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STRATEGIES FOR BUILDING TRUST BETWEEN LAW ENFORCEMENT AND COMMUNITIES IN OKLAHOMA

EXECUTIVE SUMMARY

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Law enforcement officers in Oklahoma face a challenging environment. Recent reports place the state near the top for both rates of people killed by police and police officers killed in the line of duty. High-profile cases of citizens killed by law enforcement officers in recent years have spurred discussions across the country of how to decrease the frequency of interactions that result in unnecessary violence against or by officers.

Policing Challenges in Oklahoma: Tension between law enforcement and communities of color is not new or specific to our state, but statistics suggest that the problem could be more severe here compared to many other places. Much of the mistrust stems from a sense among racial minorities of feeling targeted by the justice system as a whole, and police are often seen as the front line of that system. Oklahoma has one of the highest incarceration rates in the country, and the highest incarceration rate of black men in the country. Though responses to highly publicized police-involved shootings have not turned violent, the state has much work to do to improve relations between law enforcement and the communities they serve.



Proposals for Reforming Police in Oklahoma: Jurisdictions across the country have addressed issues of mistrust with various reform efforts. The proposals offered in this report have shown promise in improving key indicators like use-of-force complaints and officer-involved shootings.

- **Deepen Law Enforcement Training in Key Areas:** Some agencies that have implemented robust de-escalation and use-of-force trainings have seen significant drops in complaints. The emerging field of implicit bias training holds promise for reducing racial disparities in enforcement. Mental illness training can help to ensure that officers recognize and respond appropriately to mental health crises.
- **Implement Proven Policy Measures:** Policies that direct officers to de-escalate situations when possible and use the minimum necessary force are associated with lower complaints about use-of-force. Policies should also be set to determine when race can be used in police work, making clear that this is appropriate only in specific situations.
- **Focus on Intentional Officer Candidate Recruiting and Retention:** Agencies should strive to recruit and retain a workforce that reflects the diversity of the communities they serve. They should also commit to implementing best practices in psychological evaluation and care both at hiring and throughout service.
- **Collect and Publish Data on Key Performance Measures:** In order to evaluate trends, agencies should begin collecting and publishing data on key indicators like stops, arrests, and use-of-force complaints.

INTRODUCTION

In 2016, 32 Oklahomans were killed by police officers. That gave Oklahoma the third highest per capita rate of such killings in the United States, behind only Alaska and New Mexico.¹ Concern over the number and circumstances surrounding killings by police has grown in recent years. The issue has become increasingly visible among the media, advocates, elected officials, and law enforcement.

Law enforcement officers in Oklahoma, too, operate in a dangerous environment. Between 2008 and 2012, 13 officers died in the line of duty, the sixth highest rate in the country.²

The public attention to high-profile cases of officer-involved shootings has revealed a harsh reality of frequent tense interactions with law enforcement that can quickly turn deadly. These interactions are especially common for people of color, who are also vastly overrepresented among the people killed by police.

Oklahomans have recognized that our criminal justice system needs major reforms and have begun taking steps to do so in recent years. State leaders recognize that we need to reduce an incarceration rate that remains among the very highest in the country. Discussions of reforming law enforcement – the front line of the justice system – have been largely absent from the conversation at the state level. However, highly controversial police killings, including those of Eric Harris and Terence Crutcher in Tulsa, have raised awareness of the need to address this component of our justice system, both to protect citizens and to ensure that law enforcement has the training – and the respect of the community – needed to do their job. For Oklahoma’s justice reform measures to be complete, the state and its communities will need to address our high rate of police killings head-on.

This report lays out some best practices for strengthening the relationship between law enforcement agencies and the communities they serve. After describing problems occurring under the status quo, the report identifies several areas to reform, including training models, policy solutions, and officer recruiting strategies that have contributed to positive changes in other jurisdictions. Further, agencies should collect and release critical data in order to evaluate and improve their practices and be accountable to the public they serve. The most successful reform efforts have grown organically from within local governments and law enforcement agencies, so this report offers lessons and guidance to Oklahoma police departments that seek to reduce avoidable killings and improve community relations.

PROBLEM OVERVIEW

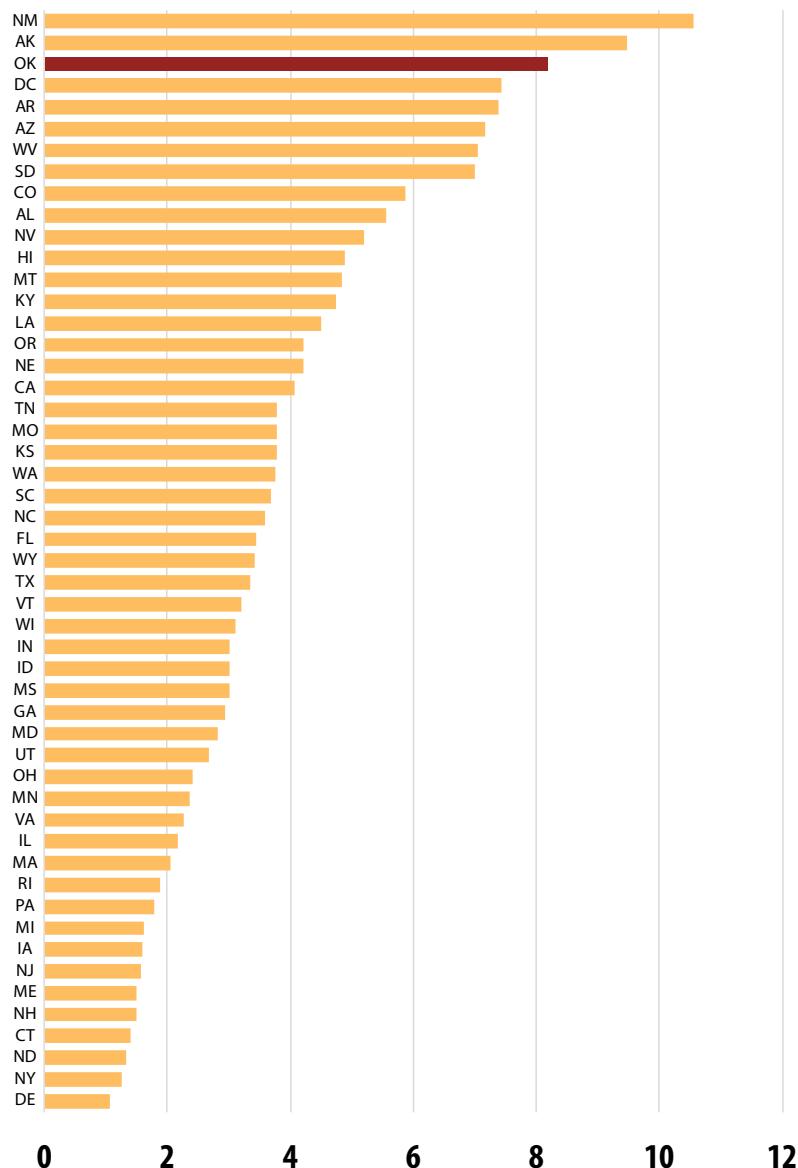
In 1968, the National Advisory Commission on Civil Disorders was established to investigate race riots that had occurred across the country. The Commission surveyed members of communities where the riots broke out and uncovered deep tensions between these communities and law enforcement. They identified “at least 12 deeply held grievances” that were widely held in the affected communities, and they ranked them into three levels of intensity. “Police practices” topped the list, accompanied by unemployment and inadequate housing. In the second tier was “ineffectiveness of the political structure and grievance mechanisms.”³ Their report from 50 years ago identified a problem that is unfortunately still familiar today:

1 “The Counted,” The Guardian, 2016, <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-data-base>

2 “Police Officer Fatality Rates by State,” Governing, <http://www.governing.com/gov-data/law-enforcement-fatality-rates-by-state.html>

3 “Report of the National Advisory Commission on Civil Disorders,” 1968, <http://www.eisenhowerfoundation.org/docs/kerner.pdf>

Oklahoma had the third highest per capita rate of people killed by police in 2016



Source: The Guardian, rate per million residents

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"The abrasive relationship between the police and the minority communities has been a major - and explosive - source of grievance, tension and disorder. The blame must be shared by the total society.

