to participate actively, in concert with police, in safeguarding their neighborhoods against crime.").

52. See Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 24 (1999) ("Assumptions about the community's initial willingness to play a role in problem solving can be arrived at too casually. Police and neighborhood residents may have a history of not getting along with each other.... Residents may fear that more hands-on policing could result in harassment and indiscriminate searches."); Susan Sadd and Randolph M. Grinc, "Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities," at 13–14 *National Institute of Justice* (February 1996) ("A large number of the community residents indicated that a major reason for lack of involvement or even outright hostility was the historically negative relationship between the police and residents of economically disadvantaged communities. Such relationships... will not be easily changed.").

53. See Wesley G. Skogan, "The Community's Role in Community Policing," *National Institute of Justice Journal*, Issue No. 231 (August 1996) ("There also may be no reason for residents of crime-ridden neighborhoods to think anything about community policing, except 'here today, gone tomorrow.' Too often their past is strewn with broken promises and programs that flowered but then wilted when funding dried up or newspapers looked the other way. They are rightly skeptical that it will be any different this time, especially when they discern that the police officers they deal with are not fully committed to the program.").

54. Skogan, "The Community's Role in Community Policing."

55. See Skogan, "The Community's Role in Community Policing" ("Organizations representing the interests of community members also may not have a track record of cooperating with the police.... Since their constituents often fear the police, groups representing low-income and minority areas may be more interested in monitoring police misconduct and pressing for greater police accountability to civilians, not in getting involved with them.").

56. William A. Geller, *Supporting Community Policing as an*

Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation, at 15 (March 27, 1998).

57. See John E. Eck and Dennis P. Rosenbaum, "The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing," at 15 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) ("It can be more efficient not to involve the community. Police are especially likely to act this way in disorganized neighborhoods with little political clout and where knowledge of how to access government agencies is limited.").

58. See U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 16 (August 1994) ("The effective mobilization of community support requires different approaches in different communities. Establishing trust and obtaining cooperation are often easier in middle-class and affluent communities than in poorer communities, where mistrust of police may have a long history. Building bonds in some neighborhoods may involve supporting basic social institutions (e.g., families, churches, schools) that have been weakened by pervasive crime or disorder.").

59. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 15 (March 27, 1998).

60. Local Initiative Support Corporation's Community Security Initiative, "Strategic Growth Plan: A Build-Out of LISC's Safety Programming," at 1–2 (October 1998). "Local Initiative Support Corporation's mission is to assist community development corporations (CDCs) in their efforts to transform distressed neighborhoods into healthy communities. LISC believes that CDCs are the best vehicles to achieve lasting and positive community change for the benefit of low- and moderate-income people. These groups are accountable to local residents and engage in a wide range of physical, economic, and human development activities. By marshaling private sector resources and extending financial and technical support to CDCs, LISC enables residents to set their own priorities and shape the process of community renewal." <http://www.liscnet.org/>.

61. See generally Kennedy School of Government Case Program, *Community Development and Community Policing in Seattle's Chinatown-International District: Part A* (1999); Kennedy School of Government Case Program, *Community Development and Community Policing in Seattle's Chinatown-International District: Part B: The Community Action Partnership Begins* (1998); David Thacher, *The Community Security Initiative: Lessons Learned* (July 2000).

62. Interview with Mark Scott, Ella J. Baker House (10/18/00).

63. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 16 (March 27, 1998) (Quoting Nicholl: "[M]ost police officers still lack firsthand experience of dealing with members of the public as equal players in maintaining law and order. They are more usually cast as victims, witnesses, offenders, or sources of information.") (emphasis in original); Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 229 (1999) (discussing Chicago experience with beat meetings: "Police dominated any discussions of neighborhood problems, and 75 percent of the actions reported at the meetings had

been taken by police.”).

64. Geller, *Supporting Community Policing...*, at 10 (March 27, 1998).

65. See Herman Goldstein, *Problem-Oriented Policing* 121 (1990) (“Community organizing of all types—especially of hard-to-organize groups—requires special skill. If police come to depend more heavily on community organization, the officers involved ought to have the benefit of the experience and relevant training developed in other areas in which community organization has been important.”); Susan Sadd and Randolph M. Grinc, “Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities,” at 17 *National Institute of Justice* (February 1996) (“The evaluation findings indicate that neighborhood organizing is a skill the police will want to develop if they hope to involve the community.”). *But see* John E. Eck and Dennis P. Rosenbaum, “The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing,” at 8 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“[T]here is concern on the part of both the police and community leaders about whether police should be in the business of organizing communities, given the complex politics represented by diverse ethnic and racial needs.”).

66. Wesley G. Skogan, “The Community’s Role in Community Policing,” *National Institute of Justice Journal*, Issue No. 231 (August 1996) (“Train citizens, not just police. The public needs to know what they can expect from the police and what they themselves can contribute to coordinated neighborhood problem-solving efforts.”); Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 29 (1999) (“Another important part of the ‘organizational infrastructure’ supporting problem solving was training. One of the most distinctive features of Chicago’s program was that there were training programs for neighborhood residents as well as for police officers. Without this training, both groups would have fallen back on their old expectations and habits and thus could not have made very effective use of the new problem-solving resources that were created for the program.”); Wesley G. Skogan, “The Community’s Role in Community Policing,” *National Institute of Justice Journal*, Issue No. 231 (August 1996) (“Residents are unlikely to understand community policing’s goals and tactics. Vera Institute researchers found in their eight-city study that none of the cities had recognized the need to train residents in their appropriate roles. They concluded, “[A]ny potential for the success of community policing will be limited if major commitments to community education and training are not forthcoming.”).

67. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 15 (March 27, 1998) (“One key ingredient in mobilizing communities, the Eisenhower Foundation argues, is adequately funding the community side of public-private crime control and community improvement initiatives. Such funding can help persuade and enable powerless and disenfranchised people, harboring historical reservations about police fairness and decency, to put a cautious toe in the collaborative waters of community policing.”); Warren Friedman, “Grassroots and Persistent: The Chicago Alliance for Neighborhood Safety,” *National Institute of Justice Journal*, Issue

No. 231 (August 1996) (“Training is crucial, but without stable community organizations with adequate resources, even twice the training time may be inadequate to build the volunteer base necessary to sustain and make community policing a powerful crime-fighting and prevention strategy.”).

68. See, e.g., Statement by Thomas C. Frazier, Director of the Office of Community Oriented Policing Services, Before the House Judiciary Subcommittee on Crime, October 28, 1999 (over a five-year period, the COPS Office awarded over \$6 billion in grants to law enforcement agencies to implement and further community policing strategies).

69. See Susan Sadd and Randolph M. Grinc, “Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities,” at 17–18 *National Institute of Justice* (February 1996) (“At least initially, community policing will require more resources. That means jurisdictions will find themselves faced with committing to larger budgets in an increasingly harsh fiscal climate. This need highlights the importance of involving other agencies. Not only are they essential to the problem-solving approach to policing, but resource constraints on police departments make them even more valuable because their involvement provides the opportunity to leverage additional expertise and resources.”).

70. See John E. Eck and Dennis P. Rosenbaum, “The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing,” at 14 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“Bolstering the capacities of others can help the police become more effective without requiring proportional increases in police-controlled resources.”).

71. William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 10 (March 27, 1998) (emphasis in original).

72. Michael Crowley, “The false trade-off,” *salon.com*, www.salon.com/news/feature/1999/04/27/boston/print.html (04/27/99).

73. Joan Walsh, *Stories of Renewal: Community Building and the Future of Urban America*, at vi (1996) (defining one of the eight principles of National Community Building Network members: “Start from local conditions”).

74. See Herman Goldstein, *Problem-Oriented Policing* 160 (1990) (“[W]hile some problems can be viewed as citywide and relatively uniform wherever they occur, most have a local character to them or may even be unique to a specific beat. It requires officers close to a community to identify them and to deal with them.”); George L. Kelling and Catherine M. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* 160 (1996) (“[P]roblems are most often local—requiring identification and crafting of responses at this level.”). See also Henry I. DeGeneste and John P. Sullivan, “Policing a Multicultural Community,” *Fresh Perspectives: A Police Executive Research Forum Publication*, at 17 (July 1997) (“No police officer can effectively address a community’s needs if she or he does not understand the cultural traditions, mores, and values of that community. Such understanding is a cornerstone of beat awareness and essential to formulating collaborative problem-solving activities—if not for recognizing problems in the first place.”).

75. See U.S. Department of Justice, Office of Justice Programs,

Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 18 (August 1994) (“Determining the underlying causes of crime depends, to a great extent, on an in-depth knowledge of community. Therefore, community participation in identifying and setting priorities will contribute to effective problem-solving efforts by the community and the police.”); Stephen D. Mastrofski and Jack R. Greene, “Community Policing and the Rule of Law,” at 85 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd & Craig Uchida, eds. 1993) (“Community contributions to police governance can be made in three ways: identifying problems (agenda setting), establishing priorities, and selecting methods to handle those problems.”); John E. Eck and Dennis P. Rosenbaum, “The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing,” at 9 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“Ideally, problem solving needs a high level of community engagement to identify problems, to develop an understanding of the particular circumstances that give rise to them, to craft enduring preventive remedies, and to evaluate the effectiveness of the remedies.”).

76. See Stephen D. Mastrofski and Jack R. Greene, “Community Policing and the Rule of Law,” at 93 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd & Craig Uchida, eds. 1993) (discussing “challenge of stimulating actual community voice rather than achieving co-optation”).

77. Mastrofski and Greene, “Community Policing and the Rule of Law,” ... 87–88 (David Weisburd & Craig Uchida, eds. 1993). The authors go on to point out the benefits of even advisory-only community input: “Although advisory in nature, community input in the selection of police tactics and strategies has the potential of actually improving police legitimacy as well as community relations. First, the a priori discussion of tactics and strategies provides time for a reasoned consideration of potentially negative impacts. For example, if a neighborhood sweep is to be implemented, some consideration of who might be caught in such a sweep, and at what cost to the law-abiding community, is more likely to occur in a beforehand discussion with the community. Second, public discussion of police methods forces the police to rethink them.... Finally, a neighborhood engaged in a dialogue with its police may come to hold a better appreciation for the constraints the law places on officers.” *Id.* at 88–89.

78. See Wesley G. Skogan, “The Community’s Role in Community Policing,” *National Institute of Justice Journal*, Issue No. 231 (August 1996) (“The support of the public must be won, not assumed. Police need to be responsive to citizens’ concerns, and they have to be able to deliver on community policing’s commitment to neighborhood problem solving. Responsiveness requires organizational design: There have to be regular and widely recognized channels by which the public can articulate its concerns and priorities, and there has to be assurance that someone who is responsible for responding at the police end is listening carefully.... People will come back to meet with police again if they see that concrete things happen as a result of their attendance.”); U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 5

(August 1994) (“Only when community members believe the police are genuinely interested in community perspectives and problems will they begin to view the police as a part of that community.”); Stephen D. Mastrofski and Jack R. Greene, “Community Policing and the Rule of Law,” at 96 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd & Craig Uchida, eds. 1993) (“Community policing creates an organization commitment to solicit community input on how to police. There is then a legitimate expectation in the community that the police will carefully consider that input and be responsive to it inasmuch as the law, professional judgment, and overarching jurisdiction-wide constraints allow.”); Stephen D. Mastrofski and Jack R. Greene, “Community Policing and the Rule of Law,” at 92–93 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd & Craig Uchida, eds. 1993) (After discussing fact that some approaches to community involvement are to use community organizations to manipulate neighborhood opinion and overwhelm objections to police practice, or to sell package to public or manage public, basically convince community that its priorities are the department’s and to essentially co-opt.... “When residents believe that they are being ‘used’ by the police for the department’s ends, they not only withdraw from participation but become more vocal in their criticism as well. Absent a voice and declining in loyalty, residents exit these programs and become sometimes formidable opponents to the department.”); John Crew, “Community Policing vs. Policing the Community,” *HRO News*, at 7 (February/March 1999) (“A true community policing partnership would involve full exploration of all possible options with the community and joint decision-making about priorities, deployment, and tactics.... By limiting the options presented to the community or by providing only partial information, police can manipulate their partners into endorsing decisions that are in law enforcement’s narrow interests.... Partners who feel ‘used’ quickly look for a way out of the partnership.”).

79. Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 225–226 (1999) (emphasis in original).

80. Skogan et al., at 25.

81. See, e.g., Skogan et al., at 226 (“Should police beats be redrawn to more closely reflect current race and class boundaries, or is diversity—and especially the process of citizens confronting the issue it raises—actually something to be encouraged? How should police respond when gentrifiers try to use them to drive out poor residents and encourage more of their own to take up residence when their individual complaints are often valid? Should community members have a major say in how and where new beat and district boundaries are drawn?”).

82. See George L. Kelling and Catherine M. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* 160 (1996) (“Because problems are most often local—requiring identification and crafting of responses at this level—authority must be devolved to lower levels of the police organization if a department is to be responsive to neighborhood needs. Beats, areas, and/or districts should therefore be congruent with neighborhood and community boundaries and police personnel should be

assigned to such geographical units on a relatively stable basis.”); U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 13 (August 1994) (“Beats should be configured in a manner that preserves, as much as possible, the unique geographical and social characteristics of neighborhoods while still allowing efficient service.”).

83. Interview with Jerry Sanders, former Chief of Police, San Diego Police Department (08/10/00).

84. *Ibid.*

85. Interview with Captain Bruce Pfefferkorn, San Diego Police Department (08/10/00).

86. See U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, *Understanding Community Policing: A Framework for Action*, at 5 (August 1994) (During the reform era and professionalization of policing, “[p]olice managers assigned officers to rotating shifts and moved them frequently from one geographical location to another to eliminate corruption.”). See also Herman Goldstein, *Problem-Oriented Policing* 10 (1990) (“In the effort to make the police apolitical, the police were sometimes cut off from all accountability to the public. In the desire to achieve effective controls over their personnel, administrators often destroyed important contacts with members of the community.... And to achieve a high level of efficiency, operating procedures were adopted that, in retrospect, irritated citizens on whose cooperation the police depend and reduced the effectiveness of the police in meeting community expectations....”), and at 159 (“Upon reflection, the move to centralize control and standardize procedures greatly undervalued the importance in policing of knowledge about the specific community being policed. It also undervalued the importance of the type of relationship maintained with the community.”).

87. See U.S. Department of Justice..., at 23 (“Assignment stability of these neighborhood officers is also essential if they are to develop close working relationships within their communities....”); Susan Sadd and Randolph M. Grinc, “Implementation Challenges in Community Policing: Innovative Neighborhood-Oriented Policing in Eight Cities,” at 15 *National Institute of Justice* (February 1996) (“However, a great many residents also noted other, equally important criteria, one of which was better relationships among residents and the police, which often seemed to hinge on the idea of having long-term beat officers.”), and at 10 (“In contrast to conventional police work, which rotates officers in and out of districts according to a pre-arranged schedule, community policing builds the officer’s relationship with and accountability to the community in which he or she works through relatively permanent assignment to a specific geographic area.”).

88. See U.S. Department of Justice..., at 14 (“Officers working long-term assignments on the same shift and beat will become familiar figures to community members and will become aware of the day-to-day workings of the community.”).

89. Robert C. Trojanowicz and Bonnie Bucqueroux, “Community Policing and the Challenge of Diversity,” *The National Center for Community Policing* (1991).

90. Herman Goldstein, *Problem-Oriented Policing* 160 (1990). See also *id.* at 160 (“[W]hile some problems can be viewed as city-wide and relatively uniform wherever they occur, most have a local

character to them or may even be unique to a specific beat. It requires officers close to a community to identify them and to deal with them.”), and at 26–27 (“Given the current state of policing, the police, in my view, are most likely to engage productively with the community if they ... assign officers to areas for long enough periods of time to enable them to identify the problems of concern to the community...”).

91. See Robert C. Wadman and Robert K. Olson, *Community Wellness: A New Theory of Policing*, at i (Police Executive Research Forum, 1990) (“A foot patrol officer on a permanent beat knew which people he could trust and which to keep an eye on. His intimate knowledge of the dynamics of the neighborhood allowed him to tailor his response to the community’s needs and priorities.”); Robert C. Trojanowicz and Mark H. Moore, “The Meaning of Community in Community Policing,” *The National Center for Community Policing* (1998) (“The rapport engendered by having the same officer in the same geographic area every day facilitates a two-way information flow, where the officer receives input on community priorities in exchange for which the residents provide vital information. The officer becomes a ‘member’ of the community.”); Herman Goldstein, *Problem-Oriented Policing* 159–160 (1990) (“[T]he ability of the police to carry out their traditional function of fighting crime is heavily dependent on their familiarity with the area to which they are assigned—its streets and buildings; its people, their life-styles, and their culture. It is absurd to assume that a police officer without such familiarity can be other than minimally effective in identifying suspicious or criminal conduct in an area. See also Robert C. Trojanowicz and Bonnie Bucqueroux, “Community Policing and the Challenge of Diversity,” *The National Center for Community Policing* (1991) (Using the Jeffrey Dahmer case as an example, shows how being “enmeshed in the life of the community” helps to do a better job because a “Community Officer at least stands the chance of connecting all the dots—talks about the smells coming from Dahmer’s apartment, the gossip about the buzzing of an electric saw at night, his parole for a serious sexual offense, and the disappearance of the victim’s brother.”).

92. See Robert C. Trojanowicz and Bonnie Bucqueroux, “Community Policing and the Challenge of Diversity,” *The National Center for Community Policing* (1991) (“It is this kind of immediate, direct, and informal accountability to the people in the community, the true consumers of police service, that Community Policing provides. The personal interaction between people and police that Community Policing inspires not only robs the predators of the anonymity that they rely on to cloak their crimes, but it also means that the police cannot rely on anonymity to cloak their actions if they misbehave.”); Robert Trojanowicz, “Community Policing curbs police brutality” (“Community Policing allows the community to hold officers directly and immediately accountable for their actions. Community Officers cannot ‘hide’ their identity by putting tape over their nametags and badges. They also know that they will be forced to answer personally for whatever they do.”).

93. See Herman Goldstein, *Problem-Oriented Policing* 160 (1990) (“there is a growing feeling in police circles that an officer who is familiar with an area and its people is less likely to resort to force to control a situation than one who, foreign to an area, is suddenly injected into a situation in which he or she must decide if force

should be used"); George L. Kelling and Catherine M. Coles, *Fixing Broken Windows: Restoring Order and Reducing Crime in Our Communities* 98 (1996) ("where police do establish a presence in a neighborhood, connect with citizens there, building trust and lessening fear, the ability of police to control the public behavior of citizens without resorting to the actual use of force is greatly enhanced"), and at 97 ("For police themselves, the consequence of isolation has been the emergence of a siege mentality. Because they only interact to intervene in a serious crime, they have no other relationship with citizens. And whether it is during day-to-day confrontations or more serious disturbances, the alienation of officers from the communities they police interferes with the effective exercise of their basic authority, forcing police to rely inordinately on the use of force.... Many police tend to meet even the most modest resistance, indeed on occasion even to meet passivity, with preemptive coercive techniques—ordering, threatening, physical posturing, presenting weapons, and other such authoritative means.").

94. See Kelling and Coles, *Fixing Broken Windows...*, 98.

95. See U.S. Department of Justice, *Community Policing: A Survey of Police Departments in the United States*, at 6 (1994) ("Community policing requires assigning [community police officers] permanently (at least 18 months) to defined beats so that they have the time, opportunity, and continuity to develop the new partnership."); Herman Goldstein, *Problem-Oriented Policing* 160 (1990) ("This need can best be met through the ultimate form of decentralization in which officers are assigned permanently, for a minimum of several years, to a specific area [a practice now commonly referred to as maintaining beat integrity].").

96. See U.S. Department of Justice..., at 6 ("Permanency means that [community police officers] should not be rotated in and out of their beats, and they should not be used as 'fill-ins' for special assignments and absences of other personnel.").

97. Herman Goldstein, *Problem-Oriented Policing* 160–161 (1990).

98. See, e.g., Goldstein, *Problem-Oriented Policing* 30–31 ("Currently, officers in some agencies are being urged to commit themselves to community policing programs, but with no changes in the traditional criteria on which rewards and promotions are based, thereby reducing the likelihood that they will increase their eligibility, during their period of service, for the few rewards available in a police department."). In Chicago, "[d]uring 1992 and 1993, there was some discussion of identifying officers who were especially good at beat work and promoting them to a new rank of master patrolman that paid a salary differential, but this was opposed by both the mayor's budget analysts and the union, which opposes any pay gradation at the discretion of managers." Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 239 (1999).

99. Interview with Claudia Owumi, Quincy Geneva Housing Corporation (10/19/00).

100. Interview with Captain Bruce Pfefferkorn, San Diego Police Department (08/10/00).

101. See William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation*, at 29–30 (March 27, 1998) ("It is

wasteful and demoralizing for community groups or other government agencies to deal with a police organization in which the inevitable change of officers assigned to particular tasks or neighborhoods means going back to square one in exploring the potential for working partnerships and the tactics that might be used to address local problems."); Herman Goldstein, *Problem-Oriented Policing* 160 (1990) ("Much of the frustration in some of the early experiments stemmed from the reassignment of officers just when they had become deeply involved in working on local problems.").

102. See Robert C. Trojanowicz and Bonnie Bucqueroux, "Community Policing and the Challenge of Diversity," *The National Center for Community Policing* (1991).

103. See Herman Goldstein, *Problem-Oriented Policing* 161 (1990) ("If maintaining permanent beat assignments to both an area and a time of day is not possible, considerable effort must be invested in communications among officers serving the same area to ensure continuity and consistency in dealing with any problems being addressed."); David Thacher, *The Community Security Initiative: Lessons Learned* 34 (July 2000) ("we should ask what projects like the CSI can do to reduce undesirable turnover and, most important, how they can manage the transitions that do occur in ways that minimize their damage").

104. David Thacher, *The Community Security Initiative: Lessons Learned* 37 (July 2000).

105. *Ibid.*, p. 35 (July 2000). Dave Thacker of the Norfolk Police Department comments: "The community gets upset if one of [the officers] gets transferred out. Once they called the city manager's office because they wanted the officer back. They've written letters to the chief. They get attached ... because it's someone who knows what's going on, comes to their civic league meetings.... After the transition period, when the new officer gets introduced by the old officer, they're usually okay and see this is a good person too." Interview with Dave Thacker, Operations Officer for the Chief, Norfolk Police Department (04/02/01).

106. This section is based on interviews with Jerry Sanders, former Chief of Police (08/10/00); Captain Bruce Pfefferkorn, Personnel/Training Division (08/10/00); Sergeant Gary C. Jaus, Neighborhood Policing Unit (03/31/00 and 08/10/00); Sergeant Lori Bach, Recruiting/Backgrounds Unit (08/10/00), San Diego Police Department; and Reverend John Hughes, Director, Metro, United Methodist Urban Ministry (08/10/00). It is also based on Bob Burgreen and Nancy McPherson, "Implementing POP: The San Diego Experience," *The Police Chief* (October 1990); Kelly Thornton, "Neighborhood Police: Boon or Bane?" *San Diego Union Tribune*, A-1 (04/10/94); "A new kind of cop; new chief advocates neighborhood policing," *San Diego Union Tribune*, B-7 (05/13/93); Kelly Thornton, "Police Chief: The Beat Goes On—At 42, new chief has taken fast track to the top," *San Diego Union-Tribune*, B-1 (05/24/93); Ruth L. McKennie, "Cops and citizens forge an alliance; Personal touch helps the beat cop and the neighborhood," *San Diego Union-Tribune*, B-1 (07/06/95); William D. Eggers and John O'Leary, "The beat generation: community policing at its best," *Policy Review*, 10–12 (Fall 1995); San Diego Police Chief David Bejarano presentation, *Leading and Learning in a Problem Oriented Organization*; San Diego Police Department, *Neighborhood Policing: The Next Generation*; San Diego Police

Department, "Juvenile Enforcement Team: Truancy Abatement Project," 1999 Herman Goldstein Award for Excellence in Problem Oriented Policing; John E. Eck, "Alternative Futures for Policing," at 70 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd and Craig Uchida, eds. 1993); and George E. Capowich and Janice A. Roehl, "Problem-Oriented Policing: Actions and Effectiveness in San Diego," 140–145 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994).