"The police are faced with demands for increased protection and service in the ghetto. Yet the aggressive patrol practices thought necessary to meet these demands themselves create tension and hostility. The resulting grievances have been further aggravated by the lack of effective mechanisms for handling complaints against the police. Special programs for bettering police-community relations have been instituted, but these alone are not enough. Police administrators, with the guidance of public officials, and the support of the entire community, must take vigorous action to improve law enforcement and to decrease the potential for disorder."

Recent events across the country suggest that we are far from solving these problems. The issue became most visible during demonstrations in 2014 in Ferguson, Missouri and elsewhere in the wake of law enforcement killings of black men, many of them unarmed. Surveys also suggest that the gap in trust of law enforcement between White and Black Americans is wide. For example, in a 2015 Gallup poll just 52 percent of Black respondents said that local police treat racial minorities "fairly" or "very fairly," compared to 78 percent of White respondents. Only 29 percent of Blacks have confidence in the police, compared to 58 percent of Whites, according to Gallup data from 2014 to 2016.⁴

Mistrust of police is the core of these issues, and building trust between police and communities does not happen overnight. Research has shown, time and again, that when communities trust their police, they are more likely

⁴ Frank Newport, "Public Opinion Context: Americans, Race and Police," Gallup, July 8, 2016, <http://www.gallup.com/opinion/polling-matters/193586/public-opinion-context-americans-race-police.aspx>

to obey the law.⁵ This keeps both citizens and police safer. **Building trust must be the guiding principle to all reform efforts.**

There are some positive signs for community relations with police in Oklahoma. Organizers for a Black Lives Matter rally in Oklahoma City last year, for example, acknowledged the Oklahoma City Police Department's support of their event and their positive interactions with participants.⁶ Following the killing of Terence Crutcher by police, the Tulsa community gathered peacefully. The Tulsa Police Department promptly released video of the incident, and following a timely and thorough investigation by law enforcement, the District Attorney filed manslaughter charges against the officer and promised that justice would be done.⁷ Such incidents may reflect an environment more open to dialogue about improving community relations.

Racial Disparities in Policing

Mistrust of law enforcement in minority communities is driven in large part by the perception that law enforcement unfairly target minorities. Data from law enforcement agencies in many places have shown that law enforcement officers are many times more likely to stop black motorists than white motorists, for instance.⁸ Police are also more likely to use nearly every type of force against blacks more often than against whites, ranging from pushing people into a wall or to the ground to the use of pepper spray or drawing and pointing a weapon, though evidence is mixed about racial bias in law enforcement shootings.⁹

The numbers alone tell only part of the story. The disparity in traffic stops, for instance, does not mean that black drivers are simply getting more tickets than white drivers. It is indicative of the practice of “pretextual” stops, where officers cite a minor violation - such as a broken tail light - in order to stop a driver and question him or her further. One study of traffic stops in Kansas City, for example, found that white drivers were more likely to be stopped for common traffic violations like speeding, “but blacks were far more likely to be stopped for investigatory stops or given no reason at all for being pulled over.”¹⁰ These investigatory stops, also known as “pretextual” stops because the stated reason for the stop was a pretext for an officer to ask other questions or search the vehicle, caused a great deal of distrust among African Americans. Both white and black drivers believed traffic stops for speeding were legitimate and that they were treated fairly. “However, when the stop was for a minor infraction and led to the officer asking prying questions and requesting to search the vehicle,” explains Jonathan Blanks, a research associate in the Cato Institute’s Project on Criminal Justice, “the stops engendered hostility and resentment among all races, but particularly among African Americans and Latinos – who were stopped much more often for investigatory

5 “Research,” National Initiative for Building Community Trust and Justice, 2016, <https://trustandjustice.org/resources/research>

6 Brian Hardzinski, “Positive Reaction To Oklahoma City Police During Black Lives Matter Rally; One Person Arrested,” KGOU, July 12, 2016, <http://kgou.org/post/positive-reaction-oklahoma-city-police-during-black-lives-matter-rally-one-person-arrested>

7 Bill Chappell, “Tulsa Police Officer Will Face Manslaughter Charge In Unarmed Man’s Death,” NPR, September 22, 2016, <http://www.npr.org/sections/thetwo-way/2016/09/22/495079263/tulsa-police-officer-will-face-manslaughter-charge-in-unarmed-mans-death>

8 David Montgomery, “Data dive: Racial disparities in Minnesota traffic stops,” Twin Cities Pioneer Press, July 9, 2016, <http://www.twincities.com/2016/07/08/data-dive-racial-disparities-in-minnesota-traffic-stops/>; Ben Poston, “Racial gap found in traffic stops in Milwaukee,” Milwaukee Journal Sentinel, December 3, 2011, <http://archive.jsonline.com/watchdog/watchdogreports/racial-gap-found-in-traffic-stops-in-milwaukee-ke1hsip-134977408.html>; Stacey Barchenger and Natalie Neysa Alund, “What 2 million traffic stops show about race and policing in Nashville,” October 25, 2016, <http://www.tennessean.com/story/news/crime/2016/10/25/what-2-million-traffic-stops-show-race-and-policing-nashville/92722920/>

9 Quoctrung Bui and Amanda Cox, “Surprising New Evidence Shows Bias in Police Use of Force but Not in Shootings,” New York Times, July 11, 2016, <https://www.nytimes.com/2016/07/12/upshot/surprising-new-evidence-shows-bias-in-police-use-of-force-but-not-in-shootings.html>

10 Jonathan Blanks, “Thin Blue Lies: How Pretextual Stops Undermine Police Legitimacy,” 2016, <http://scholarlycommons.law.case.edu/cgi/view-content.cgi?article=4660&context=caselrev>

purposes – whether or not the officer was polite and respectful.”¹¹

While very few pretextual stops lead to the discovery of a crime, they are often humiliating and lead those who are stopped to believe they are being targeted for their race. Although racial profiling is a violation of both federal and Oklahoma laws, there is little recourse for those who believe they have been targeted. An Oklahoma Watch review of the state’s two largest police departments and two state law enforcement agencies found 60 complaints alleging unlawful racial profiling by officers over a four year period, but none were substantiated.¹² Absent clear evidence of racial discrimination, racial profiling is very difficult to prove.

Adding to the mistrust engendered by pretextual stops are practices like civil asset forfeiture, which allows law enforcement to seize the property of people they suspect have committed a crime, even if they aren’t convicted. An Oklahoma Watch investigation found that about two thirds of such seizures in the state involved racial minorities.¹³

Officer Misconduct

Day-to-day practices like pretextual stops and asset forfeiture engender mistrust among minority populations; officer misconduct can often bring such feelings into sharper focus. Regardless of how rare or how common, acts of officer misconduct are severely detrimental for community relations, reinforcing the sense that community members are targeted based on race. While cell phone videos of officer-involved killings inevitably omit some context and provide room for interpretation, their raw and graphic nature have stirred deep outrage when they seem to confirm other lived experiences. To take the most prominent example, the unrest in Ferguson, Missouri in 2015 was sparked by the case of Michael Brown, who was killed by police in 2014. While the specific details of that case remain controversial, there is much less dispute that the contentious aftermath reflected longstanding grievances with a justice system widely seen as oppressive to black residents, due to numerous abuses well-chronicled by the US Justice Department.¹⁴

Even without graphic video for evidence, officer misconduct has been shown to deepen distrust of law enforcement among minority communities in ways that make it more difficult for law enforcement to do their jobs. For instance, researchers found a significant drop in crime reports to 9-1-1 from black neighborhoods after it was reported that several white off-duty law enforcement officers severely beat a biracial man at a party in Milwaukee in 2004. Study author Matthew Desmond commented, “It shows what a deep rift events like this cause in the social fabric, in predominantly black communities.”¹⁵

Criminal Justice in Oklahoma

Oklahoma has seen its own high-profile controversial shootings by law enforcement. The killings of Eric Harris in 2015 and Terence Crutcher in 2016 by law enforcement in Tulsa sparked debate on the issue in Oklahoma. The lack of violent demonstrations in response to Crutcher’s killing – while widely praised as a sign of strong community

11 *Ibid.*

12 Clifton Adcock and Nate Robson, “In All Cases, Police Find No Proof of Racial Profiling,” Oklahoma Watch, December 14, 2015, <http://oklahomawatch.org/2015/12/14/in-all-cases-police-find-no-proof-of-racial-profiling/>