107. Interview with Jerry Sanders, former Chief of Police, San Diego Police Department (08/10/00).

108. Interview with Sergeant Gary C. Jaus, Neighborhood Policing Unit, San Diego Police Department (08/10/00).

109. Interview with Jerry Sanders (08/10/00).

110. *Ibid.*

111. *Ibid.*

112. Interview with Captain Bruce Pfefferkorn, Personnel/Training Division, San Diego Police Department (08/10/00).

113. Interview with Jerry Sanders, former Chief of Police, San Diego Police Department (08/10/00).

114. Interview with Reverend John Hughes, Director, Metro, United Methodist Urban Ministry (08/10/00).

115. This section is based on interviews with Zinna Jacques, then Executive Director of the Ten-Point Coalition (February 1998); Blake Norton, Operations Director, Public Affairs Division, Boston Police Department (10/13/00); Mark Scott, Ella J. Baker House (10/18/00); and Claudia Owumi, Quincy Geneva Housing Corporation (10/19/00); and Boston Police Department, *Operation Cease Fire: Abstract*; Liz O'Connor, "Operation Night Light: A Police-Probation Partnership," *Community Policing Exchange*, Phase IV, No. 1, Issue 10 (September/October 1996); Michael Crowley, "The false trade-off," *salon.com*, www.salon.com/news/feature/1999/04/27/boston/print.html (04/27/99); Michael Jonas, "the Street Ministers," *CommonWealth* 37 (Fall 1999); U.S. Department of Justice, *Youth Violence: A Community-Based Response, One City's Success Story* (1996); David M. Kennedy, "Pulling Levers: Chronic Offenders, High-Crime Settings, and a Theory of Prevention," 31 *Valparaiso University Law Review* 449 (Spring 1997); Orlando Patterson and Christopher Winship, "Boston's Police Solution," *The New York Times* (03/03/99); Boston Police Department website, www.cityofboston.com/police; Police Executive Research Forum, "Faith-Based Partnerships and the Police," www.policeforum.org/faithbased.html; "City Mobilizes to Stem Gangs' Lure," *The Boston Globe* (03/27/98).

116. "In 1989, the high-profile murder of Carol Stuart—a pregnant white woman—created a wave of terror, as the Boston police descended on inner-city neighborhoods in their search for a 'young black male' suspect. Mrs. Stuart turned out to have been murdered by her own husband, who had fabricated the description. The police tactics in the Stuart investigation, along with the stop-and-frisk policies of the Citywide Anti-Crime Unit here, provoked such outrage among African Americans that the city was forced to disband the unit and change its strategy." Orlando Patterson and Christopher Winship, "Boston's Police Solution," *The New York Times* (03/03/99).

117. "At the May 1992 funeral of a 20-year-old Boston gang

member, a dozen hooded kids from a rival gang rushed into Morning Star Baptist Church in Mattapan, firing on mourners and stabbing a teenager nine times. Days later, 300 local ministers met at the church to come up with a way to address drug and gang epidemics in the city's minority neighborhoods." Michael Crowley, "The false trade-off," *salon.com*, www.salon.com/news/feature/1999/04/27/boston/print.html (04/27/99). The result was the Ten-Point Coalition, an ecumenical group of Christian clergy and lay leaders that paved the way for a collaborative working relationship with the police department. The Coalition has partnered with the BPD in a number of ways, including holding forums as a way to introduce community members to police officers; working with community members to help surface information on crimes that have occurred; sponsoring youth and police leadership awards; conducting home visits for at-risk youth; and developing court advocacy and mentoring programs.

118. Interview with Claudia Owumi, Quincy Geneva Housing Corporation (10/19/00).

119. Interview with Mark Scott, Ella J. Baker House (10/18/00).

120. Interview with Claudia Owumi, Quincy Geneva Housing Corporation (10/19/00).

121. Interview with Mark Scott, Ella J. Baker House (10/18/00).

122. David A. Harris, *Data Collection: The First Step in Coming to Grips with Racial Profiling: Hearing on Racial Profiling Within Law Enforcement Agencies* (03/30/00).

123. This section is based on William A. Geller, *As A Blade of Grass Cuts Through Stone: Helping Rebuild Urban Neighborhoods Through Unconventional Police-Community Partnerships* (July 12, 1997); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation* at 31 (March 27, 1998); Kennedy School of Government Case Program, *Community Development and Community Policing in Seattle's Chinatown-International District: Part A* (1999); Kennedy School of Government Case Program, *Community Development and Community Policing in Seattle's Chinatown-International District: Part B: The Community Action Partnership Begins* (1998); David Thacher, *The Community Security Initiative: Lessons Learned* (July 2000).

124. Kennedy School of Government Case Program, *Community Development and Community Policing in Seattle's Chinatown-International District: Part B: The Community Action Partnership Begins* 21–22 (1998).

125. This section is based on interviews with Deputy Chief Richard Briolo and Lt. Tom Wuennemann, Stamford Police Department (12/11/00), and Matthew Purdy, "Our Towns: Extending a Hand, Not Cuffs," *The New York Times* (02/02/00).

126. Interview with Deputy Chief Richard Briolo, Stamford Police Department (12/11/00).

127. Interview with Lieutenant Tom Wuennemann, Stamford Police Department (12/11/00).

128. Interview with Deputy Chief Richard Briolo, Stamford Police Department (12/11/00).

129. Matthew Purdy, "Our Towns: Extending a Hand, Not Cuffs," *The New York Times* (02/02/00).

130. Interview with Deputy Chief Richard Briolo, Stamford Police Department (12/11/00).

Community-Conscious Personnel Policies: Getting and Keeping the Right People

1. See, e.g., Community Policing Consortium (comprised of the International Association of Chiefs of Police [IACP], the National Organization of Black Law Enforcement Executives [NOBLE], the National Sheriffs' Association [NSA], the Police Executive Research Forum [PERF], and the Police Foundation), *Recruitment and Selection for Community Policing*, www.communitypolicing.org/recruit, at Section 3 ("Undoubtedly, the image and reputation of a police agency depends significantly on the quality of the personnel it is able to recruit and the quality of the service they deliver"); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 40 (3d ed. 1997) ("It is difficult to emphasize sufficiently the importance of recruitment, selection, and training. After all, a police agency is no better than those who perform the day-to-day tasks."); Mark L. Dantzker, *Understanding Today's Police* 232 (2d ed. 2000) ("The reputation of a police agency, how well it provides services, and its relationships with the community all greatly depend on the quality of its personnel."); Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management* (06/01/95) ("Since lateral entry is rare, applicants hired as recruits later become the applicant pool for supervisory positions within their department. This means that the effectiveness of methods used for selecting recruits has important implications for the future leadership of that particular police department."); Herman Goldstein, *Policing a Free Society* 257 (1990) ("One of the basic tenets of police reformers is that raising the quality of personnel is the key to improved police functioning.").

2. See, e.g., Henry I. DeGeneste and John P. Sullivan, "Policing a Multicultural Community," at 16, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) ("Ethnic, racial, and gender diversity in the police ranks is an essential ingredient"); Herman Goldstein, *Problem-Oriented Policing*, at 166 (1990) ("it is ... important that a police agency's composition reflect the community policed"); Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 6 ("Police departments need to parallel the structure of the demographic composition of their communities. This is even more critical with a shift in role to community policing.").

3. See, e.g., San Francisco County Sheriff Michael Hennessey, *Law Enforcement News* 8, 13 (02/28/89) ("We recruit women and minority candidates because it is right. And we recruit women and minorities because it makes us a better, more effective Sheriff's department."); Herman Goldstein, *Policing a Free Society* 270–271 (1990) ("While a police administrator must be convinced of the importance in attracting minority members into police work simply as a matter of fairness, there are indeed a number of other reasons for recruiting them. If a chief is of the view that the quality of police service depends on an officer's knowledge of the specific neighborhood he polices—its values and customs—it follows that he should have in his department individuals drawn from the racial and ethnic groups represented in the city. These minority members would serve a further, perhaps even more important, purpose. The presence of

increased numbers of minority police officers on a police agency and the interrelationships which it fosters can be the most effective means the agency has for developing understanding, combating prejudices, and curbing practices offensive to minority groups. No training program can possibly work as well as this day-to-day contact among peers to break down the barriers and hostilities between different cultures."); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* at 5 (October 1981) ("It is axiomatic that a police force representative of its community will enjoy improved relations with the community and will, consequently, function more effectively.... Serious underutilization of minorities and women in local law enforcement agencies continues to hamper the ability of police departments to function effectively in and earn the respect of predominantly minority neighborhoods."); Chief Rick TerBorch, Arroyo Grande Police Department, "Community Oriented Policing Revisited: A Presentation Made to the League of California Cities Annual Conference," at 6 (Long Beach, 1998) ("In order to be viewed as part of the community, the organization's staffing should reflect the community's culture/ethnic composition."); Henry I. DeGeneste and John P. Sullivan, "Policing a Multicultural Community," at 18, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) (presence of bilingual and multilingual officers allows department to schedule officers who speak the languages of a particular neighborhood to ensure community access).

4. See Mark L. Dantzker, *Understanding Today's Police* 233 (2d ed. 2000) ("Public perception of the police is generated by the behavior, attitude, and general characteristics of police officers. For a police agency to sustain a good reputation, it must employ individuals whose actions will stimulate a positive response from the public. This is particularly important when citizens' perceptions are often the result of a one-time or first-time contact with a police officer."); Donna C. Hale & Mark Lanier, "The Next Generation: Women in Policing in the Twenty-First Century," at 395 (discussing research on the function of police which concluded that police work is actually more service oriented than law enforcement) in Roslyn Muraskin & Albert R. Roberts, *Visions for Change: Crime and Justice in the Twenty-First Century* (2d ed. 1999); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 28 (October 1981) quoting Project STAR, *The Impact of Social Trends on Crime and Criminal Justice* 43 (1976) ("Empirical studies of police behavior show that the average police officer spends more time performing a wide variety of social services than he spends in the pursuit of criminals."); Joan Pynes & H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," *20 Journal of Criminal Justice* 41, 42 (1992) ("Research on police work indicates the need for strong interpersonal skills."); Community Policing Consortium, *Recruitment and Selection for Community Policing*, www.communitypolicing.org/recruit, at Section 3 ("The absence of these critical skills [e.g., human skills, listening, communication, service orientation] in a policing environment where officers and managers are going to be expected to improve and build upon their interaction with each other and their communities is a profound and serious difficulty.").

5. See Community Policing Consortium, *Recruitment and Selection for Community Policing*, www.communitypolicing.org/recruit, at

Section 1 ("The issue that should be beyond question is the need for all police agencies to recruit and promote the 'best' people. 'Best' is of course a subjective term which can only be defined in relation to the work that the person is to perform."); David L. Carter and Allen D. Sapp, "Police Education and Minority Recruitment: The Impact of a College Requirement," at 26 *Police Executive Research Forum* (1991) ("Police departments need to examine personnel practices to see if they are meeting the desired ends of attracting and selecting the best possible people to become police officers.").

6. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 6 ("[F]iring incompetents is a costly and lengthy process. Once appointment is secure, it is a job for life barring disciplinary or medical discharge. All the more reason why the recruitment and selection process must be managed and right."), and at Section 7 ("Recruiting and selecting the wrong people is expensive, wasteful, and could destroy community policing."); Ronald G. Lynch, *The Police Manager: Professional Leadership Skills* 163 (3d ed. 1986) ("One of the surest ways of reducing the potential for lawsuits is to do everything possible to staff the police department with the best possible people."); David L. Carter and Allen D. Sapp, "Police Education and Minority Recruitment: The Impact of a College Requirement," at 26–27 *Police Executive Research Forum* (1991) ("employing simple short-term [personnel] programs that neither encourage nor select the best possible candidates can create geometrically greater costs over the long term"); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 70 (3d ed. 1997) ("In the short term, the expenses are great, but, in the long term, the training and its related costs are beneficial.") See, e.g., Kevin Flynn, "Record Payouts in Settlements of Lawsuits Against the New York City Police Are Set for Year," *New York Times* (October 1, 1999) (in one year, New York City paid out \$40 million to resolve legal claims alleging police misconduct); Larry Neumeister, "NYC Paying \$1.87M to Police Victims," *AP Online* (03/08/00) ("city agreed Wednesday to pay a total of \$1.87 million to three young men shot in Harlem by police officers investigating a shooting").

7. Police Foundation, www.policefoundation.org/docs/rams.html.

8. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("Recruitment is about reaching the widest possible group of individuals from a variety of backgrounds, social classes, and experience who profess to have an interest in joining a police agency and encouraging them to submit an application, i.e., attracting a broad number of applications right across the labor pool.").

9. See, e.g., Statement by Thomas C. Frazier, Director of the Office of Community Oriented Policing Services, Before the House Judiciary Subcommittee on Crime on October 28, 1999 ("In Baltimore, 93 percent of candidates were eliminated in the application process.").

10. See, e.g., Henry I. DeGeneste and John P. Sullivan, "Policing a Multicultural Community," at 16, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) ("Ethnic, racial, and gender diversity in the police ranks is an essential ingredient"); Herman Goldstein, *Problem-Oriented Policing*, at 166 (1990) ("it is ... important that a police agency's composition reflect the community policed"); Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 6

("Police departments need to parallel the structure of the demographic composition of their communities. This is even more critical with a shift in role to community policing."); David C. Couper, "How to Rate Your Local Police," at 15, *Police Executive Research Forum* (1983) ("The police agency should be representative of the community it serves. It should include proportionate numbers of racial and ethnic minorities, not only to correct past inequities, but also to demonstrate to minority communities that police authority is legitimate and should not be antagonistic.").

11. Herman Goldstein, *Policing a Free Society* 270–271 (1990). See also San Francisco County Sheriff Michael Hennessey, *Law Enforcement News* 8, 13 (02/28/89) ("We recruit women and minority candidates because it is right. And we recruit women and minorities because it makes us a better, more effective Sheriff's department."); Douglas W. Perez, *Common Sense About Police Review* 204 (1994) ("In their 1975 study of seventeen cities, Peter Rossi, Richard Berk, and Betty Edison found a strong link between the attitudes of chiefs of police toward blacks and the amount of aggressiveness exhibited by police officers in black areas. Presumably, a police chief's positive attitude toward departmental integration may translate, over time, into an understanding among street troops of his or her charge to developing police responsiveness to inner-city peoples. A commitment to affirmative action might thus be an indirect commitment to police accountability. Observing this and understanding its potential significance for police accountability, the chief must be expected to be on the cutting edge of calls for integrated, ethnically representative police systems.").

12. See, e.g. U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* at 5 (October 1981) (finding that representative police departments enjoy better community relations and are better equipped to earn the respect and trust of predominantly minority neighborhoods than those that are not); Henry I. DeGeneste and John P. Sullivan, "Policing a Multicultural Community," at 17, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) (to the extent that racial and ethnic distrust or fear of police is compounded by language and communication difficulties, the presence of greater numbers of bilingual officers helps the department to function more effectively in diverse communities).

13. Commentators have repeatedly remarked and some studies have shown that women officers bring stronger communication and mediation skills to the department and are better able to defuse volatile situations with less use of force. See, e.g., Donna C. Hale & Mark Lanier, "The Next Generation: Women in Policing in the Twenty-First Century," at 396 in Roslyn Muraskin & Albert R. Roberts, *Visions for Change: Crime and Justice in the Twenty-First Century* (2d ed. 1999); Katherine Spillar, "Women in the Police Force," *Contemporary Women's Issues Database*, Vol. 10, pp. 30–33 (12/01/92); Mark L. Dantzker, *Understanding Today's Police* 263 (2d ed. 2000). But see William M. Timmins and Brad E. Hainsworth, "Attracting and Retaining Females in Law Enforcement: Sex-Based Problems of Women Cops in 1988," *International Journal of Offender Therapy and Comparative Criminology*, Vol. 33, No. 3, at 200 (December 1989) ("[W]hen asked if female officers are actually superior or better than male officers in certain kinds of police duties 20 percent [of the 500+ female officers surveyed] said 'yes'—settling family quarrels/disputes; while 17 percent said 'yes' in

working with female prisoners/juveniles. Obviously, the great share of female officers *do not* think an officer's sex makes any difference in how well duties are carried out. Smaller percentages of the respondents give females a superior edge in certain police tasks.") (emphasis in original).

See also Douglas W. Perez, *Common Sense About Police Review 202–203* (1994) ("[T]here is some limited information that suggests that hiring more women and ethnic minority group members may help to influence police behavior in a positive way. With respect to women in policing, for example, statistics gathered in New York indicate that female cops receive half the number of complaints that males [sic] cops do.... In terms of minority officers, complaint-generating propensities are congruent between white and nonwhite male police, that is, minority officers receive their share of complaints. But there is some evidence that in some locations black participation in policing, especially in managerial positions, has lessened community tensions and has led to 'a general decline in allegations of police brutality ... [and] lower crime all round.' Somewhat lower crime rates and more effective delivery of police services may be due to 'their [black officers] greater ability to cultivate and use informants in their community.'").

14. David L. Carter and Allen D. Sapp, "Police Education and Minority Recruitment: The Impact of a College Requirement," at 21 *Police Executive Research Forum* (1991).

15. See also Carter and Sapp, at 24–25 *Police Executive Research Forum* (1991) ("Bock, a well-known police training and management consultant, has suggested the following model.... 'Recognize that recruiting will be a priority for your department.... Select good people to the recruiting function—give them some status and give them the tools. Develop a marketing plan for recruiting that includes operational, tactical, and strategic objectives. Make sure recruiters are always looking for good prospects regardless of the current number of vacancies.... Consider the skills you really need to get the job done, especially in a department with community policing. Restructure the department when appropriate.'")

16. See Donna C. Hale & Mark Lanier, "The Next Generation: Women in Policing in the Twenty-First Century," at 403 in Roslyn Muraskin & Albert R. Roberts, *Visions for Change: Crime and Justice in the Twenty-First Century* (2d ed. 1999) ("successful police women should be used as recruiters to attract more women to the field"); Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("In the case of minority communities, use trained minority officers who are sensitive to and understand community relations issues and involve officers who have personal and professional contacts in minority communities.").

17. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating and Retaining Women Police Officers: Strategies That Work," at 44, *The Police Chief Magazine* (October 1998); Interview with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00).

18. New Haven Police Department Division of Training and Education, "Recruitment Outreach Campaign 1999" (Revised 03/01/99) at Recruitment Teams; Interview with Kay Codish, Director of Training and Education, New Haven Police Department (03/15/00). Cf. David L. Carter and Allen D. Sapp, "Police

Education and Minority Recruitment: The Impact of a College Requirement," at 21 *Police Executive Research Forum* (1991) ("recruiting is typically viewed as a low-priority function, with officers more frequently assigned to recruiting rather than being selected for the job") (emphasis in original).

19. Interview with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00).

20. Interview with Scott Nabel, Director of Human Resources, New Haven Police Department (03/17/00).

21. New Haven Police Academy and Division of Training and Education, "New Haven Police Department: Preventing Broken Windows 1999–2000," at 2.

22. See, e.g., Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("The Canadian experience is that the agencies most successful in improving representation of visible minorities had active, targeted recruiting drives and had exceeded the traditional means of reaching out to visible minority communities."); Lieutenant Eric Adams, "Some Challenges For New Commish," *NY Daily News*, 08/23/00 ("The recruitment process must be more than just handing out applications and spending millions on ineffective advertising campaigns. The NYPD must aggressively seek candidates from nontraditional meeting places in ethnic communities, such as corner bodegas, family reunions, picnics, domino games, Caribbean carnivals, and neighborhood barbershops.").

23. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("Focused efforts and specially designed programs are essential in achieving an appropriate mix of personnel within an agency which reflects the demographic composition of the community."); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America 47–48* (3d ed. 1997) ("Recruiting minorities requires a focused effort similar to that required to recruit women"), and at 70 ("[R]ecruitment from target populations requires strategies different from those used for recruitment from the general population.")

24. See, e.g., Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief Magazine* (October 1998) ("Media coverage that features female officers is the most effective strategy for recruiting female applicants").

25. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("Any desire for an increase in the breadth of the labor pool involves direct advertising and targeting in areas where these potential candidates might be found.") and ("The targets need to be carefully planned. Police agencies need to look where they really want to find their recruits.").

26. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," at 44, *The Police Chief Magazine* (October 1998).

27. Interview with Kay Codish, Director of Training and Education, New Haven Police Department (03/15/00).

28. Interview with NYPD Officer (12/09/99).

29. Michael Hennessey, *Law Enforcement News* 8, 13 (02/28/89). See also David L. Carter and Allen D. Sapp, "Police Education and Minority Recruitment: The Impact of a College

Requirement," at 21 *Police Executive Research Forum* (1991) ("Recruiting must be a proactive process that seeks to identify the best possible candidates and 'sell' the potential candidates on applying to the police agency."); Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("Recruiting is not a passive activity. It is an aggressive endeavor to actively seek out those who, ideally, want a career in the police, not just a job. Posting a notice on the bulletin board outside City Hall is not aggressive recruiting.").

30. See, e.g., U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* (October 1981), at 11 ("Efforts to recruit minority police officers may be hampered by a community perception of racism in the police department, a perception reinforced by a low level of minority hiring, a high level of minority attrition during the training process, and an apparent lack of opportunity for advancement."), and at 12 ("Prospective recruits learn through a variety of means what the receptivity of a given institution is. They learn from others who have sought employment and been turned away, from some who have become employees and experienced discrimination on the job, and from newspaper accounts of misconduct by police against members of the public.").

31. See, e.g., Donna C. Hale & Mark Lanier, "The Next Generation: Women in Policing in the Twenty-First Century," at 403 in Roslyn Muraskin & Albert R. Roberts, *Visions for Change: Crime and Justice in the Twenty-First Century* (2d ed. 1999) ("Police recruiters must address ... issues [such as discrimination, sexual harassment, restrictive policies] in their recruitment strategies to attract women to police work."); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 48 (3d ed. 1997) ("the message given to members of minority communities must be fair and honest and relate the opportunities, challenges, and problems which will be experienced in police work").

32. See, e.g., Katherine Spillar, "Women in the Police Force," *Contemporary Women's Issues Database*, Vol. 10, pp. 30–33 (12/01/92) (experts recommend, for example, that police departments "alter promotional standards to eliminate criteria that are irrelevant to supervisory ability or potential; adopt stringent policies for dealing with sexual harassment; [and] alter work conditions to increase the number of women in recruitment training and assignments.").

33. Herman Goldstein, *Policing a Free Society* 270 (1990).

34. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating and Retaining Women Police Officers: Strategies That Work," at 44, *The Police Chief Magazine* (October 1998).

35. K.D. Codish, "The New Haven Police Academy: Putting One Sacred Cow Out to Pasture," at 5; Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," at 44, *The Police Chief Magazine* (October 1998). See also Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("Where ethnic minorities normally speak languages other than English, a flier translated into the main languages spoken locally has been found useful. It is also essential to advertise in the ethnic media to encourage applications from their readers and viewers. Use of minority languages helps communication, shows respect for those sections of the community,

and can often reach parents, who sometimes can influence careers of younger family members.").

36. New Haven Police Academy and Division of Training and Education, "New Haven Police Department: Preventing Broken Windows 1999–2000," at 2; interview with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00).

37. See, e.g., Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 (Advertisements should include "[a] realistic expectation for new recruits which accurately reflects career possibilities ... the profile of the police officer's role in [the] community, an outline of what will be expected of her/him ... [a] description of the selection process. There should be no need for secrecy about the hurdles that face applicants."); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 44 (3d ed. 1997) ("Unfortunately, many potential applicants learn about policing from television shows and movies and are shocked to learn what the job really requires. Consequently, recruitment information must be focused toward the potentially successful candidate and must also dispel some of the misconceptions held by the public.").

38. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," at 44, *The Police Chief Magazine* (October 1998).

39. Interview with Scott Nabel, Director of Human Resources, New Haven Police Department (03/17/00).

40. Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 5 ("The use of appropriate community networks is a classic example of using partnership to solve a problem—agency difficulty in achieving a representative mix of personnel to match the local community.")

41. *Ibid.*, at Section 5 ("people who have been involved in community service—helping and organizing others in the community—could be particularly highly valued as police officers in a community policing environment and should be encouraged to apply").

42. K.D. Codish, "The New Haven Police Academy: Putting One Sacred Cow Out to Pasture," at 4–5; New Haven Police Academy and Division of Training and Education, "New Haven Police Department: Preventing Broken Windows 1999–2000," at 2.

43. New Haven Police Academy and Division of Training and Education, "New Haven Police Department: Preventing Broken Windows 1999–2000," at 2; interview with Kay Codish, New Haven Police Department Director of Training and Education, also responsible for recruitment outreach (03/15/00).

44. Interview with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00).

45. This section is based on an interview with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00), and Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief Magazine* (October 1998).

46. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief Magazine* (October 1998).

47. *Ibid.*

48. This section is based on interviews with Kay Codish, Director of Training and Education (03/15/00), and Scott Nabel, Director of Human Resources (03/17/00), New Haven Police Department, as well as K.D. Codish, "The New Haven Police Academy: Putting One Sacred Cow Out to Pasture," and New Haven Police Academy and Division of Training and Education, "New Haven Police Department: Preventing Broken Windows 1999–2000."