13 Clifton Adcock, Ben Fenwick and Joey Stipek, “Most Police Seizures of Cash Come from Blacks, Hispanics,” Oklahoma Watch, October 7, 2015, <http://oklahomawatch.org/2015/10/07/most-police-seizures-of-cash-come-from-blacks-hispanics/>

14 Civil Rights Division, “Investigation of the Ferguson Police Department,” U.S. Justice Department, March 4, 2015, https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report_1.pdf

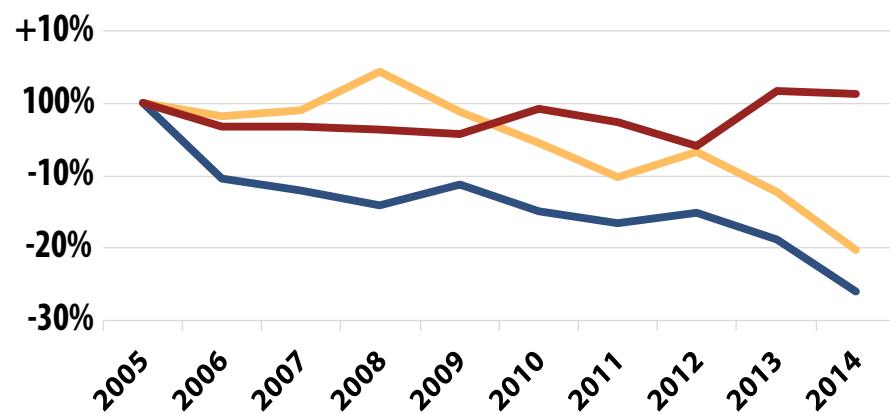
15 Quoctrung Bui, “Calls to 911 From Black Neighborhoods Fell After a Case of Police Violence,” New York Times, September 29, 2016 <https://www.nytimes.com/2016/09/29/upshot/calls-to-911-from-black-neighborhoods-fell-after-a-case-of-police-violence.html>

relations, especially in contrast to unrest at the same time in response to events in Charlotte, North Carolina – perhaps masked deep problems in the state: Oklahoma has the third highest per capita rate of killings by police officers among the states.¹⁶

Oklahoma's place near the top of the list of officer-involved killings per capita reflects in some ways the overall aggressiveness of our criminal justice system. For example, Oklahoma's overall crime rate is just tenth highest among the states, but we imprison people at a higher rate than every other state except Louisiana.¹⁷

This trend has shown signs of worsening in recent years. While the violent crime rate fell by 16 percent between 2010 and 2015, the prison population grew by 9 percent.¹⁸ This is largely due to the decisions of prosecutors across the state to aggressively pursue felony charges. Felony filings continue to rise, topping 10,000 in Oklahoma County alone in FY 2015, more than were filed in Manhattan and Brooklyn, which hold five times more people.¹⁹ In a period where many states saw simultaneous reductions in crime and incarceration following “smart on crime” reforms, Oklahoma has largely maintained an aggressive “tough on crime” stance but trailed the nation in reducing crime rates.

Oklahoma's rates of violent crime and property crime have fallen, but the incarceration rate has remained unchanged



Source: FBI Uniform Crime Report index crime rates and Bureau of Justice Statistics incarceration rates as percentage of 2005 levels

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Racial Disparities in the Justice System

It is well-documented that “tough on crime” policies and practices have a disproportionate impact on low-income and minority communities, and this problem is also found in Oklahoma. One in 15 black males in Oklahoma over the age of 18 is in prison, the highest rate in the country.²⁰ Black Oklahomans are incarcerated at a rate five times higher than white Oklahomans; Hispanics in the state have an incarceration rate three times higher than whites.²¹

16 “The Counted: People killed by police in the US,” *The Guardian*, <https://www.theguardian.com/us-news/ng-interactive/2015/jun/01/the-counted-police-killings-us-database>

17 “Prisoners in 2015,” Bureau of Justice Statistics, December 2016, <https://www.bjs.gov/content/pub/pdf/p15.pdf>

18 “National Imprisonment and Crime Rates Continue to Fall,” Pew Charitable Trusts, December 2016, http://www.pewtrusts.org/~/media/assets/2016/12/national_imprisonment_and_crime_rates_continue_to_fall_web.pdf

19 Supreme Court of Oklahoma, “2015 Annual Report,” <http://www.oscn.net/static/annual-report-2015.pdf>; Rory Fleming and Casey Tolan, “Oklahomans Voted to Make the State’s Criminal Justice System Less Barbaric,” Slate, March 10, 2017, http://www.slate.com/articles/news_and_politics/trials_and_error/2017/03/oklahomans_want_a_less_barbaric_criminal_justice_system_the_state_does_not.html

20 Ashley Nellis, “The Color of Justice: Racial and Ethnic Disparity in State Prisons,” The Sentencing Project, 2016, <http://www.sentencingproject.org/wp-content/uploads/2016/06/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>

21 “50 State Incarceration Profiles: Oklahoma,” Prison Policy Initiative, 2016, <https://www.prisonpolicy.org/profiles/OK.html>

That reality has far-reaching consequences beyond the mostly working-age men that are incarcerated, and even beyond the families they leave behind. “The widespread incarceration of men in low-income communities has had a profound negative impact on social and cultural norms relating to family and opportunity,” writes Bryan Stevenson, the director of the Equal Justice Initiative in Montgomery, Alabama. “With the criminal justice system playing such a dominant role in the lives of poor people and people of color, the integrity and credibility of the system has become a central issue.”²²

Mental Health Disparities in the Justice System

As mental health hospitals closed in the last half century, the justice system has found itself responsible for solving problems stemming from mental illness. For their part, law enforcement officers often express frustration about the time they spend as first responders to mental health crises. “Now, we’re sending the police out as a front-line mental health team with no training and no resources, and no support backup, and we expect them to do the job,” said Steve Lyons, a former police officer who now serves on the board for the National Alliance of Mental Illness (NAMI) Tulsa. “A lot of officers resent the hell out of that.”²³

Beyond occupying officers with frequent calls, people with mental illness can present challenges that law enforcement aren’t trained to deal with. This can lead to tragedy, as it did when police in Ardmore responded to Patricia Tompkins’ call about her son, who was suffering from severe depression and whom she suspected had attempted suicide. The officers that responded ended up shooting and killing him as he reached for a cell phone that officers thought was a weapon.²⁴

In short, the problem of strained relations between law enforcement and communities is part of a larger distrust of the entire criminal justice system. When police take a confrontational stance toward the communities they are sworn to protect, they reinforce the perception that the system is biased against them.

REFORM PROPOSALS

Reforming policing policy and practice in Oklahoma should draw on successful efforts across the country. **The thread running through all examples of successful police reform is the full commitment of law enforcement leadership.** The importance of this is illustrated by the case studies in the following section, as well as the disappointing results in cities where the push for reform came from the federal government without full buy-in from local law enforcement. Police departments should focus on providing officers the tools they need to avoid and defuse confrontations where possible; set clear expectations of their conduct through training and policy; and step up efforts to recruit a workforce that reflects the diversity of their communities.

The Department of Justice has issued consent decrees for dozens of police departments that were found to have committed civil rights violations, in effect forcing reforms upon the agencies in the attempt to reduce officers’ use of force. After years-long reform processes that often consumed hundreds of millions of dollars, the results are mixed at best. Use of force incidents increased during and after the consent decrees in half of the cities under consent

²² Bryan Stevenson, “Confronting Mass Imprisonment and Restoring Fairness to Collateral Review of Criminal Cases,” Harvard Law Review, 2006, http://www.law.harvard.edu/students/orgs/crcl/vol41_2/stevenson.pdf

²³ Clifton Adcock, “When Police Confront the Mentally Ill,” Oklahoma Watch, December 5, 2016, <http://oklahomawatch.org/2016/12/05/when-police-confront-the-mentally-ill/>

²⁴ *Ibid.*

decrees examined in a Washington Post review, though officers did receive better training and new equipment.²⁵ The most successful law enforcement reforms - such as those in the Los Angeles Police Department and Oakland Police Department, as highlighted in the following recommendations – happened where local leadership provided the necessary internal push for serious reform.