49. K.D. Codish, "The New Haven Police Academy: Putting One Sacred Cow Out to Pasture," at 5.

50. See, e.g., David L. Carter and Allen D. Sapp, "Police Education and Minority Recruitment: The Impact of A College Requirement," at 14, *Police Executive Research Forum Discussion Paper* (1991) ("selection process is critically important in policing"); Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management*, Vol. 24, p. 223 (06/01/95). (The selection of entry-level police officers has long-term implications for the future leadership and direction of the police department. Since lateral entry is rare, applicants hired as recruits later become the applicant pool for supervisory positions within the department); Community Policing Consortium, "Recruitment and Selection for Community Policing," www.community-policing.org/recruit, at Section 6 ("Once appointment is secure, it is a job for life barring disciplinary or medical discharge. All the more reason why the recruitment and selection process must be managed and right.")

51. See David L. Carter and Allen D. Sapp, "Police Education and Minority Recruitment: The Impact of a College Requirement," at 21 *Police Executive Research Forum* (1991) ("The standards for 'recruiting' by the Commission of Accreditation of Law Enforcement Agencies (CALEA) observed that law enforcement agencies 'should identify and employ the best candidates available, not merely eliminate the least qualified.'"); Joan Pynes & H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," 20 *Journal of Criminal Justice* 41, 49 (1992) ("Law enforcement agencies need a selection system that can identify candidates who are prepared to make positive contributions to the department and the community and that also will screen out those candidates who will make negative contributions."); David C. Couper, "How to Rate Your Local Police," at 15, *Police Executive Research Forum* (1983) ("Screening procedures for applicants should be structured to eliminate people who are clearly unsuited ... to do police work... But more important than eliminating unqualified applicants is identifying ... the candidates with the necessary sensitivity, compassion, integrity, maturity, stability, intelligence, and ability to handle the complexity and stress involved in police work.")

52. Eric Metchik and Ann Winton, "Community Policing and Its Implications for Alternative Models of Police Officer Selection," at 111–112 in *Issues in Community Policing* (Kratcoski and Dukes, eds. 1995).

53. See Stephen A. Laser, "Common Sense: Can it be measured by police tests?" *Police Chief*, at 157–158 (April 1997) ("the overwhelming majority of police exams test primarily for cognitive abilities"); David A. Price, "Dumbing Down the Police Force," *Investor's Bus. Daily* (06/13/97) (as of 1993, eighty-three percent of large city and county police departments used cognitive tests in hiring).

54. See Stephen A. Laser, "Common Sense: Can it be measured by police tests?" *Police Chief*, at 157–158 (April 1997) ("While intelligence is certainly an important attribute for effective police work, such factors as common sense and a public service orientation are equally—if not more—important to competent police performance.")

55. See Joan Pynes & H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," 20 *Journal of Criminal Justice* 41, 43 (1992) ("skills such as interpersonal relations, perception, decision-making, and decisiveness are difficult to assess in an interview or a written exam"); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 70 (3d ed. 1997) ("The selection of applicants based on results from paper-and-pencil tests can lead to recruits who may be inappropriate for police work."); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 15 (October 1981) ("Many current police selection standards do not accurately measure qualities actually required for adequate performance as a police officer."); Herman Goldstein, *Policing a Free Society* 264 (1990) ("Some characteristics needed in police officers—such as the capacity to relate to individuals, sensitivity to the problems of urban life, and flexibility in the face of change—are as important as, if not more important than, the characteristics that written examinations are intended to measure."); Eric Metchik and Ann Winton, "Community Policing and Its Implications for Alternative Models of Police Officer Selection," at 119 ("Paper-and-pencil psychological tests are not adequate in and of themselves to measure even a limited number of 'screening out' criteria. They can hardly be expected to accurately predict a wider range of skills involved in community policing.") in *Issues in Community Policing* (Kratcoski and Dukes, eds. 1995).

56. See, e.g., "Louisiana State Police Exam to be Replaced Under Agreement with Justice Department," *Fair Test Examiner* (Fall 1996) ("In a settlement with the U.S. Department of Justice, the Louisiana State Police Commission has agreed to scrap its written entrance exam for police cadets and develop a new test that does not discriminate against African Americans.")

57. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 4 ("Despite its shortcomings, there is a mass of evidence from a variety of sources to indicate that the requirements of community-oriented policing demand very different police officer and manager profiles from the traditional crime-fighting model.... At patrol level they were: cultural diversity; creativity; mediation; approachability; initiative; independence; critical reasoning; analytical ability; community organization; decision-making; problem-solving; and team building. In addition to those skills at the patrol officer level, realistic qualifications have been described as the ability to communicate effectively, especially with diverse groups, and empathize with those holding different values and goals; a good understanding of self and others; understanding of technology; intellect; good education; and maturity. Other attributes emphasized are: human relations skills; interpersonal skills; leadership; motivation; initiative; integrity; less authoritarianism.... At supervisor/management level the skills detailed earlier for a community policing model were: leadership; communication; listening; innovation; consultation; mentoring; motivating; facilitating; team building; and problem solving.")

58. Community Policing Consortium, "Recruitment and Selection

for Community Policing," www.communitypolicing.org/recruit, at Section 6 ("[it] is also fairly clear that some of the human traits sought in community police officers—creativity, critical reasoning, flexibility, etc.—are not readily trainable and therefore need to be accommodated elsewhere in the selection process").

59. See, e.g., Herman Goldstein, *Problem-Oriented Policing*, at 165–166 (1990) ("Police agencies should, in their recruitment of new personnel, attempt to hire those whose abilities and skills make them best suited to functioning in a problem-oriented milieu. This requires greater emphasis, in the screening of applicants, on subjective criteria such as attitudes toward the job, expectations of what policing is about, and personality traits.... [A]n agency can build into the screening process consideration of criteria that support problem-oriented policing. It should, for example, give higher priority to applicants who demonstrate an ability to function independently; who enjoy and are adept at solving problems; who are creative and imaginative; who can make good judgments in choosing from among a range of available alternatives; and who, in a general way, have the intellectual capacity to do more thinking about police work.... From the limited experience to date, it is already clear that administrators would be well advised to look for applicants who have the potential to become skilled in such areas as mediating conflict, dispensing information, and organizing communities.").

60. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 6; Joan Pynes & H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," 20 *Journal of Criminal Justice* 41, 43 (1992) ("The literature on personnel selection is replete with discussions of the superiority of the assessment center over more traditional selection methods such as paper-and-pencil tests and the interview."); Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management* (06/01/95).

61. www.bpad.com/police

62. www.bpad.com/police

63. Philip Ash, Karen B. Slora, and Cynthia F. Britton, "Police Agency Officer Selection Practices," *Journal of Police Science and Administration*, Vol. 17, No. 4, 258, at p. 268 (1990).

64. Ash et al., at 264–266 (1990). See also Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management* (06/01/95).

65. See Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 6 ("assessment center results eliminated the adverse impact on Hispanics and increased the percentage of black candidates selected"); B-PAD for Police Promotions, www.bpad.com/reports/report6.html (discussing B-PAD validation research).

66. See Philip Ash, Karen B. Slora, and Cynthia F. Britton, "Police Agency Officer Selection Practices," *Journal of Police Science and Administration*, Vol. 17, No. 4, 258, at p. 266 (1990) ("A number of the police assessment centers have been court-mandated to reduce the impact of previously used selection tests"); Joan Pynes & H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," 20 *Journal of Criminal Justice* 41, 43 (1992) ("in several cases of alleged discrimination based on

paper-and-pencil tests, the courts have recognized the assessment center as a valuable tool in selecting and promoting minority candidates"); Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management* (06/01/95) ("some federal courts see ACs as the preferred technique to remedy gender and/or racial discrimination in human resource management decisions, as demonstrated in a number of cases" and "ACs, versus paper-and-pencil selection measures, appear to decrease the risk of adverse impact on minority group applicants").

67. Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management* (06/01/95) ("Dunnette and Motowidlo recommend that assessor panels be composed of at least one each of the following: a police administrator..., a psychologist, and a local citizen.... An innovative approach to implementing ACs in relatively small jurisdictions has been reported by O'Hara and Love. By selecting and training community volunteers to act as unpaid assessors, the authors were able to conduct an AC for their police department. At the same time, the city was able to build community acceptance and support for the use of this selection technique."); Community Policing Consortium, "Recruitment and Selection for Community Policing," www.communitypolicing.org/recruit, at Section 6 ("The a.c. process can also involve community members.... Other chances to incorporate community members into selection processes should be carefully thought through and capitalized on."); Herman Goldstein, *Policing a Free Society* 264 (1990) (use of community members in the selection process permits evaluation of applicants from a "consumer's point of view").

68. Interview with Sheriff Dan Corsentino, Pueblo County Sheriff's Department (03/17/00).

69. See Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management*, Vol. 24, p. 223 (06/01/95).

70. Gary F. Coulton and Hubert S. Field, "Using assessment centers in selecting entry-level police officers: extravagance or justified expense?" *Public Personnel Management*, Vol. 24, p. 223 (06/01/95). See also Joan Pynes and H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," *Journal of Criminal Justice*, Vol. 20, p. 41, at 49 (1992) ("The need to predict [the] noncognitive, behavioral aspect of police work may justify the expense of using an assessment center for the selection of police candidates.").

71. Henry I. DeGeneste and John P. Sullivan, "Policing a Multicultural Community," at 17, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997).

72. Mark L. Dantzker, *Understanding Today's Police* 208 (2d ed. 2000) ("With the exception of the few police officers who are fluent in one or more of these languages, police officers cannot readily communicate with victims or suspects who are not fluent in American verse, making the job more difficult and the establishment of a positive rapport nearly impossible.").

73. DeGeneste and Sullivan, *Ibid.*, at 17 ("[I]n a recent survey of law enforcement executives conducted by the Police Executive Research Forum (PERF), the majority reported problems in delivering

services to culturally diverse populations, with the most frequent being communications difficulties.”).

74. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?*, at 5 (October 1981) (police departments should “work toward developing a work force that reflects the racial and ethnic composition of the community it serves, including persons who can speak the major languages spoken in the community”).

75. Interview with Ed Callahan, Director of Personnel, Boston Police Department (05/11/00).

76. See Henry I. DeGeneste and John P. Sullivan, “Policing a Multicultural Community,” *Fresh Perspectives: A Police Executive Research Forum Publication* 18 (July 1997) (“[Bilingual] officers must be given realistic incentives to retain proficiency [either recognition through enhanced career mobility or bonus pay incentives]. Without such rewards, possession of language skills could lead to more work without a corresponding increase in professional recognition [i.e., ‘performance punishment’]. Police managers, likewise, must strongly make the case for such diverse linguistic capabilities to their governments, and actively advocate for resources.”).

77. *Ibid.* (“[P]olice managers could arrange representative samples of appropriately bi- or multi-lingual officers on a given shift to ensure community access to police officers who speak the languages of a given precinct or neighborhood.”)

78. U.S. Department of Justice, Bureau of Justice Statistics, *Law Enforcement Management and Administrative Statistics, 1997: Data for Individual State and Local Agencies with 100 or More Officers* (April 1999). See also Mark L. Dantzer, *Understanding Today’s Police* 237 (2d ed. 2000) (“most recent data show that approximately 50 percent of all municipal police agencies employing 100 or more officers have some type of residency requirement”).

79. Interview with Phoenix Police Department Sergeant (05/02/00).

80. Interview with Chicago Police Department Sergeant (04/28/00).

81. Interview with Detroit Police Department Sergeant (05/01/00).

82. See, e.g., Pat Kossan and Christina Leonard, “Officers needn’t live in Phoenix,” *The Arizona Republic* (07/06/00) (“the [Phoenix] City Council voted, 8-1, Wednesday to rescind a 1996 ordinance requiring all new police officers to live in the city”).

83. See, e.g., Community Policing Consortium, “Recruitment and Selection for Community Policing,” www.communitypolicing.org/recruit, at Section 5 (“people who have been involved in community service—helping and organizing others in the community could be particularly highly valued as police officers in a community policing environment”). Cf. Ron Sloan, Robert C. Trojanowicz, and Bonnie Bucqueroux, “Basic Issues in Training: A Foundation for Community Policing,” *The National Center for Community Policing*, www.ssc.msu.edu (“An evaluation system that relies on simplistic assessments, such as tickets issued and arrests made, ends up focusing on activities that may have little to do with what is actually required to do a good job—activities that account for only a fraction of an officer’s time. Such a system also risks promoting abuses. Officers can feel pressured to fulfill arbitrary ‘quotas,’ if they are to earn raises and promotions. The job becomes distorted to fulfill the expectations of supervision, rather than the wants and needs of the community.”).

84. Interview with Lieutenant Tom Penny, Training and

Recruitment Division, Newport News Police Department (09/05/00).

85. This section is based on an interview with Assistant Chief N.D. Wong, Houston Police Department (01/28/00).

86. Assistant Chief N.D. Wong, Houston Police Department (01/28/00).

87. This section is based on interviews with Sheriff Dan Corsentino (03/17/00) and Jennifer Ewing (02/24/00 and 03/16/00) of the Pueblo County Sheriff’s Department.

88. Interview with Sheriff Dan Corsentino (03/17/00).

89. *Ibid.*

90. *Ibid.*

91. This section is based on interviews with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00), and Lieutenant Gilbert Najjar (05/12/00) of the Albuquerque Police Department.

92. Interview with Lieutenant Gilbert Najjar, Albuquerque Police Department (05/12/00).

93. *Ibid.*

94. This section is based on interviews with Sergeant Peggy Vallecilla (02/29/00), Captain Joe Brofman (02/29/00), and Officer Camille Giuliodibari (05/12/00) of the San Jose Police Department.

95. www.ci.san-jose.ca.us

96. Interview with Officer Camille Giuliodibari, San Jose Police Department (05/12/00).

97. This section is based on an interview with Ed Callahan, Director of Personnel, Boston Police Department (05/11/00).

98. Interview with Ed Callahan, Director of Personnel, Boston Police Department (05/11/00).

99. www.umass.edu/miser

100. This section is based on interviews with Donna Slupik, Personnel Technician, City of Santa Ana (07/06/00), and Lieutenant Rick Hicks, Personnel Department, Santa Ana Police Department (07/20/00).

101. Interview with Lieutenant Rick Hicks, Personnel Department, Santa Ana Police Department (07/20/00).

102. After a mass retirement of sergeants due to medical restrictions, the department waived the bilingual requirement for lateral transfers in 1998 to broaden the applicant pool of experienced officers.

103. This section is based on interviews with Sergeant Gawne, Chicago Police Department (04/28/00), Bob Janica, Legal Counsel Division, City of Chicago Legal Department (05/01/00), and Dan Nestor, City of Chicago Legal Department, Labor Division (05/02/00). See also Chicago Municipal Code section 2-152-340 (Residence restrictions).

104. Interview with Dan Nestor, City of Chicago Legal Department, Labor Division (05/02/00).

105. This section is based on an interview with Captain Ernest Jubilee, Atlantic City Police Department (05/19/00), and Community Policing Consortium, “Officers Make Their Moves,” *Community Policing Exchange*, Phase IV, No. 2, Issue 2, www.communitypolicing.org/publications (May/June 1995).

106. This section is based on an interview with Scott Nabel, Director of Human Resources, New Haven Police Department

(03/15/00).

107. This section is based on an interview with Pueblo County Sheriff Dan Corsentino (03/17/00).

108. This section is based on an interview with Chief Rick TerBorch, Arroyo Grande Police Department (04/28/00).

109. Mark L. Dantzker, *Understanding Today's Police* 248 (2d ed. 2000). See also U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 23 (October 1981) quoting Glenn Stahl and Richard A. Staufenberger, eds., *Police Personnel Administration* 72 (Washington, DC: Police Foundation, 1974) ("The importance of the training process and its interrelationship with other segments of the selection process cannot be overlooked. The Police Foundation has noted: '[R]ecruit training should be considered as part of the selection process, not separate and apart from it as it generally is today. A poor recruit-training program can compromise a high-quality selection program; and conversely, a good recruit-training program can partially offset a low-quality selection program. People, in this case, police recruits, can and do change; and the recruit-training process can influence the nature of the changes.'").

110. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 28 (October 1981) quoting Project STAR, *The Impact of Social Trends on Crime and Criminal Justice* 43 (1976) ("Empirical studies of police behavior show that the average police officer spends more time performing a wide variety of social services than he spends in the pursuit of criminals.") and at 29 ("training in service areas does not bear the same proportion to training in law enforcement that service on the job bears to the law enforcement function of the job"); Joan Pynes & H. John Bernardin, "Entry-Level Police Selection: The Assessment Center Is An Alternative," 20 *Journal of Criminal Justice* 41, 50 (1992) ("For years the police science literature has acknowledged that police training appears to be inconsistent with the police role. According to Germann, police spend only ten to fifteen percent of their time in crook-catching activities, but they receive ninety percent of their training in that area. Only ten percent of the academy training time is devoted to non-criminal activities. Furthermore, Meadows found that the entry-level training curriculum in forty-six states mandated training in patrol, criminal investigation, the use of firearms, and force. Little time was allocated to the interpersonal aspects of policing. Meadows commented that the role of police, and the associated training function, may be in conflict."); Robert Trojanowicz and Joanne Belknap, "Community Policing: Training Issues," *The National Center for Community Policing*, www.ssc.msu.edu (1986) ("Studies show that police officers typically spend only 20 percent of their time dealing with actual crimes or violations. The majority of the rest of their time on the job is devoted to service-oriented aspects of the job."); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 61 (3d ed. 1997) ("In most academies, the formal training is heavily weighted toward the technical aspects of police work."); Douglas W. Perez, *Common Sense About Police Review* 11 (1994) ("[T]he major focus of police training concerns the law enforcement tasks of the police. Yet only a small part of the police officer's job truly involves positive enforcement of the law.").

111. See Ron Sloan, Robert C. Trojanowicz, and Bonnie Bucqueroux, "Basic Issues in Training: A Foundation for Community Policing," *The National Center for Community Policing*,

www.ssc.msu.edu ("Obviously, the training roster cannot be determined simply by allocating training time according to how officers spend most of their time—officers spend less than 1 percent of their time administering first-aid or firing a weapon, yet those are skills that they must learn to perform well or people can die. The challenge requires balancing traditional and non-traditional training..."); Mark L. Dantzker, *Understanding Today's Police* 248–250 (2d ed. 2000) ("Historically, police academies have offered such subjects as criminal law and procedures, arrest policies and practices, search and seizure, firearms, first-aid, and departmental policies. These subjects are considered the practical technical aspects of policing. Those who have criticized this traditional curriculum advise that the practical approach is no longer enough to establish well-qualified officers. The general complaint is that academies fail to address areas such as human relations, communications, cultural issues, and social or behavioral science-related topics. Actually, the most current study available on training curricula found that agencies were decreasing what time they did spend on such things as verbal communication, sensitivity, empathy, and problem solving."); Herman Goldstein, *Problem-Oriented Policing*, at 167–168 (1990) ("[M]ost police training remains generic. It teaches the law, department regulations, and skills [e.g., interrogation, fingerprinting, gathering evidence, conducting investigations, defense tactics] without much attention to how these might apply to specific problems. That is one major reason why recruit training has so often been criticized as having no relevance to the job. It does not deal realistically with the specific problems police are expected to handle and the methods for dealing with them."); Robert Trojanowicz and Joanne Belknap, "Community Policing: Training Issues," *The National Center for Community Policing*, www.ssc.msu.edu (1986) ("Kelling" suggests that if service activities do dominate crime-fighting, then police need to be recruited and trained differently, training more on conflict management and social relations, improving police-community relations.").

112. Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 68 (3d ed. 1997).

113. See, e.g., Alpert and Dunham, at 64 ("[H]uman relations or ethnic diversity training is an area in which many recruits feel confident and few trainers know how to instruct. This combination often results in a confusing and boring curriculum. One way to attack this problem of lethargy is to send recruits (and trainers) to an area populated by members of other ethnic groups and to have them ask a simple question such as directions to a public telephone or convenience store. In most cases, it will become clear to these young recruits that they can benefit from learning how to talk and deal with members of other ethnic groups.... Recruits can benefit in other areas when removed from the classroom and placed in situations, real or created, which make them think.").

114. See Henry I. DeGeneste and John P. Sullivan, "Policing a Multicultural Community," at 17, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) ("Education that helps familiarize officers with ethnic and cultural groups in their community is invaluable. No police officer can effectively address a community's needs if she or he does not understand the cultural traditions, mores, and values of that community. Such understanding is a cornerstone of beat awareness and essential to formulating col-

laborative problem-solving activities—if not for recognizing problems in the first place.”); Herman Goldstein, *Problem-Oriented Policing* 159–160 (1990) (“[I]t became clear that the ability of the police to carry out their traditional function of fighting crime is heavily dependent on their familiarity with the area to which they are assigned—its streets and buildings; its people, their life-styles, and their culture. It is absurd to assume that a police officer without such familiarity can be other than minimally effective in identifying suspicious or criminal conduct in an area.”); Michael P. Brown and James E. Hendricks, “The Future of Cultural Awareness Training,” *The Police Chief* 56, 60 (November 1996) (“Overwhelmingly, training officers perceive cultural awareness training as doing more than simply acquainting police officers with cultural customs. It also promotes better communication and increases officers’ effectiveness and efficiency.”).

115. See Michael P. Brown and James E. Hendricks, “The Future of Cultural Awareness Training,” *The Police Chief* 56, 58 (November 1996) (“Several [law enforcement training institute] respondents maintained that cultural awareness training contributes to police professionalism.... Many respondents contended that, with prolonged exposure to cultural diversity issues, police officers will have fewer prejudicial beliefs, employ stereotypes less often in the course of their work, and reduce considerably the discriminatory policing practices that often result in excessive use of force.”), and at 60 (“can increase police officer safety”); Herman Goldstein, *Problem-Oriented Policing* 159–160 (1990) (“[T]here is a growing feeling in police circles that an officer who is familiar with an area and its people is less likely to resort to force to control a situation than one who, foreign to an area, is suddenly injected into a situation in which he or she must decide if force should be used.”).

116. Interviews with Lieutenant Sam Cochran, Memphis Police Department (05/30/00), and Dr. Randy DuPont, Department of Psychology, University of Tennessee (06/06/00). There were no shooting deaths from 1988 to 1996. In the past four years, there have been two shootings—one in 1996 and one in 1998.

117. Interview with Lieutenant Sam Cochran, Memphis Police Department (05/30/00).

118. Interview with Sergeant Jim Mansell, Vancouver Police Department (05/30/00).

119. Interview with Corporal Jane Naydiuk, Justice Institute of British Columbia, Professionalism and Communications Skill Training Unit (06/01/00).

120. See p 4.

121. See p. 35 *supra*.

122. Wesley G. Skogan, Susan M. Hartnett, Jill DuBois, Jennifer T. Comey, Marianne Kaiser, and Justine H. Lovig, *On the Beat: Police and Community Problem Solving*, at 4 (emphasis in original). For a lengthier discussion and examples of each of the four stages of SARA, see *id.*, at 4–8.

123. Interview with Dr. Vance McLaughlin, Training Director, Savannah Police Department (08/28/00).

124. Ronald J. Louie, “Crisis Intervention: A Police Model For Dispute Settlement,” 15 *Journal of California Law Enforcement* 70 (Spring 1981). See also Christopher Cooper, “Mediation by Patrol Police Officers,” 9 *Police Forum* 2 (April 1999) (“In police work, mediation is an alternative to arbitration, physical force, and

arrest.”).

125. Formerly a Sergeant in the Palo Alto Police Department, now Chief of the Hillsboro Police Department, Ronald J. Louie characterizes the difference between a traditional police officer response and that of an officer prepared to act as a mediator and engage in problem-solving as follows:

One type of officer may perceive his or her role as a basic “keeper of the peace” and thereby consider disturbance calls as a violation of the law, irrespective of the circumstances surrounding the nature of the disturbance.... A typical response by this type of officer would be to enter the disturbance scene (i.e., a home in a family dispute), separate the disputants, and then advise the disputants that they are in violation of the law and must cease, otherwise they will be arrested.... This type of officer is attempting to “solve” the problem by the use of fear and authority. Since the reasons for the argument have not been resolved, then it is probable that the officer will have to return....

... [A mediator] officer will spend more time at the scene.... This type of officer may even find it necessary to refer the family to an agency specializing in counseling or alcoholism. Or perhaps, the drinking was a symptom of an even greater problem such as unemployment. The officer may refer the husband (or the wife) to a social service or employment agency, making sure to advise the family what costs are involved and what procedures must be followed. This type of officer ... finds it more advantageous and efficient to address the problem, rather than allow it to fester and possibly end in tragedy.