Area 1: Deepen Law Enforcement Training in Key Areas

EMPHASIZE DE-ESCALATION AND APPROPRIATE USE OF FORCE IN ONGOING TRAINING

In response to high-profile officer-involved killings, the Police Executive Research Forum (PERF) held a series of conferences to review the implications of those events for policing. They issued a series of reports on their findings and recommendations. The second report focused on de-escalation and use-of-force training. PERF Executive Director Chuck Wexler observed, “As we look back at the most controversial officer-involved shooting incidents, we sometimes find that while the shooting may be legally justified, there were missed opportunities to ratchet down the encounter, to slow things down, to call in additional resources, in the minutes before the shooting occurred.”²⁶

Departments across the country reevaluated their training practices in these areas, and many concluded that they were insufficient and sought to go beyond one-day in-service lectures on policies and procedures. For example, the New York Police Department instituted three-day trainings that include a full day of scenario-based training on de-escalation. The training seeks to replicate high-emotion encounters and allow officers to practice mitigating the effects of adrenaline and anger in those situations.²⁷

Oklahoma law enforcement agencies should consider implementing training similar to the one developed by the Oakland Police Department, called “Force Options.” The training emphasizes the need to take into account the many variables that enter into any real-life encounter with a subject. It offers trainees practice making and assessing decisions about use of force. Officers are presented with a simulation where they have to decide how to respond to a subject, choosing whether to use their gun, pepper spray, or other option. After the simulation, they are evaluated on their decision and asked to justify it, leading to a larger discussion about options available to officers.²⁸

Since this training was introduced in 2010, Oakland has seen a significant drop in use of force incidents, complaints about officers, and officer involved shootings.²⁹ While the context that most Oklahoma law enforcement officers operate in may be quite different from Oakland, the principles of the Force Options training program could surely be adapted to suit the needs of local departments.

ADD NATIONALLY-RECOGNIZED IMPLICIT BIAS TRAINING

As law enforcement agencies seek to improve their relationships with minority communities, among the most common responses has been to institute anti-bias training. A wide body of research shows that law enforcement officers respond differently to people according to their race. For example, studies comparing reaction times in officers’ decisions to shoot consistently show shorter reaction times to shoot an armed black suspect compared

²⁵ Kimbrell Kelly, Sarah Childress, Steven Rich, “Forced reforms, Mixed results,” Washington Post, November 13, 2015, http://www.washingtonpost.com/sf/investigative/2015/11/13/forced-reforms-mixed-results/?utm_term=.eb15be1a2220

²⁶ “Re-Engineering Training On Police Use of Force,” Police Executive Research Forum, 2015, <http://www.policeforum.org/assets/reengineering-training1.pdf>

²⁷ *Ibid.*, pg. 51

²⁸ Lillian Mongeau, “Oakland police share use of force training with public, media,” Oakland North, December 13, 2010, <https://oaklandnorth.net/2010/12/13/oakland-police-share-use-of-force-training-with-public-media/>

²⁹ *Ibid.*, pg. 55

to an armed white suspect,³⁰ and officers are much more likely to use non-lethal force in interactions with blacks compared to whites.³¹ Anti-bias trainings focus on identifying the unconscious biases that officers hold – just like everyone else – that subtly disadvantage people of color.

While there are many programs that seek to help officers identify and minimize their own biases, there is so far limited empirical evidence to show that they reduce disparities in law enforcement outcomes, like disparities in pretextual stops and use of force. Still, there are promising programs that have been adopted by agencies across the country, and Oklahoma agencies should not fall behind the curve. *Fair and Impartial Policing*, a program developed with funding from the U.S. Department of Justice, uses role playing and small group discussion to help officers develop skills to understand human bias and reduce its impact in their work.³² The national organization provides training for agencies and also offers the option of training others to perform the training. Oklahoma's Center for Law Enforcement Education and Training (CLEET) should consider certifying trainers to provide the *Fair and Impartial Policing* training to agencies across the state. Alternatively, private grants could fund trainings for specific agencies.

EXPAND MENTAL ILLNESS TRAINING

Many law enforcement agencies have trained officers to recognize and respond to mental health crises. One popular model, the Crisis Intervention Team (CIT), has shown promising results in de-escalating interactions with individuals in the midst of a mental health crisis. From its implementation in Miami-Dade County in 2000 until 2014, 4,000 officers from municipal police departments received the training. The program reported a significant drop in fatal shootings and injuries of people with mental illnesses by police officers.³³

In 2013, “CIT officers from the Miami-Dade Police Department and City of Miami Police Department responded to more than 10,000 calls, resulting in over 1,200 diversions to crisis units and just 9 arrests,” according to a 2014 evaluation of the program. “Over the past four years, these two agencies have responded to nearly 38,000 mental health crisis calls resulting in almost 9,000 diversions to crisis units and just 85 arrests.” The daily jail population dropped from 7,800 to 4,800, and one jail was closed, saving taxpayers \$12 million per year.

Law enforcement agencies in Tulsa have begun the process of certifying their officers to participate in CIT through the Outside Inside Collaboration for Justice, a local initiative to divert people with mental illness from the Tulsa County Jail. Other Oklahoma agencies should follow suit.

Area 2: Implement Proven Policy Measures

UPDATE USE-OF-FORCE POLICIES

Formal policies on the legitimate use of force by law enforcement officers have been a focus of advocates in recent years. These policies play a central role in the solutions to reduce law enforcement violence developed by Campaign

30 E.g., Joshua Correll, “Racial bias in the decision to shoot?” *The Police Chief*, 2009, <https://static1.squarespace.com/static/54722818e4b0b3ef26cdc085/t/5478ba75e4b07cb49aaaf760/1417198197503/racialbiased.pdf>, and other studies reviewed by Fair and Impartial Policing at <http://www.fairimpartialpolicing.com/bias/>

31 Phillip Atiba Goff, et al., “The Science Of Justice Race, Arrests, and Police Use of Force,” Center for Policing Equity, 2016, http://policingequity.org/wp-content/uploads/2016/07/CPE_SoJ_Race-Arrests-UoF_2016-07-08-1130.pdf

32 “Overview: Fair and Impartial Policing,” 2016, https://static1.squarespace.com/static/54722818e4b0b3ef26cdc085/t/58759865e3df289e72236b94/1484101734777/Extended_About+FIP_2017%24.pdf

33 “Eleventh Judicial Criminal Mental Health Project: Program Summary,” Eleventh Judicial Circuit, 2014, <http://4realchange.org/wp-content/uploads/2014/10/CMHP-Program-Description-2014.pdf>

Zero, a project that grew out of the Black Lives Matter movement. That group has identified eight policies associated with lower numbers of killings by law enforcement:³⁴

1. Require officers to de-escalate situations, when possible, before using force.³⁵
2. Use a Force Continuum or Matrix that defines/limits the types of force and specific weapons that can be used to respond to specific levels of resistance.
3. Restrict chokeholds and strangleholds (including carotid restraints) to situations where deadly force is authorized or prohibit them altogether.
4. Require officers to give a verbal warning, when possible, before using deadly force.
5. Prohibit officers from shooting at people in moving vehicles unless the person poses a deadly threat by means other than the vehicle (for example, shooting at people from the vehicle).
6. Require officers to exhaust all other reasonable alternatives before resorting to using deadly force.
7. Require officers to intervene to stop another officer from using excessive force.
8. Require officers to report both uses of force and threats/attempted uses of force (for example, reporting instances where an officer intentionally points a firearm at a civilian).

These are reasonable policies, and many large police departments have at least six or seven of them in place. Requiring officers to exhaust all other reasonable alternatives to shooting is particularly effective, as it has been associated with a 25 percent lower rate of police killings.³⁶ Oklahoma City and Tulsa Police officials say that many of these policies are addressed in training or internal manuals rather than published material.

Oklahoma law enforcement agencies should adopt these policies to the extent possible in order to both provide guidance to officers and to hold them accountable when reasonable procedures are not followed. They should clearly communicate – publicly, wherever possible – the expectations of officers and the possible consequences of their failure to comply.

ADOPT ANTI-BIAS POLICIES

Law enforcement agencies across the country have recognized that racial bias creates mistrust in minority communities and acknowledged that disparities in enforcement are often created by pretextual stops. To address this problem, some law enforcement agencies have established policies for when officers can use race in the course of their work. Especially helpful in this area is *Racially Biased Policing*, a comprehensive overview of the problem and policy responses published by the Police Executive Research Forum (PERF).³⁷ Their recommendations include specifying that “officers shall not consider race/ethnicity to initiate even those nonconsensual encounters that do not amount to legal detentions or request consent to search,” except when officers have “trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s).”³⁸ Such a policy would prohibit pretextual stops based on race, though enforcing such a policy may be difficult in practice.

34 Campaign Zero, “Police Use of Force Project,” <http://useofforceproject.org/#review>

35 These policies are identified in Samuel Sinyangwe, “Examining the Role of Use of Force Policies in Ending Police Violence,” September 20, 2016, <https://static1.squarespace.com/static/56996151cbced68b170389f4/t/57e17531725e25ec2e648650/1474393399581/Use+of+Force+Study.pdf>

36 Campaign Zero, “Police Use of Force Project,” <http://useofforceproject.org/#analysis>

37 Lorie Fridell, Robert Lunney, Drew Diamond, and Bruce Kubu, “Racially Biased Policing: A Principled Response,” Police Executive Research Forum, 2001, <http://fairandimpartialpolicing.com/docs/rbp-principled.pdf>

38 *Ibid.*, pg. 52

Racially Biased Policing also recommends further policies meant to combat perceptions of biased policing by showing professional courtesy, communicating openly with subjects, and “apologiz[ing] and/or explain[ing] if [the officer] determines that the reasonable suspicion was unfounded.”³⁹

Oklahoma law enforcement agencies should review their policies and ensure that officers may only use race when absolutely called for. These policies can be a critical signal to officers and a tool to keep them accountable for the patterns in their behavior.

SOLICIT TECHNICAL ASSISTANCE ON COMMUNITY POLICING

Community policing is built on three pillars: community partnerships, organizational transformation, and problem solving.⁴⁰ In short, law enforcement agencies must establish deep relationships with other government agencies, community members, non-profits, and others in order to proactively resolve problems that might otherwise fester and contribute to crime. In order to achieve this, agencies must create a culture that values this approach. Community policing requires “a shift to the long-term assignment of officers to specific neighborhoods or areas” in order to “enhance customer service and facilitate more contact between police and citizens”; on the flip side, this means reducing resources devoted to specialized units.⁴¹

Police departments around the state have expressed their commitment to community policing. The Oklahoma City Police Department has reported success with its community initiatives,⁴² and Tulsa Mayor G.T. Bynum, in his first month in office, formed a commission to “look at best practices all around the country as it relates to community-policing strategies, identify what will work here in Tulsa best and then allow our department to implement those recommendations after they come forward.”⁴³

Many resources are available to help with implementing a community policing strategy. The most comprehensive source is Community Oriented Policing Services (COPS), a program of the U.S. Department of Justice. In addition to being the central clearinghouse for community policing research, COPS offers technical assistance on collaborative reform that takes into account “national standards, best practices, existing research and community expectations,” though changes made to the program by the Trump administration may limit this opportunity going forward.^{44,45} Efforts in Oklahoma appear to be driven mostly by local actors and are relatively limited in scope. Law enforcement agencies across the state should engage with the wider expertise and consider soliciting technical assistance available through national organizations like COPS.

Area 3: Focus on Intentional Officer Candidate Recruiting and Retention

INCREASE DIVERSITY OF LAW ENFORCEMENT OFFICERS

Mistrust of law enforcement by communities of color is often strained even further when officers are predominantly white, as is the case in cities across the country. Oklahoma City Police Department personnel in 2013 were 85.5

³⁹ *Ibid.*, pg. 53

⁴⁰ “Community Policing Defined,” Community Oriented Policing Services, 2014, <https://ric-zai-inc.com/Publications/cops-p157-pub.pdf>

⁴¹ *Ibid.*, pg. 7

⁴² Chelsea Washington, “Community policing efforts are being noticed,” Fox 25, <http://okcfox.com/archive/community-policing-efforts-are-being-noticed>

⁴³ Jarrel Wade, “Mayor Bynum creates commission focused on community policing,” Tulsa World, December 16, 2016, http://www.tulsaworld.com/news/local/mayor-bynum-creates-commission-focused-on-community-policing/article_2d378e2e-980e-57af-95fd-c1123168e53d.html

⁴⁴ Community Oriented Policing Services, “Collaborative Reform,” U.S. Department of Justice, <https://cops.usdoj.gov/collaborativeresform>

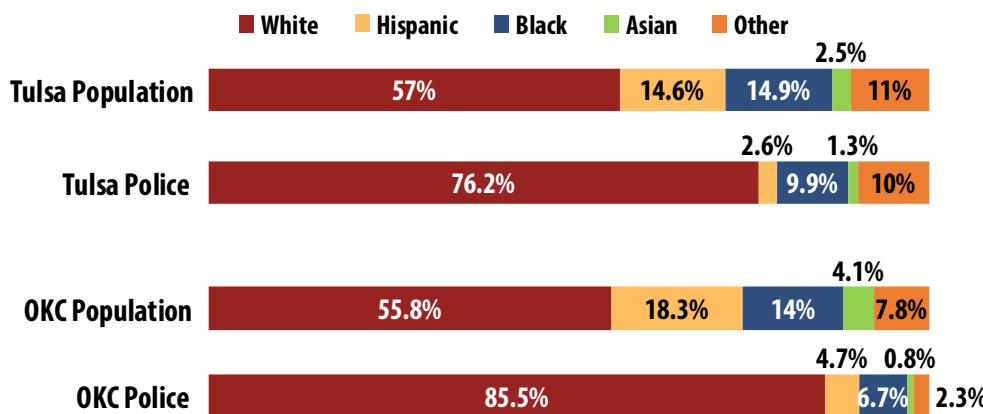
⁴⁵ Lydia Wheeler, “DOJ rolls back program intended to identify problems in police departments,” The Hill, September 15, 2017, <http://thehill.com/regulation/350954-doj-rolls-back-program-intended-to-identify-problems-in-police-departments>

percent white, for example, compared to just 55.8 percent of the general population.⁴⁶ The Tulsa Police Department was only slightly more representative of its community, with whites comprising 76.2 percent of its officers compared to 57.0 percent of its population.

Researchers have identified many barriers to hiring qualified candidates from minority groups.⁴⁷ Recruitment efforts are often impeded by a lack of trust in law enforcement within minority communities. Agencies may use hiring criteria or examinations that unintentionally exclude qualified individuals from underrepresented communities, and some candidates may be deterred by long, complicated, and expensive application processes. For

those who do make it onto the workforce, minority officers may find it difficult to adjust to the organizational culture.

Tulsa and Oklahoma City Police Departments Are Far Less Racially Diverse than the Communities They Serve



Source: Governing Magazine analysis
of Bureau of Justice Statistics data

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Law enforcement agencies should establish partnerships with organizations and leaders in minority communities. The Los Angeles Police Department, for example, partners with the NAACP and ACLU, and the Savannah Police Department places ads in minority publications and recruits at historically black schools.⁴⁸ The Atlanta Police Department works with the city's federal workforce development organization to reach out to minority youth and provide support for applicants, as well as advertising in Hispanic, gay and lesbian, and military publications.⁴⁹

The Oklahoma City Police Department's Cadet programs are a promising model for engaging young minority students who are interested in careers in law enforcement. Through a partnership with local technical schools, OCPD accepts a class of 35 inner-city high school juniors each year to enroll concurrently in the Law Enforcement Services program at Metropolitan Technology Centers, allowing them to earn their security guard license by the

⁴⁶ "Police Department Race and Ethnicity Demographic Data,"

<http://www.governing.com/gov-data/safety-justice/police-department-officer-demographics-minority-representation.html>

⁴⁷ "Advancing Diversity in Law Enforcement," U.S. Department of Justice and Equal Opportunity Commission, October 2016, <https://www.justice.gov/crt/case-document/file/900761/download>

⁴⁸ Batya Ungar-Sargon, "Lessons for Ferguson in Creating a Diverse Police Department," FiveThirtyEight, January 5, 2015, <https://fivethirtyeight.com/features/lessons-for-ferguson-in-creating-a-diverse-police-department/>

⁴⁹ Alexa Kasdan, "Increasing Diversity in Police Departments: Strategies and Tools for Human Rights Commissions and Others," Kennedy School of Government's Executive Session on Human Rights Commissions and Criminal Justice, October 2006, https://www.hks.harvard.edu/index.php/content/download/67469/1242686/version/1/file/increasing_police_diversity.pdf

time they graduate. After graduation, the students can participate in the OCPD Cadet Program, which provides support finding jobs and security work opportunities at public events. The department hopes to hire successful graduates of these programs as officers to work in the same neighborhoods they grew up in.