Ronald J. Louie, “Crisis Intervention: A Police Model For Dispute Settlement,” 15 *Journal of California Law Enforcement* 70, 73–74 (Spring 1981).

126. See Maria R. Volpe and Thomas F. Christian, “Mediation: New addition to cop’s toolbox,” *Law Enforcement News* 13 (June 15, 1989) (“When the mediation process is used, the community becomes the common ground for the public to take responsibility for its own problems, and individuals can work constructively on the development of mutually agreeable solutions. The police officer facilitates the entire process as a mediator, a peace officer.”); Christopher Cooper, “Mediation Training to Improve Police Social Interaction Skills,” 17 *Conflict Resolution Notes* 7 (July 1999) (“In handling interpersonal dispute scenes with mediation, police officers/mediators provide a problem solving process in which they empower citizens. Through the transference of decision making power, the officer is conveying deference and offering self-responsibility and freedom that citizens rightfully expect to exercise in their lives.”).

127. See, e.g., Volpe and Christian, at 8 (“Mediation improves one’s ability to listen, collect information, frame issues, narrow differences, generate options, and bring closure to disagreements.”).

128. Christopher Cooper, “Mediation Training to Improve Police Social Interaction Skills,” 17 *Conflict Resolution Notes* 7 (July 1999); Christopher Cooper, *Mediation & Arbitration by Patrol Police*

Officers 46 (1999) (“[I]t is the conflict/dispute resolution skills held by patrol police that reduce the likelihood of violent and verbal confrontation with citizens. When officers use mediation ..., they are less likely to escalate interpersonal dispute scenes with their verbal and symbolic communication. History is full of examples of social interaction between police and citizens that turned tragic.”).

129. See Maria R. Volpe and Thomas F. Christian, “Mediation: New addition to cop’s toolbox,” *Law Enforcement News* 8 (June 15, 1989) (“The use of appropriate resolution skills can defuse a situation, avoiding escalation and reducing the need to return to the same situation in the future.”); Ronald W. Glensor and Alissa J. Stern, “Dispute Resolution and Policing: A Collaborative Approach Toward Effective Problem Solving,” at 5 *Fresh Perspectives: A Police Executive Research Forum Publication* (January 1995) (“The early intervention of dispute resolution mediators in emotionally charged situations can save cities and states police personnel costs and prevent lawsuits, as well as avert violence and repeated demands for police service.”).

130. Interviews with Patti Williams, Program Coordinator of the Hillsboro Police Department Mediation Program (05/17/00) and (05/23/00).

131. Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 61 (3d ed. 1997).

132. See, e.g., Douglas W. Perez, *Common Sense About Police Review* 251 (1994) (“Police officer training systems, both police academy and in-service, must be constantly updated with regard to [civilian] complaint dynamics and patterns.”).

133. Cf. Henry I. DeGeneste and John P. Sullivan, “Policing a Multicultural Community,” at 17, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) (“Effective policing of a community is impossible if officers cannot talk to its members. Lack of competency with the dominant languages spoken in their new home isolates community members from their police, and vice versa. At worst, mistrust and fear result. At best, crime control efforts and attempts at problem solving are severely limited.”); Mark L. Dantzker, *Understanding Today’s Police* 208 (2d ed. 2000) (“With the exception of the few police officers who are fluent in one or more of these languages, police officers cannot readily communicate with victims or suspects who are not fluent in American verse, making the job more difficult and the establishment of a positive rapport nearly impossible.”).

134. See Henry I. DeGeneste and John P. Sullivan, “Policing a Multicultural Community,” at 17, *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997) (“Since a degree of ethnic or racial distrust is undoubtedly the result of frustration stemming from language and communication difficulties, enhanced language training during the initial entry-level police academies, with subsequent refresher courses throughout an officer’s career, should be strongly considered.”).

135. Interviews with Captain Bruce Pfefferkorn, Personnel/Training Division, San Diego Police Department (03/22/00); Jerry Fort, Personnel, City of San Diego (05/10/00); and Lieutenant Sarah Creighton, Academy Director, San Diego Regional Public Safety Training Institute (03/16/01).

136. See Edwin Garcia, “California city makes Spanish a requirement for cops,” *Knight-Ridder/Tribune News Service*

(02/14/95).

137. Henry I. DeGeneste and John P. Sullivan, “Policing a Multicultural Community,” at 17 (emphasis in original), *Fresh Perspectives: A Police Executive Research Forum Publication* (July 1997).

138. See, e.g., John D. Maguire and Sally Leiderman, draft version of *A Community Builder’s Tool Kit: 15 Tools for Creating Healthy, Productive Interracial/Multicultural Communities* at 30 (2000) (“Many people find racial issues too uncomfortable for words. ‘Let’s don’t get into all that racism stuff,’ they say. ‘That’s over now, and we need to put it behind us and get on with living together as equals.’ If only it were so. Racism and discrimination are not just intentional acts or individual attitudes, and they’re not all in the past; they often flow from unexamined policies and practices of long standing. Even when unintended, racist behavior has detrimental consequences for both sender and receiver. None of us is entirely free of racial prejudice, class envy, or other social judgments of a similar nature....”).

139. David Cole, *Race and Class in the American Criminal Justice System* 22 (1999).

140. See, e.g., John D. Maguire and Sally Leiderman, draft version of *A Community Builder’s Tool Kit: 15 Tools for Creating Healthy, Productive Interracial/Multicultural Communities* at 34–35 (2000) (“‘Multiculturalism’ and ‘diversity’ are imprecise terms that can be used to embrace anything from a one-time potluck supper with an international flavor to a long-term school reform initiative affecting tens of thousands of children. There are wide variations in the scope, quality, and purposes of programs bearing such names as ‘diversity training’ and ‘multicultural pluralism.’ Some such programs may use these words to avoid confronting more specific and troubling concepts, like racism or sexism. ‘Multiculturalism’ and ‘diversity’ are useful and necessary terms in the work of building more equitable communities—but not enough by themselves to get to the core of racism, poverty, and inequality.”).

141. Interview with Deputy Chief Bob Grytdahl, Duluth Police Department (05/24/00).

142. See, e.g., Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 228–230 (1997) (Firearms training traditionally has consisted of shooting a weapon at various targets.... Until recently, that has been the extent of firearms training. It is now realized that this is insufficient training and that officers must be trained in how to avoid the use of weapons, as well as in when and how to use them.... The first generation of ‘new’ training in police use of deadly force was oriented around the shoot-don’t-shoot dichotomy.... The latest concept in training is commonly called violence reduction, restraint or avoidance training.”).

143. See James J. Fyfe, “Training to Reduce Police-Civilian Violence,” 169 in *Police Violence: Understanding and Controlling Police Abuse of Force* (William A. Geller and Hans Toch, eds. 1996).

144. *Ibid.*

145. William A. Geller and Michael S. Scott, *Deadly Force: What We Know* 341 (1992).

146. See James J. Fyfe, *op. cit.*, at 170.

147. Geller and Scott, *Deadly Force: What We Know* 323–324 (1992) (“[T]he ‘split-second syndrome’ holds that the only key deci-

sions within the control of most police officers in most potentially violent confrontations will be those that can be made in an instant, such as whether to pull the trigger or make some other rapid last-ditch maneuver.... Unfortunately, what [it] overlooks is the string of decisions that an officer can and typically does make (albeit often unconsciously) minutes or much longer in advance of any decision to use deadly (or nondeadly) force.”)

148. See James J. Fyfe, *op. cit.*, at 171.

149. Alpert and Dunham, *op. cit.*, at 229 (“[O]fficers must be trained in how to avoid the use of weapons, as well as in when and how to use them.”); Geller and Scott, *op. cit.*, at 309 (“It is clear ... that a wide variety of verbal ... communication skills and unarmed physical control tactics must be a core part of any professional basic training curriculum for police.”).

150. Geller and Scott, *op. cit.*, at 309 (“The ‘force continuum’ connotes a spectrum of control tactics from body language and oral communication to weaponless physical control to nonlethal weapons to lethal measures.”). See also Brian R. Arnsperger and Gordon A. Bowers, “Integrated Use-of-Force Training Program,” *FBI Law Enforcement Bulletin*, Vol. 65, No. 11 (1996) (“[L]aw enforcement needs to adopt a training paradigm that encompasses the entire scope of the use of force.... Providing realistic training that covers the full use-of-force continuum, from command presence to deadly force, should be the training objective.”).

151. See Fyfe, *op. cit.*, at 168 (Unnecessary force “[s]ometimes ... occurs because officers are unfamiliar with the folkways of racial or ethnic minority groups.... More recently and more routinely, officers have ineptly put themselves in harm’s way during encounters with emotionally and mentally disturbed people.... Consequently, the police have had to forcibly extract themselves or colleagues from danger.”).

152. Geller and Scott, *op. cit.*, at 304 (“If training ... can help reduce any racial and ethnic bigotry that police officers may harbor or practice, ... one might indeed expect a reduction in shootings ... both because some shootings are probably motivated in part by disregard for the humanity of members of different racial groups and because improved relations between police and civilians of different races might help reduce violence by civilians against police.”).

153. Police expert James Fyfe queries: “[O]fficers ... generally are not sufficiently familiar with the norms and sentiments—or even the language—of the newcomers to be able to respond to them in appropriate ways. How, one might ask, does a white ethnic male police officer adjust to the replacement of Washington Heights’ long-time Irish-American population by poor, Spanish-speaking, Dominican immigrants?... The answer is ... only with difficulty, unless administrators take pain to ... carefully consider the implications for police work of any changes in communities, and to see that street officers’ training reflects these changes....” James J. Fyfe, “Training to Reduce Police-Civilian Violence,” 173 in *Police Violence: Understanding and Controlling Police Abuse of Force* (William A. Geller and Hans Toch, eds. 1996).

154. Geller and Scott, *op. cit.*, at 305–306 (emphasis in original).

155. U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 50 (October 1981).

156. Ron Sloan, Robert C. Trojanowicz and Bonnie Bucqueroux,

“Basic Issues in Training: A Foundation for Community Policing,” *The National Center for Community Policing*, www.ssc.msu.edu. See also Mark L. Dantzker, *Understanding Today’s Police* 250 (2d ed. 2000) (“[The field training] program draws criticism because it often undermines many ideals taught in the academy.”); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 66 (3d ed. 1997) (“There exists a long-standing concern in policing that each rookie is told by an experienced officer to forget what was learned at the academy and to just watch and learn how things are done right. The message is that the formal training just received at the academy is irrelevant or unrealistic.”).

157. Alpert and Dunham, *op. cit.*, at 67.

158. See Mark L. Dantzker, *Understanding Today’s Police* 251 (2d ed. 2000) (“Another problem ... is the failure of the police agency to promote continued training and updating of training officers [e.g., FTO officers]. It is fairly common for the training officer to be a veteran of many years whose only training was his or her academy and FTO experience many years earlier.”); Ron Sloan, Robert C. Trojanowicz, and Bonnie Bucqueroux, “Basic Issues in Training: A Foundation for Community Policing,” *The National Center for Community Policing*, www.ssc.msu.edu (“Because of the tremendous impact that field training has on the entire organization, the philosophical orientation and skills of the training officer are crucial.”); Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 60 (3d ed. 1997) (“[Field training officers] must be carefully selected and indoctrinated with the department’s philosophy of service.”), and at 67 (“It is important to select FTOs who are good teachers as well as good officers.”).

159. See Alpert and Dunham, *op. cit.*, at 68 (“since many skills learned at the academy or while in field training are perishable, in-service training can refresh an officer’s skills”), and at 69 (“[One] use of in-service training is to remedy deficiencies noted in officer evaluations.... [It] can [also] be used to restore skills or to improve attitude.”); Ron Sloan, Robert C. Trojanowicz, and Bonnie Bucqueroux, “Basic Issues in Training: A Foundation for Community Policing,” *The National Center for Community Policing*, www.ssc.msu.edu (“Achieving change is difficult, but maintaining change and empowering employees to use new techniques or skills is impossible without a mechanism for continual reinforcement. Formal in-service training provides a way to maintain momentum and to build new skills.”).

160. Meeting with retired police officer (09/07/00).

161. Interview with Lieutenant Tom Penny, Training and Recruitment Division, Newport News Police Department (09/05/00).

162. This section is based on an interview with Kay Codish, Director of Training and Education, New Haven Police Department (03/15/00), and on K.D. Codish, “The New Haven Police Academy: Putting One Sacred Cow Out to Pasture” and New Haven Police Academy and Division of Training and Education, “New Haven Police Department: Preventing Broken Windows 1999–2000.”

163. K.D. Codish, “The New Haven Police Academy: Putting One Sacred Cow Out to Pasture.”

164. This section is based on interviews with Lieutenant Stacy Altonen, Personnel, Minneapolis Police Department (07/20/00),

and Shawne Monahan, Chief Development Officer, Minneapolis Urban League (07/26/00).

165. Interview with Shawne Monahan, Chief Development Officer, Minneapolis Urban League (07/26/00).

166. Interview with Lieutenant Stacy Altonen, Personnel, Minneapolis Police Department (07/20/00).

167. Interview with Shawne Monahan, Chief Development Officer, Minneapolis Urban League (07/26/00).

168. Interview with Lieutenant Stacy Altonen, Personnel, Minneapolis Police Department (07/20/00).

169. This section is based on interviews with Corporal Jane Naydiuk, Justice Institute of British Columbia (06/01/00), and Sergeant Jim Mansell, Vancouver Police Department (05/30/00), and the Justice Institute of BC Police Academy Recruit Training Program Course Outline, June 5, 2000.

170. The research paper, partnership project, and problem-solving project are discussed in more detail at pp. 55-56.

171. "[R]ecruits are asked to identify a 'distinct' group in their community that could benefit from better police service. The group chosen may be distinct due to anything from age to sexual orientation and need not be limited to ethnicity (any characteristic that sets a group apart from the mainstream and makes them identifiable). The idea is that the issues around stereotyping and prejudice are not exclusive to ethnic minorities." Justice Institute of BC Police Academy Recruit Training Program Course Outline, June 5, 2000, at Block Number II, p. 2.

172. Interview with Sergeant Jim Mansell, Vancouver Police Department (05/30/00).

173. Interview with Corporal Jane Naydiuk, Justice Institute of British Columbia (06/01/00).

174. The research paper, partnership project and problem-solving project are discussed in more detail at pp. 55-56.

175. This section is based on interviews with Lieutenant Sam Cochran, Memphis Police Department (05/30/00), and Dr. Randy DuPont, Department of Psychology, University of Tennessee (06/06/00), and the "Memphis Police Crisis Intervention Team" booklet.

176. Interview with Lieutenant Sam Cochran, Memphis Police Department (05/30/00).

177. Interview with Dr. Randy DuPont, Department of Psychology, University of Tennessee (06/06/00).

178. Interview with Sergeant Ann Meyer, Waterloo Police Department (09/11/00). The Waterloo CIT program was established in the early 1990s, providing CIT officers with 56 hours of specialized training. See www.wplwloo.lib.ia.us/wpd/Publish/cit.html.

179. The Houston Police Department initially conducted a pilot CIT program from July to December 1999, training 50 officers in its Central Division. The pilot program was so successful, the police chief decided to expand it to the entire police department. Between March and December 2000, an additional 650 officers were to be trained to perform CIT duties. Interview with Officer Frank Webb, Houston Police Department (09/01/00).

180. See California Assembly Bill No. 1762 (introduced January 18, 2000; amended February 22, 2000).

181. This section is based on interviews with Dr. Vance McLaughlin, Training Director, Savannah Police Department

(06/12/00 and 08/28/00). See also Vance McLaughlin and Michael E. Donahue, "Training for Community-Oriented Policing," 125-138 in *Issues in Community Policing* (Peter C. Kratoski and Duane Dukes, eds. 1995) (providing a more detailed discussion of the Savannah training modules). Savannah's in-service POP training is discussed at pp. 61-62.

182. See page 46 supra for a discussion of the SARA model of teaching problem-solving.

183. Interview with Dr. Vance McLaughlin, Training Director, Savannah Police Department (08/28/00).

184. This section is based on interviews with Corporal Jane Naydiuk, Justice Institute of British Columbia (06/01/00 and 06/06/00), and the Justice Institute of BC Police Academy Recruit Training Program Course Outline, June 5, 2000.

185. See pp. 52-53.

186. Interview with Corporal Jane Naydiuk, Justice Institute of British Columbia (06/06/00).

187. One recruit, for example, identified a community problem as transients sleeping on the grounds of a local elementary school. Teachers and students would find needles and condoms in the school entrance, and the police were receiving numerous calls-for-service. The root causes were determined to be the secluded nature of the area due to the landscape and structure of the school, which provided easy access, and poor lighting. To the extent that "recruits are not encouraged to take on problems as complex as eliminating the homeless problem or drug addiction problem, but rather to take on small, do-able problems," proposed solutions to this problem included better lighting and a sprinkler system to wash down the sidewalk of refuse.

188. Interview with Corporal Jane Naydiuk, Justice Institute of British Columbia (06/01/00).

189. See pp. 52-53 for a discussion of the Diversity Project.

190. This section is based on interviews with Inspector Keith Clark, Officer in Charge of Training, Applied Police Sciences, RCMP Training Academy (06/02/00); Joan Kruger, Acting Officer in Charge of Training, Program Support and Evaluation, Depot Division, RCMP Training Academy (06/14/00 and 09/07/00); Sandy Mahon, Acting Officer in Charge of Centralized Training Branch, Depot Division, RCMP Training Academy (09/07/00); and the RCMP Employee's Handbook, Appendix C.

191. See p. 62 for a description of the RCMP "field coach" program after the academy.

192. RCMP Employee's Handbook, Appendix C.

193. Interview with Joan Kruger, Acting Officer in Charge of Training, Program Support and Evaluation, Depot Division, RCMP Training Academy (09/07/00).

194. This section is based on interviews with Patti Williams, Mediation Program Coordinator, Hillsboro Police Department (05/17/00 and 05/23/00).

195. Interview with Patti Williams, Mediation Program Coordinator, Hillsboro Police Department (05/17/00).

196. This section is based on interviews with Captain Bruce Pfefferkorn, Personnel/Training Division, San Diego Police Department (03/22/00), and Lieutenant Sarah Creighton, Academy Director, San Diego Regional Public Safety Training Institute (03/16/01).

197. Interview with Lieutenant Sarah Creighton, Academy Director, San Diego Regional Public Safety Training Institute (03/16/01).

198. The People's Institute for Survival and Beyond, a national multiracial organization working to end racism and other forms of institutional oppression, has offered "Undoing Racism" trainings across the country since 1980. With the goal of developing a shared analysis of history, culture, and power relationships, the two-and-a-half-day workshops bring together a broad cross-section of community members, including religious leaders, social workers, government agencies, business members, educators, and others. The workshop curriculum helps participants to understand the institutional underpinnings of racism in low-income, often high-crime, communities. With regard to the participation of police officers, an Institute staff person observes: "Our training makes better cops by helping them understand how things like poverty cause crime, or why young men are hanging out on the corner. The trainings give police departments an analysis of why crime happens in the first place" (interview with Jim Hayes, 04/28/00).

199. This section is based on interviews with Sheryl Boman at the Women's Coalition in Duluth, Minnesota (05/19/00), and Deputy Chief Bob Grytdahl, Duluth Police Department (05/24/00).

200. Interview with Deputy Chief Bob Grytdahl, Duluth Police Department (05/24/00).

201. Interview with Sheryl Boman at the Women's Coalition in Duluth, Minnesota (05/19/00).

202. Interview with Deputy Chief Bob Grytdahl, Duluth Police Department (05/24/00).

203. The Flint, Michigan, information is based on interviews with Margaret Williamson at The Community Coalition in Flint (05/25/00) and Assistant Fire Chief James Horton, Flint Fire Department (05/30/00).

204. Interview with Margaret Williamson at The Community Coalition in Flint, Michigan (05/25/00).

205. Interview with Assistant Fire Chief James Horton, Flint Fire Department (05/30/00).

206. This section is based on interviews with Detective Brian Arnsperger, Burbank Police Department (07/24/00 and 08/03/00); Brian R. Arnsperger and Gordon A. Bowers, "Integrated Use-of-Force Training Program," *FBI Law Enforcement Bulletin*, Vol. 65, No. 11 (1996); Krav Maga Worldwide Enterprises, www.kravmaga.com.

207. The four training programs were: (1) Krav Maga—an Israeli military system of weaponless self-defense (see www.kravmaga.com); (2) confrontational simulation—a scenario-based training that requires officers to escalate and de-escalate on the use-of-force continuum and to verbalize the rationale for level of force used (interview with Lieutenant Howard Webb, Montana Law Enforcement Academy, July 26, 2000); (3) defensive tactics—used by the Los Angeles Sheriff's Department; and (4) take downs—used by the Los Angeles Police Department.

208. See p. 55 for a discussion of Savannah's academy training.

209. This section is based on interviews with Lieutenant William Harvey, Training Unit Commander (09/19/00), and Dr. Vance McLaughlin, Training Director, Savannah Police Department, (06/12/00, 08/28/00, and 09/19/00).

210. Interview with Lieutenant William Harvey, Training Unit Commander (09/19/00).

211. See p. 57 for a discussion of the RCMP academy training.

212. This section is based on interviews with Bob Powell, North Vancouver RCMP Non-Emergency Training and Recruiting Department (05/26/00); Inspector Keith Clark, Officer in Charge of Training, Applied Police Sciences, RCMP Training Academy (06/02/00); Officer Guy Bonhomme, Former Director of Field Coaching Program (06/13/00); Joan Kruger, Acting Officer in Charge of Training, Program Support and Evaluation, Depot Division, RCMP Training Academy (06/14/00 and 09/07/00); and Sandy Mahon, Acting Officer in Charge of Centralized Training Branch, Depot Division, RCMP Training Academy (09/07/00).

213. See p. 57 supra for a discussion of the CAPRA approach and community panels.

214. Interview with Sandy Mahon, Acting Officer in Charge of Centralized Training Branch, Depot Division, RCMP Training Academy (09/07/00).

215. See, e.g., Brenda Paik Sunoo, "Initiatives for women boosts retention: Interview with Ernst and Young's Office for Retention Director Deborah K. Holmes," *Workforce* (November 1998) ("One of today's biggest HR challenges is retaining talented employees—particularly women and minorities. Recognizing this importance, [Ernst & Young] launched a two-year study of the issue.").

216. See, e.g., N.K. Grant, Carole Garrison, and Kenneth McCormick, "Perceived Utilization, Job Satisfaction and Advancement of Police Women," *Public Personnel Management*, Vol. 19, No. 2, at 149 (Summer 1990) ("The question of retention is tied to that of job satisfaction. People who enjoy their jobs are not as likely to leave.").

217. See, e.g., Chief John L. Pape, "Employee Development Programs," *FBI Law Enforcement Bulletin*, at 21–22 (September 1990) ("While police departments tend to view motivation in terms of providing sufficient pay and benefits to attract and retain employees, they often fail to recognize that human needs and motivation do not stop there.... While the traditional incentives of money and benefits may help to satisfy the lower levels of the hierarchy, they do not promote superior performance or employee retention, nor do they help to satisfy the needs in the upper levels of the hierarchy.").

218. See, e.g., Sergeant Michael Hyams, "Recruitment, Selection, and Retention: A Matter of Commitment," *The Police Chief*, at 27 (September 1991) ("Ultimately, retention of qualified and committed personnel is directly related to one's reputation and practices in human relations, benefits, opportunities, and working conditions.").

219. Chief John L. Pape, "Employee Development Programs," *FBI Law Enforcement Bulletin*, at 21–22 (September 1990). Chief Pape draws these concepts from Douglas McGregor's workplace adaptation of Abraham Maslow's hierarchy of human needs.

220. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief*, at 44 (October 1998) ("Few of the recent national studies on sexual harassment have examined sexual harassment in police agencies, but those that have been done indicate that it is pervasive and widespread.").

221. Donna C. Hale & Mark Lanier, "The Next Generation:

Women in Policing in the Twenty-First Century," at 399 (women on patrol still wearing the male uniform designed for the male physique with no accommodations for the female anatomy) in Roslyn Muraskin & Albert R. Roberts, *Visions for Change: Crime and Justice in the Twenty-First Century* (2d ed. 1998).

222. Douglas W. Perez, *Common Sense About Police Review* 205 (1994). Perez notes: "The Christopher Commission Survey, for example, found that '45 percent of African-American officers, 31 percent of the Latino officers, and 25 percent of the Asian officers answered affirmatively that they had encountered discrimination on the basis of race' within the Los Angeles Police Department. Discrimination has also been documented elsewhere."