Other law enforcement agencies also have targeted recruiting efforts; Tulsa Police Department regularly travels to recruit bilingual officers out-of-state. Oklahoma law enforcement agencies should initiate or step up these efforts in order to grow the diversity of their applicant base. Advertising in local publications directed at Hispanic and black communities and reaching out to Langston University, a historically black institution, may be positive first steps for such outreach efforts. Affinity clubs and Greek organizations at other higher education institutions may also present opportunities. Building trust with minority communities requires a long-term, good faith effort to increase racial diversity, and to allow that diversity to change an agency for the better.

REVIEW HIRING POLICIES AND RESULTS

Some hiring policies that appear neutral can unintentionally exclude minority applicants. By reviewing the reasons that exclude minority candidates, agencies can reexamine the assumptions that underlie certain criteria and change policies and practices that unnecessarily exclude underrepresented candidates who may be otherwise qualified. For example, a review by the Atlanta Police Department found that many minority applicants were denied because of driving violations or poor credit and decided to grant waivers on these requirements on a case-by-case basis.

Oklahoma law enforcement agencies should review the results of their hiring processes. If there are specific areas of the application that exclude a greater number minority candidates, departments should consider revising criteria or allowing case-by-case exceptions. Such flexibility can be critical to addressing a pattern of excluding applicants of color.

ESTABLISH MENTORSHIP PROGRAMS AND LEADERSHIP TRAINING

In order to create an atmosphere that retains minority officers, agencies should strive to ensure that they feel supported and are given opportunities to advance. Because minority and female officers are often underrepresented in leadership, increasing diversity at the top should be a priority when seeking to create a workforce that reflects the community. The Madison Police Department and Lansing Police Department both operate formal mentoring programs that pair new officers with veterans to guide them.⁵⁰

Because the most visible representatives of law enforcement are its leaders, diversity at the highest levels of leadership is especially helpful in improving law enforcement relationships with minority communities. In Atlanta, Sergeant M.D. Mitchell explains, all officers can find someone in their line of command who they can identify with, as well as someone from different racial or cultural backgrounds who can help to bridge gaps in their understanding. Simply by integrating different cultural experiences into the chain of command, an agency “becomes less monolithic and less insular, and discussion within the department surrounding racial issues and reforms becomes more likely.”⁵¹

Oklahoma law enforcement agencies should establish mentorship programs and leadership training with the explicit goal of retaining and promoting officers that reflect the diversity of the communities they serve. In most cases, this can likely be done at little or no cost to the department, though it would require a cultural adjustment and buy-in among leadership.

50 U.S. Department of Justice and Equal Opportunity Commission, p. 34

51 Ungar-Sargon

IMPLEMENT BEST PRACTICES IN PSYCHOLOGICAL EVALUATION

During the hiring process, it is critical that agencies collect as much useful information as possible to evaluate the suitability of a candidate for the demands of the job. For this reason, most agencies perform psychological evaluations of candidates to screen for personality traits and other indicators of mental fitness. According to the most recent data, nearly all departments serving populations of more than 25,000 perform some type of psychological evaluation on new officers, compared to only 48 percent of departments serving populations under 2,500.⁵² Oklahoma agencies should ensure they are employing best practices in screening candidates for the right psychological profile.

USE VALIDATED PSYCHOLOGICAL EVALUATIONS AND INTERVIEWS

The effectiveness of popular psychological evaluations in determining the best candidates is the subject of debate. While the International Association of Chiefs of Police (IACP) has laid out the best practices for such evaluations, it stops short of recommending a specific instrument to be used, only specifying that the instrument be reliable, valid, and backed by empirical evidence of their utility in evaluating public safety applicants.⁵³

Two of the most common instruments for preemployment psychological evaluations are the Minnesota Multiphasic Personality Inventory (MMPI) and the California Personality Inventory (CPI). Both the Oklahoma Police Department (OKCPD) and Tulsa Police Department (TPD) use the CPI for preemployment evaluations, and OKCPD also uses the MMPI after an offer has been extended but before starting academy. Pre-hiring instruments like the CPI are used to identify personality traits that are desirable in successful officers. The MMPI was originally used as a measure of “psychological maladjustment for assessing patients seeking psychiatric help.” Due to restrictions under the Americans with Disabilities Act, the MMPI, which seeks to “screen out” candidates based on psychopathology indicators, can only be performed after an offer is extended to a candidate.⁵⁴

A review of the extensive research on several instruments found the correlations of MMPI with future performance – measured by supervisor performance evaluations – to be “equivocal at best,” and research on the usefulness of the CPI to be too limited to draw any firm conclusions.⁵⁵ However, absent the availability of public safety-specific instruments, these are probably the most useful, and some studies do show correlation between certain indicators and future performance. Paying close attention to scores on emotional dysfunction and interpersonal function may be especially useful.⁵⁶

ENCOURAGE DISCLOSURE OF MENTAL HEALTH ISSUES AND IMPLEMENT REGULAR MENTAL HEALTH CHECKS

The duties of a law enforcement officer can be challenging and stressful, and many officers may experience psychological problems after they are on the job. Often, the most stressful aspect of an officer’s job is not the daily challenges of the job itself, but stresses arising from not feeling adequately supported by their leadership.⁵⁷ For the good of the officer, the law enforcement agency, and the community, those who are experiencing psychological

52 “Local Police Departments, 2007,” Bureau of Justice Statistics, December 2010, <https://www.bjs.gov/content/pub/pdf/lpd07.pdf>

53 Police Psychological Services Section, “Preemployment Psychological Evaluation Guidelines,” International Association of Chiefs of Police, 2014, <http://www.theiacp.org/portals/0/documents/pdfs/psych-preemploymentpsycheval.pdf>

54 Jonathan Lough and Kathryn Von Treuer, “A critical review of psychological instruments used in police officer selection,” Policing, 2013, <http://dro.deakin.edu.au/eserv/DU:30059560/vonTreuer-acriticalreview-2013.pdf>

55 *Ibid.*

56 Anthony M. Tarescavage, JoAnne Brewster, David M. Corey, and Yossef S. Ben-Porath, “Use of Prehire Minnesota Multiphasic Personality Inventory-2-Restructured Form (MMPI-2-RF) Police Candidate Scores to Predict Supervisor Ratings of Posthire Performance,” American Psychological Association, Society for Clinical Psychology, 2015, <http://journals.sagepub.com/doi/abs/10.1177/1073191114548445>

57 Laurence Miller, “Stress in Policing: Syndromes and Strategies,” President’s Task Force on 21 Century Policing, February 23, 2015, https://cops.usdoj.gov/pdf/taskforce/submissions/Miller_Laurence_Testimony.pdf

problems should be encouraged to seek help without fear of facing consequences. There is no way to screen out every potential problem officer through pre-employment evaluations, but encouraging officers to seek help when they need it is crucial to prevent psychological issues from developing into problem behaviors.

Even better, proactively reaching out to officers by offering annual mental health checks may help to identify problems early on. Oklahoma law enforcement agencies should consider implementing a suicide prevention program designed specifically for officers. Encouraging each officer to complete a short, voluntary mental health check with the provider of the officer's choice can accomplish this in a low-pressure manner.⁵⁸ A more comprehensive program may yield even more impressive results: a Montreal program involving officer training, a helpline, supervisor training, and publicity campaign led to a 79 percent decrease in the suicide rate over 12 years, while nearby police departments experienced growing suicide rates.⁵⁹

Area 4: Collect and Publish Data on Key Performance Measures

As Oklahoma law enforcement agencies implement reforms to rebuild trust in their communities, they must commit to getting the clearest possible understanding of how well their efforts are working. To this end, agencies should collect and publish data on key law enforcement activity indicators like stops, arrests, and use-of-force complaints. Data that shows measurable reductions in use-of-force complaints will boost the credibility of leaders take political risks in order to change entrenched habits. By conforming to national standards of collection and making this data public, agencies can understand their progress on key issues, identify targets, and be more accountable to themselves and the public they serve.

Several national projects aim to aid data collection for law enforcement agencies, and Oklahoma agencies should consider joining them. For example, the National Justice Database launched by the Center for Policing Equity (CPE) currently has participation agreements with 40 law enforcement agencies across the country. “Too often law enforcement data are captured with an eye towards accounting or litigation, and without leveraging the data to optimize performance,” an introduction to the reporting process explains. “The city reports are designed to help fill that gap, providing straightforward statistical answers to some of the most pressing questions that cut across law enforcement agencies.”⁶⁰ The reports provided through the Justice Database help to answer two questions: “How am I doing? And how do I compare to everyone else?” Law enforcement agencies submit data on vehicle and pedestrian stops, use-of-force incidents, and officer surveys. CPE analysts then identify trends, produce charts, and provide interpretations of key indicators, including possible reasons for racial disparities.

The CPE model is fairly extensive and may not be appropriate for smaller agencies. Simply collecting and publishing data at the highest possible level of detail – whether by summary reports or incident-level tables – is an excellent start to understanding the baseline against which progress can be measured. The FBI is currently in the process of implementing a voluntary, national use-of-force data collection program that may be useful in implementing this process. To get the best possible state-level view, the Legislature should consider passing legislation to incentivize or require such reporting by law enforcement agencies.

58 “The Annual Police Mental Health Check,” The Badge of Life, <http://www.policesuicidestudy.com/id35.html>

59 Brian Mishara and Normand Martin, “Effects of a Comprehensive Police Suicide Prevention Program,” Crisis Journal, 2012, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3380405/>

60 “National Justice Database,” Center for Policing Equity, 2017, <http://policingequity.org/national-justice-database/>

SUMMARY TABLE

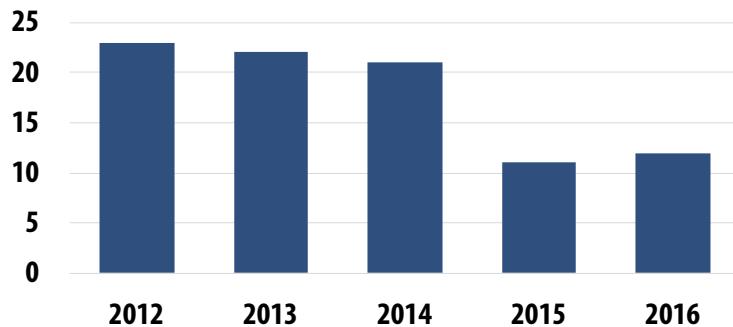
REFORM AREA	BEST PRACTICES AND RESOURCES	MODEL JURISDICTIONS
Deepen Training in Key Areas	<ul style="list-style-type: none"> 1. Institute regular trainings that emphasize de-escalation and minimum use-of-force 2. Implement nationally-recognized anti-bias training for all officers 3. Expand use of crisis intervention training for improving interactions with those with mental illness 	<ul style="list-style-type: none"> • Implement multi-day trainings similar to those associated with use-of-force complaint declines in other jurisdictions • Train CLEET employees in <i>Fair and Impartial Policing</i> and integrate curriculum into standard training requirements • Certify more officers in Crisis Intervention Team training and partner with mental health service providers
Update Key Law Enforcement Policies	<ul style="list-style-type: none"> 1. Require de-escalation tactics and reasonable alternatives before use of deadly force 2. Clarify when officers can and can't use race in their work 3. Implement community policing strategies with the help of national organizations 	<ul style="list-style-type: none"> • Adopt <i>Racially Biased Policing</i> recommended policies on using race in police work • Adopt “Campaign Zero” policy reforms to provide guidance to officers on when and what level of force to use • Partner with Community Oriented Policing Services for technical assistance
Improve Officer Recruiting and Hiring	<ul style="list-style-type: none"> 1. Place emphasis on efforts to recruit, mentor, and promote officers that reflect the diversity of the community 2. Ensure best practices in psychological evaluation are followed, both during hiring and during service 	<ul style="list-style-type: none"> • Partner with NAACP, Langston University, and other affinity groups to grow diversity of applicant base • Advertise positions in minority-targeted publications • Create mentorship and leadership development programs for minority officers • Institute regular mental health check-ins with officers
Collect and Publish Key Data	<ul style="list-style-type: none"> 1. Collect detailed data on police stops and use-of-force incidents 2. Publish data in publicly accessible formats 	<ul style="list-style-type: none"> • Participate in Center for Policing Equity's national Justice Database • Submit data to FBI's upcoming use-of-force data, following national standards for collection

CASE STUDIES

Reducing Officer-Involved Shootings and Use-of-Force: Dallas Police Department

Following several police shootings in 2012, the Dallas Police Department began reviewing its policies on use of force. Reforms by the DPD included directing officers not to pursue suspects on foot in risky circumstances, instituting new reporting requirements for use of force incidents, and putting in place a policy to ask the FBI to review police-involved shootings.⁶¹ Led by Chief David Brown, the department improved training for officers and increased the number of trainings on use of deadly force from once every two years to every other month.⁶² De-escalation trainings emphasized approaching situations slowly and attempting to establish a calm communication with subjects instead of having multiple officers shout commands.

Officer-involved shootings dropped sharply after policy and training reforms at the Dallas Police Department



Source: Dallas Police Department

Oklahoma Policy Institute | www.okpolicy.org

These reforms were not without controversy. Organizations including the Dallas Police Association, the Dallas Fraternal Order of Police, and the Black Police Association supported the extra training time but strongly opposed the disruption in officers' schedules.⁶³ Some street-level officers and one City Council member said that the changes would not be sustainable.⁶⁴

However, the results have been impressive: complaints of excessive force dropped by 64 percent between 2009 and 2014.⁶⁵ After averaging over 20 officer-involved shootings per year between 2012 and 2014, the number dropped to 11 in 2015 and 12 in 2016.⁶⁶ Officers also benefitted from greater safety after the changes, with a 30 percent decline in assaults on officers.⁶⁷

Because of these results, Dallas is often cited as a model of police reform. The efforts were led by a strong leader who was willing to withstand criticism as the changes were implemented, much of it from within his own ranks. If reformers can overcome the political obstacles, the experience in Dallas suggests that measurable progress is achievable within a relatively short amount of time.

⁶¹ Tanya Eiserer, "Officer cleared in shooting that nearly led to riot in South Dallas," Dallas News, December 2013, <http://www.dallasnews.com/news/dallas/2013/12/19/officer-cleared-in-shooting-that-nearly-led-to-riot-in-south-dallas>

⁶² Ken Kalthoff, "Dallas Police Leaders Oppose Use of Force Training Plan," NBC-5, January 13, 2014, <http://www.nbcdfw.com/news/local/Dallas-Police-Leaders-Oppose-Use-of-Force-Training-Plan-240023771.html>

⁶³ *Ibid.*

⁶⁴ Tasha Tsiaperas, "Alarming violent crime increase forces massive Dallas police overhaul; some call for chief to resign," Dallas News, March 28, 2016, <http://www.dallasnews.com/news/crime/2016/03/28/rising-violent-crime-forces-massive-dallas-police-changes>

⁶⁵ Naomi Martin, "Dallas police excessive-force complaints drop dramatically," Dallas News, November 2015, <http://www.dallasnews.com/news/crime/2015/11/16/dallas-police-excessive-force-complaints-drop-dramatically>

⁶⁶ "Officer Involved Shootings Data," Dallas Police Department, <http://www.dallaspolice.net/ois/ois>

⁶⁷ Martin

Increasing Diversity in Law Enforcement: Los Angeles Police Department

In May 2000, the U.S. Department of Justice announced that it would file a civil suit charging that the Los Angeles Police Department engaged “in a pattern or practice of excessive force, false arrests, and unreasonable searches and seizures”; in response, the LAPD formed a task force to coordinate, monitor and report on efforts to reform police policies and practices.⁶⁸ The federal intervention followed years of controversy over the department’s practices, most notably following the beating of Rodney King in 1991 and the Rampart police corruption scandal in the late 1990s.