223. Captain Cheryll Maples, Personnel and Training, Madison Police Department, Unpublished Paper, at 6 (1996). See also Kirstin S. Dodge, "'Bashing Back': Gay and Lesbian Street Patrols and the Criminal Justice System," 11 *Law and Inequality Journal* 295, 309 (1993) ("In one incident, two officers admitted that after a fellow officer's homosexuality became known, officers in his division met and 'decided not to back up the "fag," in the hopes that he would be killed.' The officer left the force after receiving death threats and failing to receive back-ups on calls where the absence of support units could have been fatal.").

224. Douglas W. Perez, *Common Sense About Police Review* 204-205 (1994). See also N.K. Grant, Carole Garrison, and Kenneth McCormick, "Perceived Utilization, Job Satisfaction, and Advancement of Police Women," *Public Personnel Management*, Vol. 19, No. 2, at 152 (Summer 1990) ("If police departments are interested in enhancing the job satisfaction of police women, it is necessary to increase perceived utilization. This can be done by insuring that they are properly utilized, have equal opportunities for special training, and are provided equal opportunities for special assignments."); Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief* at 48 (October 1998) ("Many of the problems faced by women in policing exist because law enforcement agencies do not take women into account in the workplace.").

225. Interview with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00). See also Brenda Paik Sunoo, "Initiatives for women boosts retention: Interview with Ernst and Young's Office for Retention Director Deborah K. Holmes," *Workforce* (November 1998) (Regarding important lessons learned about retaining employees: "We've also confirmed what we knew about the universality of people issues. Our efforts to improve life balance are paying off with increased awareness of the issues and increased employee satisfaction about life balance, regardless of gender.").

226. See, e.g., Chief John L. Pape, "Employee Development Programs," *FBI Law Enforcement Bulletin*, at 20 (September 1990) (strain placed on remaining officers due to staffing shortages caused by high turnover "can result in poor morale and a loss of overall effectiveness and safety"), and 25 ("This job satisfaction will translate into improved morale, greater initiative, and a desire to deliver superior service to the community.").

227. See, e.g., Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers:

Strategies That Work," *The Police Chief*, at 52 (October 1998) (On the strengths of the Albuquerque Police Department going into recruitment and retention project: "It already had many women in key leadership positions.... Women in management serve as role models to female officers, sending the message that there is a career path up the chain of command for all officers.").

228. Chief John L. Pape, *op. cit.*, at 20 ("An area often overlooked as having revenue-saving potential is employee retention. There is no doubt that excessive employee turnover financially drains any police agency, regardless of size.... When a law enforcement agency experiences high employee turnover, it must then bear the expense of recruiting, testing, hiring, training, and equipping replacement officers.").

229. Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief*, at 42 (October 1998). See also Brenda Paik Sunoo, "Initiatives for women boosts retention: Interview with Ernst and Young's Office for Retention, Director Deborah K. Holmes," *Workforce* (November 1998) (best retention strategies determined by climate survey sent to all employees).

230. Captain Cheryll Maples, Personnel and Training, Madison Police Department, Unpublished Paper, at 25 (1996).

231. Interview with Captain Cheryll Maples, Personnel and Training, Madison Police Department (05/29/00).

232. Polisar and Milgram, *op. cit.*, at 50 ("In general, women and minorities have greater difficulty finding mentors, and departments might want to consider formal mentoring programs for all officers."); Donna C. Hale & Mark Lanier, "The Next Generation: Women in Policing in the Twenty-First Century," at 403 in Roslyn Muraskin & Albert R. Roberts, *Visions for Change: Crime and Justice in the Twenty-First Century* (2d ed. 1999) ("Mentoring programs designed to facilitate the promotion of women to supervisory and managerial positions must be implemented to facilitate the advancement of women once they enter the police department.").

233. Chief John L. Pape, *op. cit.*, at 22.

234. A workplace assessment could reveal, for example, that the department's promotional process disproportionately and, to the extent that acceptable alternatives exist, unnecessarily excludes a particular group of officers. Such policies should be replaced with those that do not exhibit the same exclusionary effect. See, e.g., Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief Magazine*, at 50 (October 1998) ("Research shows that the more subjective the promotional process is, the less likely women are to pass it. Some safeguards against bias include weighting the process towards 'hands-on' tasks [as assessment centers do]; conducting structured interviews; selecting board members who represent different races and both sexes; and training the board members on interviewing techniques.").

235. See, e.g. Polisar and Milgram, *op. cit.*, at 46-50.

236. Interview with Captain Cheryll Maples, Personnel and Training, Madison Police Department (05/29/00).

237. This section is based on an interview with Captain Cheryll Maples, Personnel and Training, Madison Police Department (05/29/00), and on Captain Cheryll Maples, Unpublished Paper, at 25 (1996).

238. Interview with Captain Cheryl Maples.
239. Captain Cheryl Maples, Unpublished Paper, at 29 (1996).
240. This section is based on interviews with Chief Vicky Peltzer, former lieutenant and recruitment coordinator for the Albuquerque Police Department (04/03/00); Mary Molina Mescall, Deputy Director, Support Services Bureau, Albuquerque Police Department (06/08/00); and former Deputy Chief Sal Baragiola, Albuquerque Police Department (06/14/00); as well as Chief Joseph Polisar and Donna Milgram, "Recruiting, Integrating, and Retaining Women Police Officers: Strategies That Work," *The Police Chief*, at 42 (October 1998).
241. Interview with Mary Molina Mescall, Deputy Director, Support Services Bureau, Albuquerque Police Department (06/08/00).
242. Interview with former Deputy Chief Sal Baragiola, Albuquerque Police Department (06/14/00).
243. This section is based on an interview with Lieutenant Kevin Stoll, 5th Precinct Safe, Minneapolis Police Department (06/16/00), and on City of Minneapolis Police Department, *Police-Community Task Force Report on Gay and Lesbian Issues* (March 1994).
244. Lieutenant Stoll notes that another positive force in improving the department for the gay community has been the civic and cultural context in which these developments have occurred. Minneapolis has had a Human Rights ordinance in place since the 1970s supporting gay rights. One of the Mayor's staff members also actively participated on the Task Force, as well as a member of the Police Union. Support from these quarters was crucial in legitimizing the Task Force's efforts.
245. City of Minneapolis Police Department, *Police-Community Task Force Report on Gay and Lesbian Issues* at 1 (March 1994).
246. See pp. 51-52 for a discussion of the Minneapolis "Police Community Training Partnership" program.
247. Interview with Lieutenant Kevin Stoll, 5th Precinct Safe, Minneapolis Police Department (06/16/00).
248. This section is based on an interview with Captain Julie Williams, Mentor Coordinator, Lansing Police Department (05/31/00), and an e-mail communication with Captain Williams (06/01/00). See also www.lansingpolice.com/employment at "Mentor Download."
249. In the first meeting, mentors and recruits are asked to state what each expects from the relationship. In the second meeting, recruits are expected to share their short- and long-term career goals, and then the pair discusses strategies to meet those goals. The mentor also helps to familiarize the recruit with the organizational structure and the locations of buildings and resources. Beyond these basic guidelines, the pair is free to tailor its relationship according to inclinations and needs.
250. U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 35 (October 1981).
251. See Roger Goldman and Steven Puro, "Decertification of Police: An Alternative to Traditional Remedies for Police Misconduct," *Hastings Constitutional Law Quarterly*, Vol. 15, No. 1, pp. 60-61, n. 81 (1987) ("The feeling is pervasive in minority communities that, regardless of circumstances, the police always will be exonerated when accusations of misconduct are brought by minority citizens."); Erwin Chemerinsky, *An Independent Analysis of the Los Angeles Police Department's Board of Inquiry Report on the Rampart Scandal*, at 80-81 (2000) ("Many in the public believe that the system does not adequately discipline wrong-doers.... There must be a disciplinary system that has the confidence of both the public and officers in the Department. The absence of such confidence leads to a public inherently distrustful of the police. Moreover, the perceptions of officers that the system is unfair undermines morale in the Department and reinforces the code of silence as officers are unwilling to use a disciplinary system that they regard as capricious and unfair.");
252. Roger Goldman and Steven Puro, "Decertification of Police: An Alternative to Traditional Remedies for Police Misconduct," *Hastings Constitutional Law Quarterly*, Vol. 15, No. 1, p. 60 (1987). See also Ken Dilanian, "Internal monitor: Police discipline is 'dysfunctional,'" *The Philadelphia Inquirer* (03/27/01) ("The Philadelphia Police Department's disciplinary system is riddled with problems, and officers frequently suffer little or no punishment after committing serious misconduct, according to a study by the department's internal monitor.");
253. See, e.g., Victor E. Kappeler, Richard D. Sluder, and Geoffrey P. Alpert, *Forces of Deviance: Understanding the Dark Side of Policing* 216 (2d ed. 1998) ("The effective control of police deviance requires both internal analysis and discipline of officers and external review of their behavior: While it is impossible to control police deviance totally from either the inside or the outside, a combination of efforts yields the best results.");
254. See Kappeler et al., *op. cit.*, at 217 ("Any effective system for controlling deviance by internal means must be based on quality personnel operating with policies which provide a clear definition of proper and improper conduct; mechanisms for detecting and sanctioning improper conduct; and techniques for rewarding exemplary conduct.");
255. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 35 (October 1981).
256. Philip J. Maloney, *The Role of Penalty Schedules in Managing Police Misconduct*, Vol. 1, No. 4 (September 1999).
257. See Roger Goldman and Steven Puro, "Decertification of Police: An Alternative to Traditional Remedies for Police Misconduct," *Hastings Constitutional Law Quarterly*, Vol. 15, No. 1, p. 60 (1987) ("Experience indicates ... that internal discipline by police departments is often more severe for minor departmental infractions and for private criminal misconduct than for abuse of citizens' rights.");
258. Erwin Chemerinsky, *An Independent Analysis of the Los Angeles Police Department's Board of Inquiry Report on the Rampart Scandal*, at 92 (2000) (quoting City Councilman Zev Yaroslavsky).
259. Kappeler et al., at 224.
260. See David L. Carter, "Police Disciplinary Procedures: A Review of Selected Police Departments," at 356 in *Police Deviance* (Thomas Barker and David L. Carter, 3d. 1994) ("Positive/remedial sanctions are intended to be primarily corrective in nature.... Negative/punitive sanctions are intended to be retributive in nature.... As the seriousness of the infraction increases, the more likely the sanction is to be punitive.... The purpose of both forms is to encourage proper behavior. Positive discipline attempts a cooperative approach to this end while negative discipline uses a coercive

approach.”); Harry W. More, W. Fred Wegener, and Larry S. Miller, *Effective Police Supervision* 150 (1999) (“The term discipline is most often used to describe an adversarial process resulting in the application of various kinds of negative sanctions or punishments. It may also refer to the state of affairs within a given organization that produces order, a shared sense of purpose, and common goal-oriented behavior. In this particular context, discipline is considered positive and means teaching, instruction, training, and remediation.”).

261. Roger Goldman and Steven Puro, “Decertification of Police: An Alternative to Traditional Remedies for Police Misconduct,” *Hastings Constitutional Law Quarterly*, Vol. 15, No. 1, pp. 47–50 (1987) (“[S]tates can deter police misconduct by decertification of the officer.... Without a certificate, an individual cannot be employed as a police officer in that state. In short, the P.O.S.T. [Peace Officer Standards and Training] Board serves as the licensing agency for law enforcement personnel within the state.... The forms of misconduct that can lead to a loss of certification vary by state.”), and at 62–63 (“Decertification commissions, though generally controlled by law enforcement officials, are independent of the local police departments. This feature helps ensure objectivity and professionalism in disciplining police misconduct.”).

262. See Philip J. Maloney, *The Role of Penalty Schedules in Managing Police Misconduct*, Vol. 1, No. 4 (September 1999) (“Given the complexity of any sizeable police agency, differences between the values of management and personnel and between the various levels of management will be apparent at the operational level. In matters of discipline, these differences will commonly be apparent in variation of disciplinary remedies levied by supervisors.”); Geoffrey P. Alpert and Roger C. Dunham, *Policing Urban America* 139 (3d ed. 1997) (“Supervisors can compromise integrity by many actions or inactions, including failing to enforce departmental policies and regulations, ignoring problem indicators because of friendship with the officer, overlooking slight irregularities in reports, and allowing subordinates to perform personal favors.”).

263. Maloney, *op. cit.* See also U.S. Commission on Civil Rights, *Who is Guarding the Guardians?* 158 (October 1981) (“Disciplinary sanctions commensurate with the seriousness of the offense that are imposed fairly, swiftly, and consistently will most clearly reflect the commitment of the department to oppose police misconduct.”).

264. Interview with Lieutenant Carol Serafin, Internal Affairs, Minneapolis Police Department (9/18/00).

265. U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 50 (October 1981).

266. Human Rights Watch, “Summary and Recommendations: Public Accountability and Transparency,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98.

267. See, e.g., Minneapolis Civilian Police Review Authority 1999 Annual Report, Exhibit J; San Francisco Office of Citizen Complaints 1999 Annual Report, pp. 60–71, www.ci.sf.ca.us/occ/reports.htm.

268. The disciplinary process is already reviewable for officers, with discipline often reduced or overturned on appeal—an issue beyond the scope of this report. See, e.g., Human Rights Watch,

“Disciplinary actions,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (“[W]hen ... police officials order disciplinary measures, subordinates often bring administrative appeals and win them. Even in cases where heads of police departments have ordered the dismissal of officers known to be brutal, the officers have won reinstatement, with back pay, through arbitration or court appeals.”); Mark Iris, “Police discipline in Chicago: arbitration or arbitrary?” *Journal of Criminal Law and Criminology*, Vol. 89, No. 1, p. 215 (1998) (discussing finding that discipline imposed on Chicago officers routinely cut in half by arbitrators and noting: “A pattern of such results can have a subtle but pernicious effect upon a police department’s disciplinary process over time.... It erodes the deterrent value of discipline, both for the affected officer and his/her colleagues.... When an officer whose misconduct is proven in an internal investigation and whom the Superintendent finds it necessary to discipline, nonetheless successfully evades any penalty, citizens may understandably lose confidence in the ability of the police department to control its own personnel.”).

269. See, e.g., Douglas W. Perez, *Common Sense About Police Review* 268 (1994) (“[O]ne must entrust the chief to impose sanctions on those who have been found guilty of misconduct. If the police executive cannot be trusted with this responsibility, then the solution for the municipality is clear; get a new chief.”).

270. The Detroit City Charter provides: “If a complaint is not resolved as a result of investigation to the satisfaction of the complainant ... the complainant ... may request the board to hear or review the matter.... The board ... shall determine any discipline to be imposed. It shall then make the report and its action public. The decision of the board is final.” Detroit City Charter, Section 7–1109. See also Human Rights Watch, “Detroit: Citizen Review,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (“Detroit’s procedures are somewhat unusual, because civilians on the board are allowed to impose discipline on officers.”); Wesley A. Carroll Pomeroy, “The Sources of Police Legitimacy and a Model for Police Misconduct Review: A Response to Wayne Kerstetter,” at 186, n. 1 in *Police Leadership in America: Crisis and Opportunity* (William A. Geller, ed. 1985) (“The Detroit Board of Police Commissioners ... has a great deal of apparent power. It ... serves a final appellate function ... when the department seeks to punish police misconduct.... [However, the] members of the [BPC] are not independent because they can make no decision of any consequence with which the mayor disagrees.”).

271. This section is based on interviews with Lieutenant Carol Serafin, Internal Affairs, Minneapolis Police Department (09/18/00, 10/04/00, and 03/20/01), and Patricia Hughes, Director, Minneapolis Civilian Police Review Authority (03/20/01).

272. Interview with Lieutenant Carol Serafin, Internal Affairs, Minneapolis Police Department (03/20/01).

273. The four categories—A, B, C, and D—correspond to different types of offenses. The A category, for example, encompasses “procedural” offenses such as personal appearance; the B category “neglect of duty” such as attendance; the C category “conduct and behavior” such as excessive force. Ranges of discipline increase with each category. Category A discipline, for example, ranges from training to written reprimand, whereas category D ranges from

training to over 80 hours of suspension, demotion, or dismissal. Repeated violations in one category escalates a subsequent offense (and the severity of the punishment options) to the next category—three A offenses in one year result in the third offense treated as a B offense; three C offenses in five years result in the third offense treated as a D; and so on.

274. Interview with Lieutenant Carol Serafin, Internal Affairs, Minneapolis Police Department (03/20/01).

275. *Ibid.*

276. This section is based on interviews with Mary Dunlap, Director, San Francisco Office of Citizen Complaints (08/25/00, 10/05/00, and 03/19/01), as well as San Francisco Police Commission Resolutions No. 19–91 and No. 25–01.

277. See www.ci.sf.ca.us/occ/reports.htm.

278. Interview with Mary Dunlap, Director, San Francisco Office of Citizen Complaints (03/19/01).

279. Huerta suffered a ruptured spleen and three broken ribs. The OCC sustained the allegations in the complaint and recommended disciplinary action. The police chief refused to discipline the officer involved, finding the conduct to have been proper.

280. See San Francisco Police Commission Resolution No. 19–91.

281. See San Francisco Police Commission Resolution No. 25–01 (“In deciding whether to recommend charges as set forth above, the Commission shall consider the following, as to each officer named in the verified complaint: (1) Did the OCC have jurisdiction in the case under City Charter Section 4.127? (2) Does the complaint state facts sufficient to constitute misconduct by the officer(s) under the Department’s General Orders? (3) Do the facts alleged in the verified complaint and Chief’s response thereto establish an absolute defense to the charge(s)?”).

282. See San Francisco Police Commission Resolution No. 25–01 (requiring the OCC to “publish data regarding ... the number of disagreements, the number of complaints verified by the OCC Director, the number of Police Commission recommendations that the Chief of Police file these complaints, the allegations involved, and the final disposition of the allegations, whether or not the case was heard by the Police Commission.”).

Community Oversight: Achieving Democratic Participation

1. See, e.g., Donna Lieberman and Christopher Dunn, “Cop Abuses Show Need for Controls,” *New York Daily News* (02/22/01) (“Recent reports about shocking police behavior in Suffolk and Nassau counties and the town of Walkkill in Orange County point to a longstanding but little publicized form of police misconduct: mistreatment of women. Like the controversy over racial profiling, the reports raise questions about the steps that can be taken to combat police abuse and the need for independent oversight of police departments.”).

2. See, e.g., Ken Dilianian, “Internal monitor: Police discipline is ‘dysfunctional,’” *The Philadelphia Inquirer* (03/27/01) (“The Philadelphia Police Department’s disciplinary system is riddled with problems, and officers frequently suffer little or no punishment after committing serious misconduct, according to a study by the department’s internal monitor.”); Roger Goldman and Steven Puro, “Decertification of Police: An Alternative to Traditional Remedies for Police Misconduct,” *Hastings Constitutional Law Quarterly*, Vol. 15, No. 1, p. 60 (1987) (Early “[d]emands for civilian review of complaints arose ... after allegations that officers were not being disciplined by local departments for public, official misconduct.”).

3. See, e.g., Amitai Schwartz, “Reaching Systemic Police Abuses—The Need for Civilian Investigation of Misconduct: A Response to Wayne Kerstetter,” at 185 in *Police Leadership in America: Crisis and Opportunity* (William A. Geller, ed. 1985) (“[S]everal years ago, the San Francisco Police Department’s self-investigations unit, known as the Internal Affairs Bureau, had pieces of one-inch-square paper displayed at the front counter where complaints of misconduct were received. A sign over the scraps said: ‘Write your complaint here.’”).

4. Amitai Schwartz, “Reaching Systemic Police Abuses—The

Need for Civilian Investigation of Misconduct: A Response to Wayne Kerstetter,” at 187 in *Police Leadership in America: Crisis and Opportunity* (William A. Geller, ed. 1985).

5. See, e.g., Samuel Walker and Vic W. Bumphus, “The Effectiveness of Civilian Review: Observations on Recent Trends and New Issues Regarding the Civilian Review of the Police,” *American Journal of Police*, Vol. XI, No. 4, at 1–2 (1992) (“By 1992 over two-thirds (68%) of the police departments in the 50 largest cities had some form of civilian review.... The survey also found an accelerating trend toward civilian review.”); American Civil Liberties Union, *Fighting Police Abuse: A Community Action Manual*, www.aclu.org (“By the end of 1997, more than 75 percent of the nation’s largest cities (more than 80 cities across the country) had civilian review systems.”); Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 2 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (“There are currently (early 1998) over 90 different citizen review procedures in the United States, and the number has been steadily growing. They are found in every region of the country and in both large and small cities. Almost 80 percent of the largest cities currently have some form of citizen review.”). *But see* Douglas W. Perez, *Common Sense About Police Review* 88 (1994) (“The number of civilian review organizations is growing, but there are only a total of forty civilianized systems (of any size) in the country at this time, though there are twenty-five thousand police jurisdictions of varying sizes. Thus, the overwhelming majority of America’s police officers and police forces are reviewed by internalized, police-operated systems.”).

6. See Samuel Walker, “Civilian Review: Facing the New Reality,” *Police Union News*, Vol. II, No. 5, at 8 (December 1991) (“more and more people believe that an investigation done by an independent (that is, non-sworn) person is more likely to be fair and objective”); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 50 (October 1981) (citizen complaint process “vital in

developing community confidence in the police"); Human Rights Watch, "Citizen Review Mechanisms," *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) ("[H]istory has shown that police are not able or willing to police themselves in a manner acceptable to the public. The public, in turn, believes that independent investigators will be more fair and objective. An external review mechanism provides an independent forum where victims or witnesses of abuse may file complaints or testify at hearings to give their account of what took place."); Wayne A. Kerstetter, "Who Disciplines the Police? Who should?" 164–165 in *Police Leadership in America: Crisis and Opportunity* (William A. Geller, ed. 1985) ("The strongest argument for the civilian review concept is its potential enhancement of the legitimacy of the review process and, indeed, the legitimacy of the police themselves in the eyes of the community. Even in the absence of evidence of past police cover-ups, a few moments of honest introspection makes clear the basis for concern about the integrity of an internal review process totally hidden from outside scrutiny. Clearly, what is needed is a system to provide credible reassurance that the substantial discretion inherent in any review process is being appropriately exercised.").

7. See Douglas W. Perez and William Ker Muir, "Administrative Review of Alleged Police Brutality," at 213 in *Police Violence* (Geller and Toch, eds. 1996) ("People of color in particular did not (and do not now) trust internal review."), and at 225 ("In areas where police-community relations are tense, often with race as an issue, community acceptance [of internal review] is especially low.").

8. New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 7–9 (January 1993).

9. Wayne A. Kerstetter, "Toward Justice for All: Procedural Justice and the Review of Citizen Complaints" at 235 in *Police Violence* (Geller and Toch, eds. 1996). Kerstetter also notes: "A 1986 study by Tyler and McGraw provided some evidence that the disadvantaged place less emphasis on procedural fairness. However, Lind and Tyler conclude, 'Although the poor care less about procedural justice than do the rich, they still do care about procedural justice more than they care about distributive justice.'" *Id.* See also Douglas W. Perez, *Common Sense About Police Review* 73 (1994) ("the citizen complainant's evaluations of a system's integrity tend to be directly related to the outcome of his or her complaint").

10. Douglas W. Perez and William Ker Muir, "Administrative Review of Alleged Police Brutality," at 232 in *Police Violence* (Geller and Toch, eds. 1996).

11. See Samuel Walker, "Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool," at 4 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) ("The basic concept of citizen review is sound: that the accountability of the police is enhanced by having citizen input in the complaints process."); Human Rights Watch, "Citizen Review Mechanisms," *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) ("Review agencies can provide important information to police administrators about management problems that might otherwise go unnoticed, and they provide information to the public about police actions to prevent, or respond

appropriately to, violations. Without public knowledge and scrutiny, reforms will not normally take place. It is rare, indeed, for a police department, on its own initiative and without public pressure, to take steps to improve police conduct and enhance accountability for officers who commit human rights violations. For this reason alone, citizen review is essential."), and citing Mollen Commission report at 6 ("as former New York Police Commissioner Ray Kelly observed, external review 'keeps the department's feet to the fire'"); New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 36–37 (January 1993) ("[A] civilian review agency—as an independent voice speaking for the community—can neutralize conflicts between the executive and the police command, and between police command and the rank and file. The appointment of civilians to review police practices confers accountability on the community.").

12. Janelle Hartman, *The Register-Guard*, www.ci.portland.or.us/piiac/PIIACSTO.htm (11/09/97).

13. See, e.g., U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 124 (October 1981) ("Civilian review mechanisms vary in type, ranging from civilian-dominated or police-civilian representative boards sitting external to the police department to committees and offices including the representation of citizens within the police department.") (emphasis in original); Samuel Walker, "Civilian Review: Facing the New Reality," *Police Union News*, Vol. II, No. 5, at 1–2 (December 1991) (Describing three basic types of civilian review systems—Class I, Class II, and Class III—with main distinctions being whether fact-finding investigation conducted by and disciplinary recommendation made by sworn personnel or civilians, and variances in procedures such as civilian right to appeal to a civilian entity, physical location inside or outside the police department, subpoena power, public hearings.).

14. See Douglas W. Perez and William Ker Muir, "Administrative Review of Alleged Police Brutality," at 219 in *Police Violence* (Geller and Toch, eds. 1996) ("[in the civilian monitor system] internal investigations by police professionals are monitored by nonpolice personnel for their completeness and objectivity"); Samuel Walker, "New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints," at 164 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O'Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) ("Under the auditor model [e.g., Seattle, Portland, San Jose, Los Angeles Inspector General and Special Counsel], responsibility for investigating complaints remains with the police department, and the auditor is authorized to monitor/audit/investigate the internal affairs unit."). But see Samuel Walker, "New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints," at 174–175 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O'Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) ("The emergence of the auditor model of citizen review has redefined the central issue from one of organizational structure to one of function. The critical question is not who conducts the initial fact-finding in complaints but whether or not there is a comprehensive vision of improving policing, and a set of activities designed to ensure quality in complaint investigations and address underlying personnel and management

issues that give rise to complaints.”).

15. Advocates of civilian review boards frequently critique the auditor/monitor model as not strong or independent enough for meaningful, credible oversight, while auditor advocates perceive the model as more acceptable and effective due to its “hybrid” nature. See, e.g., Human Rights Watch, “Citizen Review Mechanisms,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) (“Auditors usually do not conduct independent investigations or hold hearings. So, while they play an important oversight role, auditors need to be supplemented by review agencies carrying out other essential parts of police oversight.”); Douglas W. Perez and William Ker Muir, “Administrative Review of Alleged Police Brutality,” at 214 in *Police Violence* (Geller and Toch, eds. 1996) (“In part due to the polarization of advocates for internal and civilian review, and in part because of practical reasons, a third, hybrid type of system has emerged: the civilian monitor oversight system. Because of its potential for mediating between aggrieved citizens and governmental officials, because it leaves the direct investigation of complaints to police professionals, and because it acts as an advocate for the citizen, this system holds great promise.”), at 224 (“There is no answer to the professional expertise versus external objectivity dilemma. One argument in favor of the civilian monitor system is that it accepts and defers to police investigative expertise while bringing to bear external perspectives in an advisory capacity, thus trying to capture the strengths of both approaches.”), at 228 (“In such a system, informal mechanisms use peer expertise and subcultural strengths yet are monitored by the civilian participants to ensure that abuses do not occur. This assures optimum learning in the long run.”), and at 230 (concluding “the civilian monitor system’s strengths, together with its fiscal responsibility, make it come closest to answering all of the concerns of police review interest groups”).

The following radio interview exchange is indicative:

Sam Walker: There are always gonna be some people who are, you know, gonna perceive the auditor model or any other model as not being fully independent. But I still think on the evidence that we have available to use now, I see some—the promise of some real progress with the auditor model—that I don’t quite see with other traditional civilian complaint review boards.

NPR Reporter: Activist Dan Handelman is co-founder of Portland Cop Watch. He says the auditor approach is flawed. The board needs enhanced subpoena power, he says, and its own separate investigators.

Dan Handelman: [U]ntil the culture of police truly becomes something that’s community based, where they’re part of the community and they don’t see themselves as an occupying force, then I don’t see that a civilian review board that can only audit Internal Affairs is really the best thing for us to have.

NPR Reporter: Former private and federal investigator Lisa Botsko is the review board’s paid staff auditor. She ... believes that this model is simply less adversarial and so ultimately holds the cops more accountable.

Lisa Botsko: Police officers need to feel like they can rely on the judgment and the trust and the experience of those who are going to be reviewing their actions and judging their actions. They’re not going to feel comfortable handing that kind of authority over to completely independent citizens, many of whom might have an ax to

grind.

Transcript from “Policing the Police,” National Public Radio’s “Morning Edition” (07/31/97).

16. See Douglas W. Perez, *Common Sense About Police Review* 34 (1994) (“[P]olice review systems are not transferrable from one location to another. The system operative in a relatively calm jurisdiction, which takes complaints about police officers’ attitudes seriously, may not be workable in an area where review systems deal with caseloads that include compelling numbers of force and individual corruption allegations.”), and at 230 (“Review systems are not interchangeable from one political milieu to another. The system in Chicago may not work in Oakland or in Los Angeles. Size of organization, type of population policed, police malpractice history, and local political structures are only several factors that may influence the ability of a given review system to remain effective and legitimate.”).

17. See, e.g., American Civil Liberties Union, *Fighting Police Abuse: A Community Action Manual*, www.aclu.org (Among the ACLU’s “Ten Principles for an Effective Civilian Review Board” is “Adequate Funding. Should not be a lower budget priority than police internal affairs systems.”); Human Rights Watch, “Summary and Recommendations: Obstacles to Justice,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) (“Citizen review agencies should be provided adequate resources to improve outreach efforts and demonstrate to skeptical residents that it is in their interest and worth their effort to file and pursue a complaint.”).

18. See, e.g., Samuel Walker, “New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints,” at 162 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues and Making POP Work* (Tara O’Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) (“Budget problems appear to be the greatest threat to the effective functioning of most citizen review agencies.”); Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 9 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (“One of the chronic problems with citizen review procedures is a lack of adequate resources.”); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 125 (October 1981) (“Another factor attributed to the failure of review boards is the lack of sufficient investigative staff and adequate resources.”).

19. See, e.g., Samuel Walker and Vic W. Bumphus, “The Effectiveness of Civilian Review: Observations on Recent Trends and New Issues Regarding the Civilian Review of the Police,” *American Journal of Police*, Vol. XI, No. 4, at 8 (1992) (“Common sense suggests that procedures with greater resources [e.g., number of staff] ... are more likely to be effective than other systems.”).

20. See, e.g., Janelle Hartman, *The Register-Guard*, www.ci.portland.or.us/piiac/PIIACSTO.htm (11/09/97) (according to civilian oversight expert Sam Walker, in many cities, oversight systems are weak and ineffective due to heavy reliance on volunteers as opposed to hired staff); Samuel Walker, “New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints,” at 173 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues and Making POP Work* (Tara O’Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum,

1998) (“maintaining a sufficient number of staff investigators to ensure their capacity to handle the complaint workload” is a quality control issue).

21. See, e.g., New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 11–12 (January 1993) (“A mayor, city manager, or city council can determine, ... through budget appropriations ... the skill and professionalism of the investigative staff.”).

22. *Ibid.*, at 9 (noting early discrediting and public criticism of Washington, DC, San Francisco oversight agencies due to complaint backlog caused by severe understaffing); Human Rights Watch, “Washington, DC: Civilian Review,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) (“Opinions differ about why the [Washington, DC, civilian review] board was not successful, with most agreeing that budgetary cuts and its requirement that it must investigate and hold an adjudicatory hearing for each complaint dooming the board to an insurmountable backlog and dissatisfaction for all.”).

23. Transcript from “Policing the Police,” National Public Radio’s “Morning Edition” (07/31/97). See also Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 9 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (“lack of adequate funding indicates that the responsible officials—city councils, mayors, county boards of commissioners—are less than fully supportive of thorough review of complaints against the police”).

24. DC Code Section 4–908(a). This section, along with the other provisions related to the Board, was repealed in 1995 when the Board was abolished.

25. Interview with Mary Dunlap, Executive Director of the San Francisco Office of Citizen Complaints (08/25/00). See also Human Rights Watch, “San Francisco: Office of Citizen Complaints,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) (San Francisco 150:1 investigator requirement, led “to an increase in staffing that is helping to deal with the OCC’s case backlog.”).

26. New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 11–12 (January 1993).

27. See Wayne A. Kerstetter, “Toward Justice for All: Procedural Justice and the Review of Citizen Complaints,” at 239 in *Police Violence* (Geller and Toch, eds. 1996) (Procedural justice studies have shown that, “[a]lthough there is evidence that process control enhances procedural fairness judgments even when the decision maker appears to be biased, the party’s belief in the unbiased nature of the decision maker is more likely to lead to a positive interpretation of the outcome.”), and at 243 (“a credible decision maker can make an unfavorable outcome more palatable”).

28. See Geoffrey P. Alpert and Roger G. Dunham, *Policing Urban America* 142 (3d ed. 1997) (“The members are often selected by the mayor or some other political figure. This method of appointment has been criticized by members of minority communities as one more way to ensure that no action against the police will take place.”).

29. See U.S. Commission on Civil Rights, *Who Is Guarding the*

Guardians? 124 (October 1981) (“Generally, the process of civilian review is assumed to include the participation of individuals representing a cross-section of the community and to be external to the investigations unit of the police departments.”); American Civil Liberties Union, *Fighting Police Abuse: A Community Action Manual*, www.aclu.org (Among the ACLU’s “Ten Principles for an Effective Civilian Review Board” is “Reflect Community Diversity. Board and staff should be broadly representative of the community it serves.”); Wayne A. Kerstetter, “Toward Justice for All: Procedural Justice and the Review of Citizen Complaints,” at 242–243 in *Police Violence* (Geller and Toch, eds. 1996) (“In this situation it seems likely that a decision-making authority must include a significant representation of individuals whom each party will view as capable of understanding their point of view. Certainly a decision-making authority composed either entirely of people associated with the police or entirely of people from the part of the community from which most of the complaints arise will not create a perception of fairness among enough of the key interested parties or groups.”); Douglas W. Perez, *Common Sense About Police Review* 266 (1994) (“Hearing boards should be composed of experienced police officers, civilian representatives of the community, and legal experts. Each of these agents’ critical perspectives need not completely control the outcome.”).

30. Douglas W. Perez, *Common Sense About Police Review* 128 (1994).

31. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 124 (October 1981) (“The primary objective of citizen review of police action is to judge the propriety of conduct of an individual officer after an incident of alleged wrongdoing has occurred.”) (emphasis in original).

32. See New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report*, at 13 (January 1993) (“An independent investigative unit can reveal a pattern of complaints in which the underlying problem is not an individual police officer’s conduct, but police department directives.”). See also Samuel Walker, “New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints,” at 171 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O’Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) (“The shortcomings of many citizen review agencies to date result from a lack of vision and an excessively narrow focus on symptoms—individual complaints rather than on the underlying problems.”).

33. See New York Civil Liberties Union Foundation, *op. cit.*, at 120 (January 1993) (“Police officers stand to benefit directly from the civilian review of police practices. The individual officer is spared censure for departmental failures. Without understanding to what extent police department standards and procedures dictate police officers’ actions and attitudes, the imposition of discipline may do little or nothing to prevent future complaints. ‘In many instances,’ attests [Eileen] Luna [former Berkeley Police Review Commission investigator and agency director], ‘we found out it [wasn’t] a problem with the individual officer but with department policy.’”).

34. See Human Rights Watch, “Citizen Review Mechanisms,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) (“an essential

component of the work of any modern review agency should be making concrete policy recommendations to police administrators about how to prevent abuses from occurring in the first place [through improvements in recruiting and training and clearly articulated policies]...”, and at “Summary and Recommendations: Public Accountability and Transparency” (“Review agencies are in a unique position to observe types of complaints of abuse and shortcomings of the police departments they monitor. For this reason, they should provide policy recommendations to the relevant police department.”); American Civil Liberties Union, *Fighting Police Abuse: A Community Action Manual*, www.aclu.org (Among the ACLU’s “Ten Principles for an Effective Civilian Review Board” is “Policy Recommendations. Civilian oversight can spot problem policies and provide a forum for developing reforms.”); Janelle Hartman, *The Register-Guard*, www.ci.portland.or.us/piiac/PIIAC-STO.htm (11/09/97) (“[Samuel] Walker said the good auditor models identify problems and propose corrective action. ‘And they follow up and monitor the compliance with their recommendations,’ he said. Review systems that focus only on processing complaints and fail to question policy are largely failures, Walker said.”); Samuel Walker, “New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints,” at 161 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O’Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) (“The future of citizen complaint review lies in treating the subject in problem-oriented policing terms. Complaints are the immediate, surface problem. Under the problem-oriented approach, police departments use them as indicators of underlying problems that require attention.”); Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 5 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (“Citizen review procedures need to define their role in proactive terms, to understand that they have a broad mission to improve policing and to engage in activities that will improve both the complaint process and the quality of on-the-street policing.”).

35. See American Civil Liberties Union, *Fighting Police Abuse: A Community Action Manual*, at Section 4 (Controlling the Police—Community Goals), Goal #5 (Oversight of Police Policy), www.aclu.org (“Police policies should be subject to public review and debate instead of being viewed as the sole province of police insiders. Open policy-making not only allows police officials to benefit from community input, but it also provides an opportunity for police officials to explain to the public why certain tactics or procedures may be necessary. This kind of communication can help anticipate problems and avert crises before they occur.”); Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 6 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (“[T]he value of the police review function is that it provides a process for citizen input into police policy formulation, including public debate over police policies. In this respect it serves to open a police department to the public and contribute to greater accountability.”).

36. See Douglas W. Perez, *Common Sense About Police Review*

251 (1994) (“Knowledge developed from studying complainant statistics, individual police officer behavior patterns, collective officer behavior patterns, review system outcomes and dynamics, and so on must be used in a prospective manner in the adaptation and formulation of policy. Policy formulators must be expected to learn from members of police review systems and vice versa.”); New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 13 (January 1993) (“There is evidence the civilian agency ... can promote safer and more effective policing by proposing improvements in police practices.”); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 50 (October 1981) (“Citizen complaints are not only useful sources of information about police conduct but, whether accurate or not, they also act as important indicators of public perception of the agency. Instead of being defensive, police administrators can make positive use of this information to improve the public image and community relations of their departments and to learn ways to better serve their communities.”).

37. See, e.g., New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report*, at 14 and 93–94 (January 1993) (discussing civilian policy recommendations made and implemented in Berkeley with regard to rape victim unit, crowd control, and integration of police personnel; in Chicago with regard to a special domestic violence unit; in Cincinnati with respect to additional training in firearms and verbal challenges by civilians; and in San Francisco with regard to high-speed chases and inappropriate traffic code enforcement).

38. Interview with Mary Dunlap, Executive Director of the San Francisco Office of Citizen Complaints (08/25/00).

39. Portland City Code Section 3.21.050(1). See also Sections 3.21.020(2) and 3.21.040(3).

40. Portland City Code Section 3.21.100.

41. Interview with Lisa Botsko, former staff auditor for PIIAC (08/29/00).

42. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) (“Lack of an efficient procedure for intake of citizen complaints detracts from the credibility of the department’s commitment to thorough investigation and correction of misconduct.”); Samuel Walker, “New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints,” at 165 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O’Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) (“Complaint intake procedures are extremely important. Intake is the ‘face’ that the complaint process presents to the public. Some procedures are relatively open and accessible, while others are perceived as closed and hostile.”).

43. U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) (“The effectiveness of a complaint system may be undermined by inaccessible, ... complaint forms in intimidating locations.... Experts recommend that the complaint process be as accessible as possible and that every effort be made to reduce the intimidating features that might discourage complainants from reporting incidents of abuse.”).

44. See Douglas W. Perez and William Ker Muir, “Administrative Review of Alleged Police Brutality,” at 221 in *Police Violence* (Geller and Toch, eds. 1996) (“At the intake level, there is not much to debate

with respect to different types of review systems. Put simply, other-than-police locations are always preferable. Citizens bringing complaints are more at ease in a nonpolice setting, and there are no off-setting disadvantages.”); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) (“Receiving complaints at a variety of locations is likely to be less threatening to most complainants than requiring them to go to police headquarters.”).

45. Minneapolis Code of Ordinance, Section 172.70.

46. See Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 10 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (“A recurring problem across the country is that people seeking to file complaints are not often treated in a respectful manner and in some instances are actively discouraged from filing complaints. This problem has been documented with regard to police departments.”); Human Rights Watch, “Filing Complaints,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998) (“Efforts to dissuade complainants have become extreme in some cities.”), and at “Summary and Recommendations: Obstacles to Justice” (“[I]n all of the cities examined by Human Rights Watch, there are serious flaws in the way complaints from the public are initially received or forwarded for action. Filing a complaint is unnecessarily difficult and often intimidating, whether the person seeking to complain deals with a precinct sergeant, an internal affairs investigator, or, to a lesser extent, a civilian review agency.”).

47. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) (“Training in the complaint process will enable officers to assist citizens wishing to make a complaint.”).

48. See Samuel Walker, “Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool,” at 12 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) (tape recording complaint investigation interviews “is an extremely important quality-control procedure designed to identify bias or disrespect toward any person being interviewed”).

49. See Portland City Code, Sections 3.21.082(1) (“To facilitate review by the Committee, IID shall tape record all interviews with witnesses, including members of the Bureau, conducted during an IID investigation and shall make those tapes, or accurate copies, available to the Committee during its review of an IID investigation.”) and 3.21.085(4)(a) (“In reviewing an IID investigation, the Citizen Advisors may examine ... any documents accumulated by IID during its investigation, including listening to the tape recordings of the parties or the witnesses.”).

50. See U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) (“The effectiveness of a complaint system may be undermined by ... inaccessible, nonbilingual complaint forms.... Consideration of language and literacy barriers is considered another important component of instructing and helping complainants.”).

51. See www.ci.sf.ca.us/occ/form.htm.

52. Interviews with Teresa Guerrero-Daley, San Jose Independent Police Auditor (03/23/00 and 10/03/00).

53. See Douglas W. Perez, *Common Sense About Police Review* 261 (1994) (“The best policy to follow is to require the acceptance

of complaints by any and all personnel, at the office, over the phone, in the mail, or on the street.”); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 53 (October 1981) (“Experts advise that complaints be accepted initially whether made in person, in writing, or by phone, and whether made anonymously or by the victim, an eyewitness, or some other interested party.”).

54. Perez, *op. cit.*, at 232 (“Anonymous complaints must be accepted and treated with an appropriate level of seriousness. Anonymous complaints about long coffee breaks need not be given importance, but charges of corruption and brutality must be treated as bona fide until proven otherwise.”); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) (“The effectiveness of a complaint system may be undermined ... by unwillingness to investigate anonymous complaints...”).

55. The administrative rules and regulations of the San Diego Citizen’s Law Enforcement Review Board provide: “Complaints may be lodged in writing, in person, by telephone, or by any other means of communication. A complaint may be lodged with the Review Board on behalf of oneself or on behalf of another person by any interested person or group.” Rule 5.2 available at www.co.san-diego.ca.us/cnty/cntydepts/safety/clerb. The website for the Office of the Independent Police Auditor in San Jose provides: “A complaint can be made by the aggrieved party, a friend, a family member, or any third person who witnessed the incident. A complaint can be made in person, by telephone, by fax, or in writing.” www.ci.san-jose.ca.us/ipa/ipaintro.html.

56. See www.cityofsacramento.org/cityman/citizenform.html (Sacramento); www.ci.nyc.ny.us/html/ccrb/html/file.html (New York City); www.co.san-diego.ca.us/cnty/cntydepts/safety/clerb/complaint.html (San Diego). New York City also has a postage prepaid, self-mailer complaint form available on the CCRB website at www.ci.nyc.ny.us/html/ccrb/html/report.html.

57. The San Francisco Office of Citizen Complaints website provides: “The Office of Citizen Complaints does receive anonymous complaints. Anonymous complaints will be treated with the same importance as any other complaint; however, the Police Commission has determined that anonymous complaints cannot be sustained without additional evidence.” www.ci.sf.ca.us/occ/complaint.htm and www.ci.sf.ca.us/occ/process.htm. The administrative rules of Miami-Dade County Independent Review Panel provide: “Complaints may be accepted in writing, in person, by telephone, or by any other means of communication, whether the Complainant offers his or her name or submits the Complaint anonymously.” Rule 4.2A, available at www.co.miami-dade.fl.us/irp/rules2.htm.

58. See New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 109–110 and 114–115 (January 1993) (discussing shortcomings of closed hearings and benefits and importance of an open process).

59. See City of Berkeley Ordinance No. 4644–N.S., Section 7 available at www.ci.berkeley.ca.us/prc/ordinan2.html. The Commission can close a meeting to the public “in order to protect the rights and privacy of individuals ... and if such closed meeting is not waived by the individual concerned.” *Id.*

60. Interviews with William White, Chair of the Berkeley Police Review Commission (09/21/00 and 10/03/00), and Barbara Attard, Berkeley Police Review Commission (09/21/00).

61. See Samuel Walker, "New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints," at 170–171 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O'Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) ("[A]ctive community outreach program [is] a process that is essential to establishing an atmosphere of openness and responsiveness."); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 51 (October 1981) ("The effectiveness of a complaint system may be undermined by ... insufficient public education about the system.... For a complaint process to work effectively, the public must be adequately informed about its procedures and encouraged to use it.").

62. See Samuel Walker, "Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool," at 8 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) ("Citizen review procedures need to engage in an active program of public outreach in order to inform the public about the complaint process and to hear community concerns about police problems and problems with the complaint process. Community outreach should take the form of regular meetings with neighborhood groups, in neighborhood settings, and regular and detailed reports.").

63. New York City Charter, Chapter 18–A, Section 440(c)(7).

64. Interviews with Teresa Guerrero-Daley, San Jose Independent Police Auditor (03/23/00 and 10/03/00).

65. See www.ci.portland.or.us/piiac/citycode.htm and www.ci.portland.or.us/piiac/bylaws.htm (Portland); www.ci.berkeley.ca.us/prc/ordinan2.html and www.ci.berkeley.ca.us/prc/regulate.html (Berkeley); www.co.miami-dade.fl.us/irp/ordinancebar.htm and www.co.miami-dade.fl.us/irp/rules2.htm (Miami-Dade); www.co.san-diego.ca.us/cnty/cntydepts/safety/clerb/about.html (San Diego).

66. See IRP Meeting Protocol at www.co.miami-dade.fl.us/irp/meetingbar.htm and www.co.miami-dade.fl.us/irp/outreach%203.htm.

67. See www.ci.berkeley.ca.us/prc/compform.html.

68. See Samuel Walker, "Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool," at 11 *Research Brief* (The Center on Crime, Communities & Culture, September 1998) ("Citizen review agencies need to audit their own complaint intake procedures to ensure that quality service is being delivered and that complainants are not discouraged from pursuing their cases.").

69. See Samuel Walker, "Citizen and Police Officer Evaluations of the Minneapolis Civilian Review Authority, October 1998–September 1999 (December 1999) ("It is important to note that the Minneapolis CRA is one of the few citizen oversight agencies in the country that documents all contacts with citizens and records the service rendered.").

70. See Citizen and Police Officer Evaluations of the Minneapolis Civilian Review Authority, October 1998–September 1999: A Report to the Minneapolis Civilian Review Authority by Professor Samuel Walker, Ph.D., with the Assistance of Leigh Herbst (December 1999).

71. Samuel Walker, "New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints," at 168 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues,*

and Making POP Work (Tara O'Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998).

72. Samuel Walker, "Achieving Police Accountability: Despite Well-Publicized Failures, Citizen Complaint Review Boards Can Be an Effective Tool," at 10 *Research Brief* (The Center on Crime, Communities & Culture, September 1998). See also New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report* at 69 (January 1993) (Quoting Alfreda Davis Porter, former Executive Director of San Francisco OCC and former Executive Director of Washington, DC, CCRB: "Timeliness is critical. The agency must process in a timely fashion.... There is no value in disciplining two years after the event. The community needs to see the system respond.").

73. Samuel Walker, "New Directions in Citizen Oversight: The Auditor Approach to Handling Citizen Complaints," at 168 in *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues, and Making POP Work* (Tara O'Connor Shelley and Anne C. Grant, eds., Police Executive Research Forum, 1998) ("One of the most pervasive problems of both police internal affairs units and citizen review boards has been their failure to dispose of complaints in a timely fashion.").

74. See, e.g., U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 57, n. 99 (October 1981) ("The National Advisory Commission on Criminal Justice Standards and Goals recommends that all investigations be concluded and final notification given within 30 days.... On the other hand, Stahl and Staufenberger [Police Foundation] recommend that a 90-day maximum time limit be imposed regardless of whether a criminal case is pending."); David C. Couper, "How to Rate Your Local Police," at 18–19, *Police Executive Research Forum* (1983) ("The agency should also see to it that all complaint investigations are completed within 60 days....").