LAPD embarked on a massive reform effort, led by DOJ and Police Commissioner Bill Bratton. An extensive, independent evaluation in 2009 by researchers at the Harvard Kennedy School of Government found remarkable success in several areas, including the diversity of officers, use of force, and crime.⁶⁹

Among the goals of the reforms was to recruit and retain a more diverse police force. In terms of racial diversity,

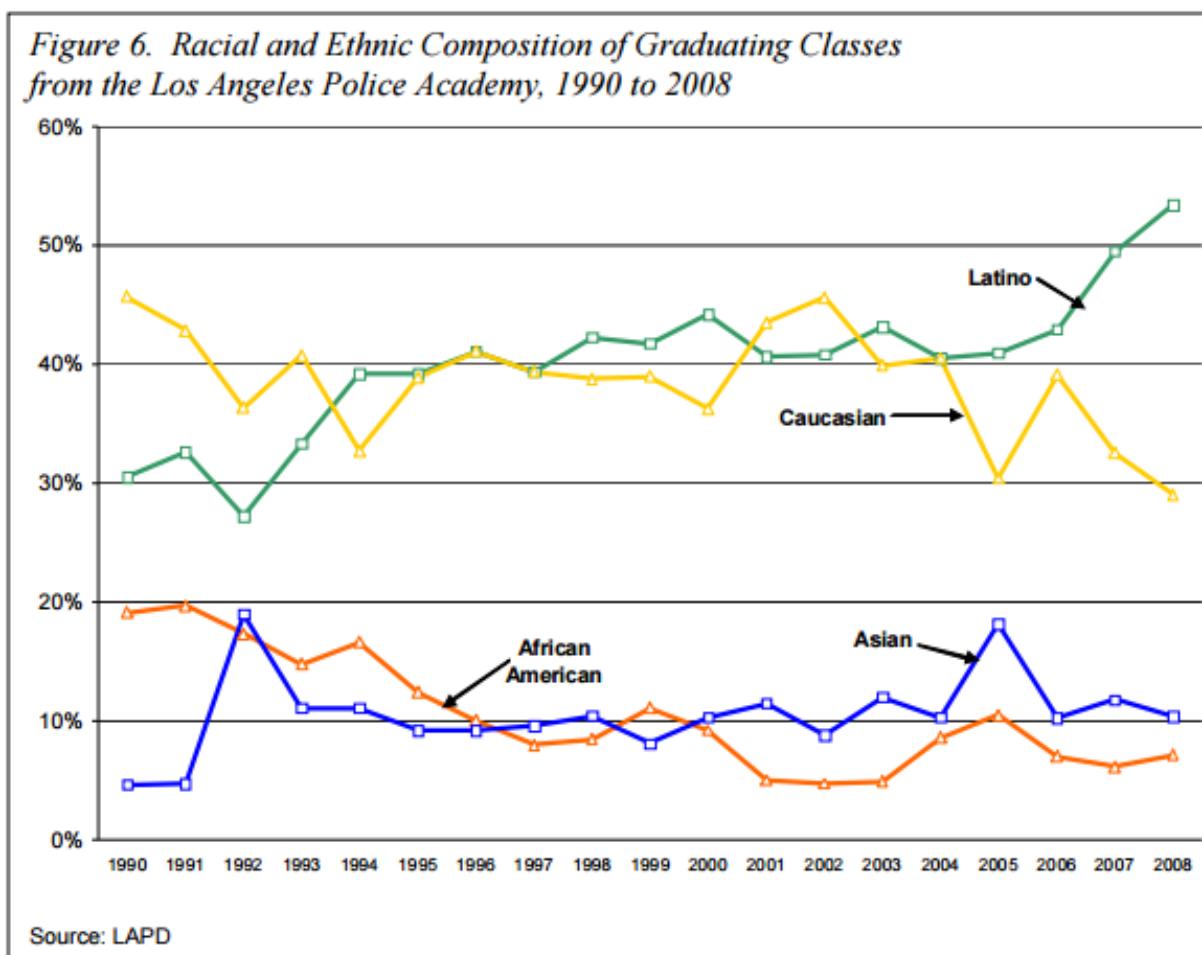


Chart via Harvard Kennedy School (see footnote 68)

68 “Consent Decree Overview,” Los Angeles Police Department, http://www.lapdonline.org/search_results/content_basic_view/928

69 Christopher Stone, Todd Foglesong, and Christine M. Cole, “Policing Los Angeles Under a Consent Decree: The Dynamics of Change at the LAPD,” Program In Criminal Justice Policy and Management, Harvard Kennedy School, May 2009, <http://assets.lapdonline.org/assets/pdf/Harvard-LAPD%20Study.pdf>

the results are impressive: between 1990 and 2008, the share of Latinos among graduates from the Academy rose from 30 to 53 percent, and the share of Asians rose from 5 to 11 percent.⁷⁰ Among all sworn officers, 42 percent were Latino in 2008, compared to 33 percent in 1999. The share of African Americans among both Academy graduates and sworn officers declined during this time, though in surveys of officers, African Americans were the most likely to believe that the LAPD was improving as an organization.⁷¹

Not all officers approved of the shift toward greater diversity. In focus groups, some officers called new recruits “thugs” and claimed they lacked English language skills. While this may represent a minority view among officers, it demonstrates the potential challenges brought about by efforts to recruit and retain more officers of color.

The increase in officer diversity occurred simultaneously with improvements in many other areas. Between 2004 and 2008, use of force among officers fell, and it fell fastest for black and Latino subjects.⁷² This is particularly notable considering the rise in the number of arrests during the same period. Despite more contacts and more opportunities for using force, the number of incidents declined.

The increased diversity of the LAPD force may have contributed to the gains in reducing police use-of-force, and LAPD senior officer Bruce Borihan credits the agency’s relationships with minority community leaders and organizations in helping to make those gains possible. The agency urged its minority officers to recruit in their communities and sponsored events to help the people they identify to prepare for and pass the recruitment test.⁷³

With the LAPD instituting a variety of changes within a short period, observers both inside and outside the agency have had difficulty pinpointing what made their efforts so effective. Researchers give much of the credit for these changes to the leadership of Chief Bill Bratton himself. They also point to various administrative and governance improvements, like giving police captains more flexibility in creating plans to reduce crime in their precincts and holding them accountable for the results. However, they also note that “everyone with whom we spoke described a panoply of changes, and every data set we analyzed showed a department performing differently than it was three, five, or ten years ago. Yet there is little agreement on the precise nature of the changes or their implications.”⁷⁴

REBUILDING TRUST BETWEEN LAW ENFORCEMENT AND COMMUNITIES

Oklahoma experiences higher rates of killings by police and of police than almost every other state, and mistrust between law enforcement and minority communities remains high. Improving public safety in the state will require law enforcement agencies and communities to rebuild trust in one another, and that process will take time.

It will require efforts on several fronts. Policy changes that recognize and address legitimate concerns about racial discrimination and officer use of force are a critical show of good faith and can help establish norms and accountability for officers. Those changes must be backed by training that give officers the tools and practice they need to follow them and be more effective in their jobs. Agencies should also endeavor to foster an environment that values diversity and is well-equipped to handle the pressures of a difficult and dangerous job. Finally, agencies should embrace the opportunity to collect and publish data to help them understand where they stand and how they compare to other agencies on measures like use-of-force and racial disparities.

70 *Ibid.*

71 *Ibid.*

72 *Ibid.*, p. 34-35

73 Batya Ungar-Sargon, “Lessons for Ferguson in Creating a Diverse Police Department,” FiveThirtyEight, January 5, 2015, <https://fivethirtyeight.com/features/lessons-for-ferguson-in-creating-a-diverse-police-department/>

74 Stone, Foglesong, and Cole, p. 13

Jurisdictions across the country have made progress on this issue, and our state can, too.

All stakeholders have a role to play in this process. State and local elected officials must be willing to listen to all sides and to continually push both law enforcement leadership and communities towards one another. They must listen to the concerns and needs of each and use their positions to facilitate understanding between them. They should also look outside the state to other jurisdictions that are having success and proactively learn from them.

Law enforcement agencies and their leaders must be open to listening to their communities' concerns and willing to shift their posture towards their community if necessary. Most agencies already have admirable outreach programs that could be built upon, and many already work to hire diverse workforces. Agencies should continue to advocate for the resources to implement new ideas and make honest assessments of how they're working.

All Oklahomans have the responsibility to advocate for law enforcement policy and practice that puts the highest priority on the safety of both officers and the public. The available evidence suggests that achieving that means more outreach and efforts to build trust, and less emphasis on aggressive tactics. By fostering a better relationship between communities and law enforcement, we can make Oklahoma a safer place.

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