75. See Minneapolis Code of Ordinance, Sections 172.80 (preliminary review within 30 days); 172.90 (investigations completed within 120 days of complaint filing, with one-time extension of 60 days with written explanation); 172.100 (reasonable efforts to complete evidentiary hearings within 60 days of investigation completion); 172.130 (written report with findings of fact and determination within 30 days of evidentiary hearing completion).

76. See, e.g., New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report*, at 108 (January 1993) (Quoting Karen Northcott, a paralegal with experience in plaintiffs' police misconduct suits and a volunteer monitor of the Minneapolis civilian review board: "We did a national search to recruit our investigators—ads in all kinds of papers. We asked for experience with police procedures and in criminal investigations. I once thought they didn't need police backgrounds, but I've begun to think it's crucial. They need to understand police culture and police records, including personal logs."); Douglas W. Perez and William Ker Muir, "Administrative Review of Alleged Police Brutality," at 230 in *Police Violence* (Geller and Toch, eds. 1996) ("On one hand, police officers surveyed indicate that they believe in the competence of internal affairs investigators. Seventy-three percent from cities with civilian review felt that civilians were less competent than police officers to investigate complaints. Not one officer of 150 believed civilians to be superior to sworn investigators (8 percent thought that both sorts were competent and 18 percent had no opinion). These numbers support

the idea that the police feel that only they can effectively police their operations. On the other hand, when asked to reflect on the ideal system, an unexpected 35 percent [of officers surveyed] opted for a 'combination of police and civilian investigators.'").

77. See, e.g., Transcript from "Policing the Police," National Public Radio's "Morning Edition" (07/31/97) (Community oversight advocate and expert Samuel Walker: "There are always gonna be some people who are, you know, gonna perceive the auditor model or any other model as not being fully independent. But I still think on the evidence that we have available to use now, I see some—the promise of some real progress with the auditor model that I don't quite see with other traditional civilian complaint review boards.").

78. See New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report*, at 106 (January 1993) ("Experts have described the difference between subpoena power and lack of it as the difference between the legal means to do substantive investigation and merely marginal power."); Samuel Walker and Vic W. Bumpus, "The Effectiveness of Civilian Review: Observations on Recent Trends and New Issues Regarding the Civilian Review of the Police," *American Journal of Police*, Vol. XI, No. 4, at 8 (1992) ("Common sense suggests that procedures with greater powers (e.g., subpoena power) are more likely to be effective than other systems."); American Civil Liberties Union, *Fighting Police Abuse: A Community Action Manual*, www.aclu.org (Among the ACLU's "Ten Principles for an Effective Civilian Review Board" is "Independence. The power to conduct hearings, subpoena witnesses, and report findings and recommendations to the public." "Investigatory Power. The authority to independently investigate incidents and issue findings on complaints," and "Mandatory Police Cooperation. Complete access to police witnesses and documents through legal mandate or subpoena power.").

79. John Crew, "Community Policing vs. Policing the Community," *HRO News*, at 5 (February/March 1999).

80. New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report*, at 109 (January 1993) (emphasis in original).

81. Interview with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (09/22/00).

82. Interview with Dr. Michael Hess, Police Internal Investigations Examiner (06/29/00).

83. This section is based on interviews with Mary Dunlap, Executive Director of the San Francisco Office of Citizen Complaints (02/27/00 and 08/25/00), and Jill Tregor, one of the early organizers around the charter amendment containing the investigator-to-officer ratio (09/28/00), and on San Francisco City Charter Section 4.127.

84. San Francisco City Charter, Section 4.127 (Office of Citizen Complaints).

85. Interview with Jill Tregor, one of the early organizers around the charter amendment containing the investigator-to-officer ratio (09/28/00).

86. San Francisco community oversight advocates have a history of organizing and achieving many of their successes in strengthening the OCC through ballot measures. See, e.g., John M. Crew, *Reforming the SFPD Accountability System*, www.aclu.org/community/calif-n/sfpdreform.html n. 3 (March 20, 1997) ("In 1982,

Proposition A created the OCC. In 1987, Proposition G removed a cap on funding levels for the OCC. In 1995, Proposition G increased staffing levels for the OCC and required the police department to account for liability costs caused by police misconduct cases.").

87. Interview with Mary Dunlap, Executive Director of the San Francisco Office of Citizen Complaints (08/25/00).

88. City of Berkeley, Ordinance No. 4644-N.S., Section 2.

89. Douglas W. Perez and William Ker Muir, "Administrative Review of Alleged Police Brutality," at 217 in *Police Violence* (Geller and Toch, eds. 1996).

90. Interview with Osha Neumann, former member of the Berkeley Police Review Commission (09/21/00).

91. This section is based on an interview with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (09/22/00), and on the Minneapolis Code of Ordinance, Title 9, Chapter 172.

92. Minneapolis Code of Ordinance, Section 172.30.

93. *Ibid.*

94. *Ibid.*, Section 172.10.

95. Interview with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (09/22/00).

96. This section is based on interviews with Dr. Eduardo I. Diaz, Executive Director of the Independent Review Panel (10/02/00), and Nathaniel Wilcox, Executive Director of People United to Lead the Struggle for Equality (PULSE) (10/03/00), and on www.co.miami-dade.fl.us/irp.

97. Miami-Dade County Ordinance, Section 2-11.42.

98. *Ibid.*, Section 2-11.51(b).

99. Interview with Nathaniel Wilcox, Executive Director of PULSE (10/03/00).

100. This section is based on interviews with Michael Hess, PIIAC staff auditor (03/24/00); Lisa Botsko, former PIIAC staff auditor (08/29/00); and Dan Handelman, Portland Copwatch (08/30/00), as well as on Portland City Code, Sections 3.21.010–3.21.120, available at www.ci.portland.or.us/piiac/city-code.htm.

101. Portland City Code, Section 3.21.030.

102. Interview with Dan Handelman, Portland Copwatch (08/30/00).

103. This section is based on an interview with Jill Tregor, one of the early organizers around the charter amendment containing the Board of Supervisors accountability measure (09/28/00), and on San Francisco City Charter, Section 4.127.

104. This section is based on interviews with Dr. Michael Hess, Police Internal Investigations Examiner, PIIAC (06/29/00); Lisa Botsko, former staff auditor for PIIAC (08/29/00); and Dan Handelman, Portland Copwatch (08/30/00), as well as on Portland City Code, Sections 3.21.010–3.21.120, available at www.ci.portland.or.us/piiac/citycode.htm.

105. The Citizen Advisors are required to prepare a similar quarterly report. See Portland City Code, Section 3.21.085(5).

106. Portland City Code, Section 3.21.050. See also Sections 3.21.020(3) and 3.21.040(3).

107. Interview with Lisa Botsko, former staff auditor for PIIAC (08/29/00).

108. Portland City Code, Section 3.21.100(1).

109. Portland City Code, Section 3.21.100(2).
110. Interview with Dan Handelman, Portland Copwatch (08/30/00).
111. This section is based on interviews with Osha Neumann, former PRC Commissioner for eight years (09/21/00), and Andrea Pritchett of Berkeley Copwatch (10/05/00), and on City of Berkeley, Ordinance No. 4-644-N.S.
112. City of Berkeley, Ordinance No. 4644-N.S., Section 10.
113. New York Civil Liberties Union Foundation, *Civilian Review of Policing: A Case Study Report*, at 119 (January 1993).
114. San Francisco City Charter, Section 4.127.
115. This section is based on interviews with Mary Dunlap, Executive Director of the Office of Citizen Complaints (03/06/00, 08/25/00, and 10/05/00).
116. This section is based on interviews with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (03/15/00, 03/20/00, and 09/22/00), and Samuel Walker, "Citizen and Police Officer Evaluations of the Minneapolis Civilian Review Authority October 1998–September 1999" (December 1999).
117. Samuel Walker, "Citizen and Police Officer Evaluations of the Minneapolis Civilian Review Authority October 1998–September 1999" (December 1999).
118. A complaint may not be filed for a variety of reasons. It may be, for example, that there is no claim, the dispute may be resolved without the necessity of a complaint, or the claims are time-barred because "[n]o person may file a complaint with the review authority if one year has elapsed since the alleged misconduct" (Minneapolis Code of Ordinance, Section 172.160). See also Samuel Walker, "Citizen and Police Officer Evaluations of the Minneapolis Civilian Review Authority October 1998–September 1999" (December 1999) ("It is important to note that the Minneapolis CRA is one of the few citizen oversight agencies in the country that documents all contacts with citizens and records the service rendered.").
119. Minneapolis Code of Ordinance, Section 172.80.
120. Minneapolis Code of Ordinance, Section 172.90.
121. Minneapolis Code of Ordinance, Section 172.100.
122. Minneapolis Code of Ordinance, Section 172.130.
123. Interview with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (09/22/00).
124. This section is based on an interview with Mary Jane DeFrank, ACLU-NCA (10/03/00), and Washington, DC, Code, Sections 4-911–4-925. The prior community oversight agency in Washington—the Civilian Complaint Review Board—was abolished, and its enabling legislation (DC Code, Sections 4-901–4-910) repealed in 1995.
125. Washington, DC, Code, Section 4-917(g).
126. Washington, DC, Code, Section 4-920(f).
127. Washington, DC, Code, Section 4-922(a).
128. Washington, DC, Code, Section 4-922(b).
129. Washington, DC, Code, Section 4-922(d).
130. Washington, DC, Code, Section 4-922(e).
131. Washington, DC, Code, Section 4-922(h).
132. Interview with Mary Jane DeFrank, ACLU-NCA (10/03/00).
133. This section is based on interviews with William White, Chair of the Berkeley Police Review Commission (10/03/00), and Andrea Pritchett, Berkeley Copwatch (10/05/00), and on City of Berkeley, Ordinance No. 4644-N.S., available at www.ci.berkeley.ca.us/prc/ordinan2.html.
134. City of Berkeley, Ordinance No. 4644-N.S., Section 10.
135. Interview with William White, Chair of the Berkeley Police Review Commission (10/03/00).
136. This section is based on an interview with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (09/22/00), and on Minneapolis Code of Ordinance, Sections 172.10–172.160.
137. Minneapolis Code of Ordinance, Section 172.120.
138. Minneapolis Code of Ordinance, Section 172.110.
139. Interview with Patricia Hughes, Executive Director of the Minneapolis Civilian Police Review Authority (09/22/00).
140. This section is based on an interview with Mary Dunlap, Executive Director of the San Francisco Office of Citizen Complaints (10/05/00), and on San Francisco City Charter, Section 4.127.
141. San Francisco City Charter, Section 4.127.
142. The General Order and Garry-Lybarger Admonishment provide:
This statement is required of you in connection with your employment as a Police Officer. Your attention is directed to Rule 21 of Department General Order 2.01 ..., which states: "COOPERATION WITH INVESTIGATIONS. Members shall, when questioned on matters relating to their employment with the Department ... by a member of the Office of Citizen Complaints, answer all questions truthfully and without evasion...."
Your attention is also directed to Government Code section 3303(e), ... which provides in part: "... an officer refusing to respond to questions ... shall be informed that failure to answer questions directly related to the investigation or interrogation may result in punitive action...."
[After being read their Miranda rights, officers are further instructed:] However, if you refuse to answer my questions, administrative discipline may be imposed, up to and including removal from office as a police officer....
The United States Supreme Court held, in *Garrity vs. New Jersey*, ... and in *Gardner vs. Broderick*, ... that when a public employee is compelled to give a statement under the threat that otherwise the employee may be removed from office, the statement given cannot be used against the employee in a subsequent *criminal* prosecution.
The California Supreme Court, in *Lybarger vs. City of Los Angeles*, ... held that: (1) Although you have the right to remain silent and not incriminate yourself, (2) your silence may be deemed insubordination, and (3) result in the imposition of administrative discipline, up to and including termination, and (4) any statement you make under the compulsion of threat of such discipline cannot be used against you in a later criminal proceeding.
143. This section is based on an interview with Mary Jane DeFrank, ACLU-NCA (10/03/00), and on Washington, DC, Code Sections 4-911–4-925. The prior community oversight agency in Washington—the Civilian Complaint Review Board—was abolished, and its enabling legislation (DC Code Sections 4-901–4-910) repealed in 1995.
144. Washington, DC, Code, Section 4-921.
145. Interview with Mary Jane DeFrank, ACLU-NCA (10/03/00).

Collaborative Information Gathering and Sharing: Getting the Facts

1. According to the Police Foundation, “[a] 1977 study found that: ‘The lack of systematic, centralized data collection in many departments inhibits the rational development of new policies, training programs, and enforcement procedures.’” Police Foundation website, www.policefoundation.org/docs/rams.html.

2. See, e.g., Warren Friedman, “The Community Role in Community Policing,” at 263 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994) (“[T]o the degree community policing reaches beyond a problem-solving methodology toward ‘partnership,’ it is a coordinated strategy, and the role, knowledge, and effectiveness of the partner is critical to its success. In community policing, the quality of the community’s participation is decisive.”).

3. John Crew, “Community Policing vs. Policing the Community,” *HRO News*, at 7 (February/March 1999).

4. Kenneth Adams, “Measuring the Prevalence of Police Abuse of Force,” *And Justice for All: Understanding and Controlling Police Abuse of Force*, at 75–76 (William A. Geller & Hans Toch, eds. 1995).

5. Amnesty International, Chapter 3, “Secrecy,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998). Additionally, Human Rights Watch, an international organization, has reported difficulties in gaining information from police departments investigated by it. See Human Rights Watch, *Shielded from Justice: Police Brutality and Accountability in the United States* 46–47 (June 1998).

6. Amnesty International, Chapter 3, “Secrecy,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998).

7. See, e.g., Amnesty International, Chapter 3, “Secrecy,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998) (Discussing information about cases of police misconduct: “In general, information becomes public only in the rare instances when there is a trial.”).

8. See www.ci.madison.wi.us/police at “MPD Policies and Procedures.”

9. See Giant Abutalebi Aryani, Terry D. Garrett, and Carl L. Alsabrook, “The Citizen Police Academy: Success Through Community Partnerships,” *FBI Law Enforcement Bulletin*, Vol. 69, Number 5, at 16 (May 2000) (“CPAs provide the public with a working knowledge of their law enforcement agency’s mission, operation, policies, and personnel.”); Martin Alan Greenberg, “Citizen Police Academies,” *FBI Law Enforcement Bulletin* (August 1991) (“The existing citizen police academies demonstrate a willingness on the part of local police departments to share information with the general public.”).

10. Aryani et al., *op. cit.*, at 17 (“CPAs represent a shortened version of law enforcement academies.”).

11. See Aryani et al., *op. cit.*, at 17–18 (“CPA programs should cover diverse police topics.... For example, curriculums can include such topics as professional standards, legal issues, and information regarding patrol procedures and radar operations. In conjunction with lectures, instructors should use demonstrations, facility tours, and hands-on activities (e.g., role-plays, ride-alongs) when possi-

ble—as well as additional aids, such as videos, slides, audio cassettes, overheads, and posters.”).

12. See Martin Alan Greenberg, “Citizen Police Academies,” *FBI Law Enforcement Bulletin* (August 1991) (“For police departments, citizen police academies provide an avenue to learn about the concerns of community members. These academies encourage police interaction with the public, which can augment police job satisfaction and provide a measure of accountability to the community.... At the same time, police departments can use a citizen police academy to recruit individuals into the profession.”); Giant Abutalebi Aryani, Terry D. Garrett, and Carl L. Alsabrook, “The Citizen Police Academy: Success Through Community Partnerships,” *FBI Law Enforcement Bulletin*, Vol. 69, Number 5, at 19 (May 2000) (CPA “reduces suspicions and misconceptions about the agency...” and “can serve as the nucleus for establishing enhanced community ties...”), and at 20 (“the positive teaching experience and the sharing of common concerns between officers and citizens has helped the department to curtail the ‘us-versus-them’ mentality often found embedded in the police culture”).

13. See Aryani et al., *op. cit.*, at 18 (“when organizing a CPA, agencies should consider the citizens’ needs with regard to time and day of classes to accommodate students with family, career, and community obligations”).

14. See Greenberg, *op. cit.*, (“[S]ome academy instructors could lose sight of the goal of citizen police academies. They might overplay the public relations aspects and curtail the delivery of more useful information about the realities of policing and the ability of the criminal justice system to contend with crime.”).

15. *Ibid.* (“The existing citizen police academies demonstrate a willingness on the part of local police departments to share information with the general public. However, their efforts should merely be considered as a beginning, especially if large metropolitan areas adopt this initiative.”).

16. *Ibid.*

17. Interview with Commander Scott Carlton, Corcoran Police Department (12/05/00).

18. Interview with Carla Zainie, Senior Management Analyst and Webmaster, San Antonio Police Department (07/25/00). See also www.ci.sat.tx.us/sapd/INFO.htm.

19. Interviews with Lieutenant Kelly Russell, Frederick City Police Department (05/12/00), and Lydell Scott, Executive Director, County of Frederick Human Relations Commission (05/09/00).

20. U.S. Commission on Civil Rights, *Who Is Guarding the Guardians?* 50 (October 1981).

21. Douglas W. Perez, *Common Sense About Police Review* 239 (1994). See also Amnesty International, Chapter 3, “Secrecy,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998) (“Public confidence in the complaints and disciplinary process is further undermined by the secrecy of police internal investigations.”).

22. See Douglas W. Perez and William Ker Muir, “Administrative Review of Alleged Police Brutality,” at 226 in *Police Violence* (Geller and Toch, eds. 1996) (“All civilian [police review] systems in the United States do so [publish information on their findings and procedures]. Openness to the public gives civilian systems an advantage.”).

23. See, e.g., Minneapolis Civilian Police Review Authority,

1999 Annual Report.

24. See, e.g., San Francisco Office of Citizen Complaints, 1999 Annual Report; San Jose Office of the Independent Police Auditor, Year End Report—1997; New York City Civilian Complaint Review Board, Semiannual Status Report January–June 2000.

25. See www.ci.sf.ca.us/occ (San Francisco); www.ci.san-jose.ca.us/ipa/home.html (San Jose).

26. Human Rights Watch, “Internal Affairs Units,” *Shielded from Justice: Police Brutality and Accountability in the United States*, www.hrw.org/reports98 (July 1998).

27. Douglas W. Perez and William Ker Muir, “Administrative Review of Alleged Police Brutality,” at 226 in *Police Violence* (Geller and Toch, eds. 1996) (“Only one-third of America’s police internal review systems publish[es] information about complaint procedures or investigative data.”).

28. Amnesty International, Chapter 3, “Secrecy,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998) (“Some police departments now provide statistical data on the number of complaints investigated and the number of officers disciplined each year. However, the information provided varies.”).

29. *Ibid.*

30. *Wisconsin State Journal et al. vs. City of Madison Police Department*, Case No. 96-CV-1137.

31. Interview with Assistant Chief Richard Cowan, Madison Police Department (04/03/00).

32. Interview with Charles Reynolds, Federal Compliance Auditor for Consent Decree (05/11/00), and Consent Decree, *United States of America v. City of Steubenville et al.*, Civil No. C2-97-966, Eastern District of Ohio at ¶ 63 (1997). See also Steubenville Police Department Internal Affairs Division Complaint/Investigation Summary Reports.

33. See, e.g., Human Rights Watch, “Public Access to Information,” *Shielded from Justice* (1998) (“In New Orleans, an attorney who frequently represents police abuse victims has tried repeatedly to obtain information about civil-lawsuit settlements and civil jury awards paid by the city, but has been denied this information, though it is clearly covered under the state’s public access law.... After a significant delay, Human Rights Watch was finally provided with this information in June 1997 after threatening to file a lawsuit to force the city to turn over the data.”).

34. Interviews with Dan Handelman, Portland Copwatch (08/30/00 and 04/06/01).

35. Human Rights Watch, “Summary and Recommendations: Public Accountability and Transparency,” *Shielded from Justice* (1998).

36. San Francisco City Charter, Section 4.127 provides: “BUDGET. Monetary awards and settlements disbursed by the City and County as a result of police action or inaction shall be taken exclusively from a specific appropriation listed as a separate line item in the Police Department budget for that purpose.”

37. See Human Rights Watch, “San Francisco: Civil Lawsuits,” *Shielded from Justice* (1998).

38. Nancy G. La Vigne, “Computerized Mapping as a Tool for Problem-Oriented Policing,” *Crime Mapping News*, Vol. 1, Issue 1, at 1 (Winter 1999) (“At its most basic level, GIS is used to support traditional policing goals, enabling law enforcement managers to

determine where to target scarce resources. But, ‘the true power of GIS lies in its ability to support the identification and analysis of crime problems to aid in the development of interventions and to help determine the impact of those interventions.’”), and at 3 (“Despite the recent popularity of computerized crime mapping, its use in problem solving remains limited.”).

39. La Vigne, *op. cit.*, at 2.

40. See La Vigne, *op. cit.*, at 2 (“Computerized mapping as it is used by analysts and researchers studying crime problems draws on a vast array of geographically referenced data, from street networks and lighting, to information about demographics and city services. ‘Mapping provides a means of examining potential conditions supporting or facilitating the existence of a crime problem and does so in a manner that is relatively easy to interpret by those with little statistical training.’”); Lew Nelson, Public Safety Coordinator, ESRI, Inc., “Crime Mapping and ESRI,” *Crime Mapping News*, Vol. 1, Issue 4, at 1–2 (Fall 1999) (“In addition, crime analysis has become a much broader issue than simple pin-mapping. In addition to historical, spatial, and other more familiar forms of crime analysis, there are analysts actively engaged in crime forecasting, traffic analysis, and other areas including: Community mapping—looking at the underlying factors that create crime and crime-related problems with a focus on creating strategies for intervention and mitigation. This ‘holistic’ look at the community may include housing, recreation, economic, community survey, and other demographic data that relate to crime and community health.”).

41. See www.columbuspolice.org/home/ at “Precinct Maps & Stats.”

42. See www.charmeck.nc.us/cipolice/AZIndex/azindex.htm at “Crime Mapping.”

43. See www.lansingpolice.com at “Crime.”

44. See www.intouchlansing.com.

45. Interview with Lieutenant Steve Person, Lansing Police Department (11/27/00).

46. *Ibid.*

47. See Robert C. Trojanowicz, Richard Gleason, Bonnie Poland, and David Sinclair, *Community Policing: Community Input Into Police Policy-Making* (1987) (Describing various types of public surveys: “Most surveys asked citizens to rate existing police performance. In many cases, the researchers then analyzed the data based on characteristics of the population surveyed, usually in terms of race, age, income, sex, or victimization or some combination of these factors. Other studies tended to focus on police-citizen interaction, assessing satisfaction as a result of police-citizen contact or on the response time of police in citizen-initiated contacts. A few studies focused on other variables, such as whether the perceived professionalism of police influenced satisfaction, or on more specific questions concerning police functions.”); William A. Geller, *Supporting Community Policing as an Example of Democracy in Action: A Venture for The Edna McConnell Clark Foundation* 30 (March 27, 1998) (“One simple learning method that many departments have used over the past decade is a community survey on satisfaction with police services.”).

48. See Trojanowicz et al., *op. cit.*, (some surveys ask “whether police performance could be improved and how this could be accomplished”).

49. John E. Eck and Dennis P. Rosenbaum, "The New Police Order: Effectiveness, Equity, and Efficiency in Community Policing," at 12 in *The Challenge of Community Policing: Testing the Promises* (Dennis P. Rosenbaum, ed. 1994).

50. Trojanowicz et al., *op. cit.*

51. Interview with Officer Melissa Parlin, Montgomery County, Maryland, Police Department (04/20/00). See also www.co.mo.md.us/services/police/survey/survey.html.

52. Kenneth Adams, "Measuring the Prevalence of Police Abuse of Force," *And Justice for All: Understanding and Controlling Police Abuse of Force*, at 84–86 (William A. Geller & Hans Toch, eds. 1995).

53. Adams, *op. cit.*, at 85.

54. Interviews with Richard Cowan, Assistant Chief of Operations, Madison Police Department (03/30/00 and 04/03/00). See also www.ci.madison.wi.us/police/survey.html.

55. Interview with Richard Cowan, Assistant Chief of Operations, Madison Police Department (03/30/00).

56. See Trojanowicz et al., *op. cit.* ("While such 'satisfaction' surveys are indeed commendable, not only because of the information they provide but because they foster citizen involvement, these surveys only provide a yardstick of existing police performance—and a yardstick compared to what? In other words, surveys designed to measure satisfaction provide no opportunity for citizens to express their model of the ideal."); Stephen D. Mastrofski and Jack R. Greene, "Community Policing and the Rule of Law," at 90 in *Police Innovation and Control of the Police: Problems of Law, Order, and Community* (David Weisburd and Craig Uchida, eds. 1993) ("How should community policing widen citizen access to the police, ensuring the broadest possible expression of views? Door-to-door surveys and polls may be an efficient way to accomplish this, but they tend to focus on narrow, personal problems; they are a passive form of input; their results are easily manipulated by those who collect the data; and they lack the sort of give-and-take public discussion and debate that would help citizens and police work through complex issues relevant to the entire neighborhood.")

57. See David Cole, "The Color of Justice," *The Nation*, at 15 (10/11/99) ("The practice targets not just the disenfranchised poor but rich and middle-class minorities....").

58. See National Conference of State Legislatures, "State Laws Address 'Racial Profiling,'" *CJ Letter*, www.ncsl.org/programs/cj/ (October 2000) ("80 percent of all people object to the practice, according to a 1999 poll by the Gallup organization.")

59. See National Conference of State Legislatures, "State Laws Address 'Racial Profiling,'" *CJ Letter*, www.ncsl.org/programs/cj/ (October 2000) ("Seventy-five percent of black Americans polled say that racial profiling, the practice of stopping an individual on the basis of race and because they fit a particular profile of criminal offenders, frequently occurs. Half of white Americans agree it is common, and 80 percent of all people object to the practice, according to a 1999 poll by the Gallup organization."). See also David A. Harris, *Driving While Black: Racial Profiling On Our Nation's Highways*, An American Civil Liberties Union Special Report, www.aclu.org/profiling/report/index.html (June 1999) ("[T]he dozens of stories in the press and on the airwaves, combined with the statistical reports, the lawsuits, and recent legislative action,

make a powerful argument that 'driving while black' is not just an occasional problem.").

60. David A. Harris, "'Driving While Black' and All Other Traffic Offenses: The Supreme Court and Pretextual Traffic Stops," 87 *J. Crim. L. & Criminology* 544, 546 (Winter 1997) ("In fact, the stopping of black drivers, just to see what officers can find, has become so common in some places that this practice has its own name: African Americans sometimes say they have been stopped for the offense of 'driving while black.'").

61. See Jeffrey Goldberg, "The Color of Suspicion," *The New York Times Magazine* at 56 (06/29/00) ("Anecdotes are plentiful, but hard numbers are scarce. Many police officials see the 'racial profiling' crisis as hype. 'Not to say that it doesn't happen, but it's clearly not as serious or widespread as the publicity suggests,' says Chief Charles Ramsey of Washington.")

62. "Data Collection: The First Step in Coming to Grips with Racial Profiling," Written Testimony of David A. Harris, Hearing on Racial Profiling Within Law Enforcement Agencies, United States Senate Subcommittee on the Constitution, Federalism, and Property Rights (March 30, 2000) ("Without doubt, racially-targeted traffic stops cause deep cynicism among blacks about the fairness and legitimacy of law enforcement and courts.... [And,] the damage done to the legitimacy of the system has spread across racial groups, from those most immediately affected to others.")

63. See "Data Collection: The First Step in Coming to Grips with Racial Profiling," Written Testimony of David A. Harris, Hearing on Racial Profiling Within Law Enforcement Agencies, United States Senate Subcommittee on the Constitution, Federalism, and Property Rights (March 30, 2000) ("Perhaps the most direct result of this cynicism is that there is considerably more skepticism about the testimony of police officers than there used to be.... The result will likely be increasing difficulty for prosecutors when they go into court to try to convict the guilty in any case that depends upon police testimony, as so many cases do. The result may be more cases that end in acquittals or hung juries, even factually and legally strong ones.")

64. See Randall Kennedy, "Suspect Policy," *The New Republic*, at 31 (Sept. 13 & 20, 1999) ("the large extent to which racial profiling constantly adds to the sense of resentment felt by blacks of every social stratum toward the law enforcement establishment"); David A. Harris, "'Driving While Black' and All Other Traffic Offenses: The Supreme Court and Pretextual Traffic Stops," 87 *J. Crim. L. & Criminology* 544, 570 (Winter 1997) ("For those stopped, the situation may produce fear, anger, humiliation, and even rage.")

65. See David Cole, *No Equal Justice: Race and Class in the American Criminal Justice System* 54 (1999) ("Requiring public recording of the racial character of such stops might lead the police to evaluate more carefully and critically their own bases for action, and might also identify where supervisory action is needed to redress imbalances. So that enforcement is not left to the police themselves, citizen commissions should be empowered to review these records and to demand explanations from the police when racial disparities become evident."); Amnesty International, Chapter 3, "Recommendations," *Rights for All*, www.rightsforall-usa.org/info/report (October 1998) ("Police departments should establish early warning systems to identify and deal with officers

involved in human rights violations. They should establish clear reporting systems and keep detailed records of every officer's conduct. They should conduct regular audits of these records in order to identify, and take remedial action in respect of, any patterns of abuse, including racial bias or other discriminatory treatment. These audits should be open to inspection or view by independent oversight bodies.”)

66. See National Conference of State Legislatures, “State Laws Address ‘Racial Profiling,’” *CJ Letter*, www.ncsl.org/programs/cj/ (October 2000) (discussing legislation in nine states).

67. See National Conference of State Legislatures, “State Laws Address ‘Racial Profiling,’” *CJ Letter*, www.ncsl.org/programs/cj/ (October 2000) (“On the federal level, bills in both the House and Senate would require the U.S. attorney general to study information collected from law enforcement agencies throughout the nation (H.R. 1443 and S. 821).”); “Data Collection: The First Step in Coming to Grips with Racial Profiling,” Written Testimony of David A. Harris, Hearing on Racial Profiling Within Law Enforcement Agencies, United States Senate Subcommittee on the Constitution, Federalism, and Property Rights (March 30, 2000) (The Senate bill—the Traffic Stops Statistics Act—“proposes a study that would include the collection of statistics on all routine traffic stops in a national sample of jurisdictions.... Police would collect crucial data for analysis—age, race, and ethnicity of the driver, the reason for the stop, whether or not a search was conducted, the legal rationale for the search, whether any contraband was found, and what it was. The Justice Department would perform an initial analysis on currently available data within 120 days of the bill’s passage; after two years of data collection, the Department would issue a comprehensive report containing a study of all the information collected.”).

68. Interview with Michelle Alexander, Director of the Racial Justice Project, ACLU of Northern California (03/13/01).

69. See State of Rhode Island, H 7164 (available at www.rilin.state.ri.us/BillText00/HouseText00/H7164aaa.htm).

70. See State of Missouri, Senate Bill No. 1053 (available at www.senate.state.mo.us/billtext/tat/SB1053.htm).

71. See *U.S. v. State of New Jersey et al.*, Civil No. 99-5970(MLC) (available on the Justice Department’s website at www.usdoj.gov/crt/split/); ACLU Press Release, “City of Highland Park and ACLU Reach Landmark Agreement to Prevent Racial Profiling,” www.aclu.org/news/2000/n071200a.html.

72. Interview with Captain Doug McFee, Director of Training and Education, Montgomery County Police Department (07/31/00); ACLU Newswire, “Hand-held Computers to Track Traffic Stops in Montgomery County, Maryland,” www.aclu.org/news/2000/w062700b.html (06/27/00). According to the ACLU press release, the computers—called TRAFFIC STOP—are “the size of an index card and about one-half of an inch thick ...” and also allow officers “to access other information ... including phone numbers, daily crime information, traffic issues, portions of the criminal code, and department regulations.” The information entered into the hand-held computers is then transferred to the police department’s database. At a cost of \$373,000, the county is purchasing 1,200 units so that each of its 1,032 officers will have one.

73. See www.msp.state.mi.us/news/quick.htm.

74. “Data Collection: The First Step in Coming to Grips with Racial Profiling,” Written Testimony of David A. Harris, Hearing on

Racial Profiling Within Law Enforcement Agencies, United States Senate Subcommittee on the Constitution, Federalism, and Property Rights (March 30, 2000).

75. National Institute of Justice et al., *Use of Force by Police: Overview of National and Local Data*, at 9 (October 1999). See also Amnesty International, Chapter 3, “Identifying problems,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998) (“A growing number of departments have developed ‘early warning systems’ for identifying and monitoring [problem or ‘violence prone’] officers.”); Douglas W. Perez, *Common Sense About Police Review* 206 (1994) (“With particular reference to police abusive behavior, police sergeants, together with middle managers and chiefs, must be encouraged to develop ‘early warning information systems [that] may assist the department in identifying violence-prone officers.’”).

76. See, e.g., Douglas W. Perez, *Common Sense About Police Review* 207 (1994) (Describing the “Critical Indicators Program” of the Oakland Police Department: “The police chief has a computer tabulation put together on a regular basis that tracks indicators that ‘might’ have a tendency to show behavior problems in the making. Every police officer who contacts the public is monitored on a quarterly basis. The chief collects statistics on citizens’ complaints, use-of-force reports, firearms discharge reports, resisting arrest reports, vehicular accidents, absenteeism, and evaluations of officers’ written reports, conducted both in-house and by deputy district attorneys. When an officer shows up in too many categories over a three-month period, his or her immediate supervisor is advised.”).

77. See Amnesty International, Chapter 3, “Identifying problems,” *Rights for All*, www.rightsforall-usa.org/info/report (October 1998) (“A Consent Decree ... reached with the Justice Department in April 1997 to improve procedures in the Pittsburgh Police Department is considered to be a model program.... Some other departments have also set up early warning systems, but most do not yet go as far as the Pittsburgh model.”).

78. Police Foundation website, www.policefoundation.org/docs/rams.html; and interview with Earl Hamilton, Police Foundation (09/18/00). Departments using The RAMS program include Newark, Irvington, Orange, and East Orange, New Jersey; Charleston, South Carolina; and the Essex County Sheriff. Departments in Nashville, Tennessee; Sacramento, California; and Calgary, Canada, are beginning to institute The RAMS program.

79. Interview with Detective Beatrice Golden, Newark Police Department (10/03/00).

80. See “Data Collection: The First Step in Coming to Grips with Racial Profiling,” Written Testimony of David A. Harris, Hearing on Racial Profiling Within Law Enforcement Agencies, United States Senate Subcommittee on the Constitution, Federalism, and Property Rights (March 30, 2000) (discussing host of activity in state legislatures across the country to collect data to combat racial profiling, “[t]hese actions and initiatives manifest a real desire to begin correcting what people of color everywhere know to be a long-standing problem in their relationship with police and the entire criminal justice system”).

81. Interview with Major Dave Stephens, Charlotte-Mecklenburg Police Department (12/04/00).

82. *Ibid.*

83. See Wayne A. Kerstetter, "Toward Justice for All: Procedural Justice and the Review of Citizen Complaints," at 235 in *Police Violence* (Geller and Toch, eds. 1996) (Quoting Lind and Tyler, leading researchers on the "procedural justice effect": "'The picture that seems to be emerging is of people much more concerned with the process of their interaction with the law and much less concerned with the outcome than one might have supposed.' This does not mean that people are indifferent to the results of the dispute, but that they will feel better about even a negative result if they perceive the procedures used in reaching a decision as fair."). Kerstetter also notes: "A 1986 study by Tyler and McGraw provided some evidence that the disadvantaged place less emphasis on procedural fairness. However, Lind and Tyler conclude, 'Although the poor care less about procedural justice than do the rich, they still do care about procedural justice more than they care about distributive justice.'" *Id.* See also Douglas W. Perez, *Common Sense About Police Review* 73 (1994) ("the citizen complainant's evaluations of a system's integrity tend to be directly related to the outcome of his or her complaint").

84. Interview with Major Dave Stephens, Charlotte-Mecklenburg Police Department (06/20/00).

85. This section is based on an interview with Commander Scott Carlton, Corcoran Police Department (12/05/00).

86. This section is based on interviews with Teresa Ruhland, Minneapolis Police Department Citizen's Academy (05/05/00), and Lieutenant Greg Reinhardt, Minneapolis Police Department (12/05/00), and on www.ci.mpls.mn.us/citywork/police/ccp-safe/citizens-academy.html.

87. Interview with Lieutenant Greg Reinhardt, Minneapolis Police Department (12/05/00).

88. This section is based on interviews with Lieutenant Kelly Russell, Frederick City Police Department (05/12/00), and Lydell Scott, Executive Director, County of Frederick Human Relations Commission (05/09/00).

89. *Wisconsin State Journal et al. vs. City of Madison Police Department*, Case No. 96-CV-1137.

90. *Ibid.*

91. *Ibid.*

92. Interview with Assistant Chief Richard Cowan, Madison Police Department (04/03/00).

93. This section is based on an interview with Charles Reynolds, Federal Compliance Auditor for Consent Decree (05/11/00), and on Consent Decree, *United States of America v. City of Steubenville et al.*, Civil No. C2-97-966, Eastern District of Ohio, at ¶ 63 (1997). See also Steubenville Police Department Internal Affairs Division Complaint/Investigation Summary Reports.

94. Consent Decree, *United States of America v. City of Steubenville et al.*, Civil No. C2-97-966, Eastern District of Ohio, at ¶ 63 (1997).

95. San Francisco City Charter, Section 4.127.

96. Interview with Jill Tregor, one of the early organizers around the charter amendment containing the budget item (09/28/00).

97. This section is based on interviews with Lieutenant Steve Person, Lansing Police Department (06/06/00, 06/09/00, and 11/27/00).

98. Interview with Lieutenant Steve Person, Lansing Police Department

(11/27/00). See also www.intouchlansing.com/index2.htm ("After ten years of operating an internationally recognized community policing strategy that was based upon community policing specialists, several years ago the Lansing Police Department moved to a problem solving model of community policing. Under this model, the Department was reorganized into team areas with all officers having community policing responsibilities. In Touch is being built to provide increased communication (E-mail), coordinate and increase accessibility of service providers (Information Referral Database available through the Internet), enhance the resident's ability to identify neighborhood problems (Geographic Information System—ArcView), and facilitate partnerships between [sic] the police, residents, and the service providers.")

99. See Lansing Police Department website, www.lansingpolice.com, at "Crime."

100. Interview with Lieutenant Steve Person, Lansing Police Department (11/27/00).

101. *Ibid.*

102. See www.intouchlansing.com. In "Local Government," for example, there are links to several city and county offices, such as the mayor, city council, police, fire, parks and recreation, code compliance, and city ordinances. In "Things of Interest," there are links to community services maps, charities, the chamber of commerce, zoo, and more.

The "Basic Needs" cluster connects residents to housing, food, clothing, and other resources. Among the vast array of information in this cluster, assets such as food banks and housing down-payment assistance can be located and mapped according to the age, gender, and language of the person needing service and a particular geographic area by zip code or city. See also www.intouchlansing.com/index2.htm ("In Lansing, there is a critical need to create a seamless network between the Police Problem Solving Teams and service providers to effectively link low-income families to access information related to the following essential services: (1) crime, neighborhood problems, and its prevention, (2) food, (3) housing, and (4) clothing.")

103. The "Public Safety" category links residents to the Lansing Police Crime Mapper at the Lansing Police Department website. The "Health" category links residents to a Births Mapper, Mortality Mapper, Environmental Health Mapper. The "Community Services" category links residents to a Parks & Recreation Locator (residents can search by park name or activity such as soccer field), Lansing Parcels Locator (residents can enter a parcel number or search by address), Parking Lot Mapper (residents can enter an address and find nearest parking lot), Traffic Counts Mapper (residents can enter an address or street intersection and search within a certain radius such as ? mile).

104. Interview with Lieutenant Steve Person, Lansing Police Department (11/27/00). See also Steve Person, Lieutenant, Lansing Police Department, "Mapping in Action: Lansing PD," *Crime Mapping News*, Vol. 1, Issue 1, at 5 (Winter 1999) ("Lack of available data brought about frustration and made for limited use by the problem-solving teams. Certain resources and data were available, but the teams had to request the information so far in advance that it was not sufficiently beneficial in problem solving. Neighborhoods had to wade through a great deal of bureaucracy before they could obtain basic data and statistical information.")

105. This section is based on interviews with Susan Wernicke, Crime Analyst, Overland Park Police Department (08/02/00), and Gerald Tallman, Manager, Crime Analysis Unit, Overland Park Police Department (12/04/00), as well as on Gerald G. Tallman, Susan Wernicke, and Jamie May, "Mapping in Action: Overland Park Police Department," *Crime Mapping News*, Vol. 1, Issue 4, at pp. 10–12 (Fall 1999) and the Overland Park Police Department website, www.opkansas.org/html/cpted.html.

106. Overland Park Police Department website, www.opkansas.org/html/cpted.html.

107. This section is based on an interview with Captain Joyce Citta, Center Team, Lincoln Police Department (11/29/00). At the time of her work on the survey, Captain Citta was the captain for personnel and training.

108. Interview with Captain Joyce Citta, Center Team, Lincoln Police Department (11/29/00).

109. *Ibid.*

110. Robert C. Trojanowicz, Richard Gleason, Bonnie Poland, and David Sinclair, *Community Policing: Community Input Into Police Policy-Making* (1987).

111. This section is based on interviews with Michael Reisig, Consultant to the Lansing Police Department (11/28/00), and Chris Magnus, Chief of Police, Fargo, North Dakota, formerly Administrative Services Captain for the Lansing Police Department (12/01/00).

112. Interview with Chris Magnus, Chief of Police, Fargo, North Dakota, formerly Administrative Services Captain for the Lansing Police Department (12/01/00).

113. *Ibid.*

114. *Ibid.*

115. This section is based on interviews with Richard Cowan, Assistant Chief of Operations, Madison Police Department (03/30/00 and 04/03/00), and on the Madison Police Department website, www.ci.madison.wi.us/police/survey.html.

116. See Madison Police Department website, www.ci.madison.wi.us/police/survey.html.

117. This section is based on the ACLU Newswire, "Sacramento Traffic Stop Data Project—Most Comprehensive Yet," www.aclu.org/news/2000/w052500a.html (05/25/00); Andy Furillo, "Racial profile survey cheered," *Sacramento Bee* (07/04/00); and Sacramento Police Department, Project Description, "Racial Profiling Data Collection Project (07/12/00).

118. ACLU Newswire, "Sacramento Traffic Stop Data Project—Most Comprehensive Yet," www.aclu.org/news/2000/w052500a.html (05/25/00).

119. This section is based on State of Rhode Island, H 7164 (available at www.rilin.state.ri.us/BillText00/HouseText00/H7164aaa.htm), and ACLU Newswire, "Rhode Island Becomes Seventh State to Mandate Data Collection to Fight DWB," www.aclu.org/news/2000/w072600a.html (07/26/00).

120. State of Rhode Island, H 7164, Section 31-21.1-7 (available at www.rilin.state.ri.us/BillText00/HouseText00/H7164aaa.htm).

121. State of Rhode Island, H 7164, Section 31-21.1-3 (available at www.rilin.state.ri.us/BillText00/HouseText00/H7164aaa.htm).

122. ACLU Newswire, "Rhode Island Becomes Seventh State to Mandate Data Collection to Fight DWB," www.aclu.org/news/2000/w072600a.html (07/26/00).

123. This section is based on State of Missouri, Senate Bill No. 1053 (available at www.senate.state.mo.us/billtext/tat/SB1053.htm), and ACLU Newswire, "ACLU Praises New Missouri DWB Law as Strongest in Nation," www.aclu.org/news/2000/w060600a.html (06/06/00).

124. State of Missouri, Senate Bill No. 1053, Section 590.650, subsection 5 (available at www.senate.state.mo.us/billtext/tat/SB1053.htm).

125. See State of Missouri, Senate Bill No. 1053, Section 590.650, subsection 6 (available at www.senate.state.mo.us/billtext/tat/SB1053.htm).

126. This section is based on the lawsuit and consent decree in *U.S. v. State of New Jersey et al.*, Civil No. 99-5970(MLC) (both of which are available on the Justice Department's website at www.usdoj.gov/crt/split/).

127. See, e.g., Martin Cronin, Assistant Attorney General State Police Affairs, "First Semiannual Public Report of Aggregate Data Submitted Pursuant to the Consent Decree Entered Into by the United States of America and the State of New Jersey Regarding the New Jersey Division of State Police" (June 27, 2000), available at www.njsp.org.

128. See ACLU Press Release, "City of Highland Park and ACLU Reach Landmark Agreement to Prevent Racial Profiling," www.aclu.org/news/2000/n071200a.html.

129. ACLU Press Release, "City of Highland Park and ACLU Reach Landmark Agreement to Prevent Racial Profiling," www.aclu.org/news/2000/n071200a.html.

130. This section is based on the consent decree in *United States of America v. City of Pittsburgh et al.*, www.usdoj.gov/crt/split/documents/pittsa.htm, and on an interview with Assistant City Solicitor Susan Malie (03/27/00).

131. Pittsburgh Consent Decree, at ¶ 12.a., pp. 6–7.

132. Pittsburgh Consent Decree, at ¶ 12.b., pp. 7–8.

133. This section is based on interviews with Detective Beatrice Golden, Newark Police Department (10/03/00), and Earl Hamilton of the Police Foundation (09/18/00).

134. This section is based on interviews with Major Dave Stephens, Charlotte-Mecklenburg Police Department (06/20/00), and William Simmons of the Charlotte-Mecklenburg Community Relations Committee (11/29/00), as well as on Charlotte-Mecklenburg Police Department, *Report on Complaint and Use-of-Force Review* (1998).

135. Charlotte-Mecklenburg has several civilian review bodies. According to Major Dave Stephens, the oldest is the Community Relations Commission, which has been in existence since the 1960s. See also www.ci.charlotte.nc.us/cicrc/polreview.htm. Other civilian review bodies include the Citizen Review Board, established in 1997, and the Civil Service Board.

136. Interview with Major Dave Stephens, Charlotte-Mecklenburg Police Department (12/04/00).

137. *Ibid.*

Resources

AMERICAN CIVIL LIBERTIES UNION (ACLU)— National Office

125 Broad Street, 18th Floor, New York, NY 10004
 phone: 212-549-2500; fax: 212-549-2646
website: www.aclu.org
contact: Ira Glasser, Executive Director

AMNESTY INTERNATIONAL USA

600 Pennsylvania Avenue, SE, 5th Floor,
 Washington, DC 20003
 phone: 202-544-0200; fax: 202-546-7142
website: www.amnestyusa.org

BUREAU OF JUSTICE STATISTICS (BJS)

810 Seventh Street, NW, Washington, DC 20531
 phone: 202-307-0765; fax: 202-514-5958
website: www.ojp.usdoj.gov/bjs

COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, INC. (CALEA)

10306 Eaton Place, Suite 320,
 Fairfax, VA 22030-2201
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website: www.calea.org
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GAY OFFICERS ACTION LEAGUE (GOAL)

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 New York, NY 10013
 phone: 212-691-4625
website: www.goalny.org
contact: Don Jirak, President

HISPANIC NATIONAL LAW ENFORCEMENT ASSOCIATION

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 phone/fax: 301-877-6602
website: www.hnlea.wxs.org
contact: Joe Perez, President

HUMAN RIGHTS WATCH

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 New York, NY 10118-3299
 phone: 212-290-4700, fax: 212-736-1300
website: www.hrw.org

INTERNATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT (IACOLE)

PO Box 99431, Cleveland, OH 44199
website: www.4mg4.com/page328271.htm
contact: Mark Gissiner, Immediate Past President,
mark@4mg4.com

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP)

515 North Washington Street,
 Alexandria, VA 22314
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website: www.theiacp.org
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INTERNATIONAL ASSOCIATION OF WOMEN POLICE

731 North Deer Isle Road,
 Deer Isle, ME 04627
 phone: 207-348-6976; fax: 207-348-6171
website: www.iawp.org
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LEADERSHIP CONFERENCE ON CIVIL RIGHTS

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 Washington DC 20006
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contact: Wade Henderson, Executive Director

NATIONAL ASIAN PEACE OFFICERS ASSOCIATION

PO Box 193201, San Francisco, CA 94119
website: www.napoa.org
contact: George Kim, President

NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT (NACOLE)

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NATIONAL BLACK POLICE ASSOCIATION

3251 Mt. Pleasant Street, NW,
Washington, DC 20010-2103
phone: 202-986-2070; fax: 202-986-0410
website: www.blackpolice.org
contact: Ronald E. Hampton, Executive Director

NATIONAL CENTER FOR WOMEN & POLICING

8105 West Third Street, Los Angeles, CA 90048
phone: 323-651-2532; fax: 323-653-2689
website: www.feminist.org/police/ncwp.asp
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NATIONAL COALITION ON POLICE ACCOUNTABILITY (N-COPA)

407 S. Dearborn, Room 1490, Chicago, IL 60605
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NATIONAL POLICE ACCOUNTABILITY PROJECT

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NATIONAL SHERIFFS ASSOCIATION

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POLICE EXECUTIVE RESEARCH FORUM

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VERA INSTITUTE OF JUSTICE

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