



Establishing Comprehensive Integrity in Traffic Stop Data Collection

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INTRODUCTION

The integrity of traffic stop data collection is foundational to public trust and effective policymaking. Connecticut's recent experiences, particularly the scandal within the Connecticut State Police (CSP), have highlighted not only the need for rigor in data collection but also the broader implications of these practices. In the wake of that scandal, IntegrAssure was engaged to develop a notional methodology for the establishment of integrity in traffic stop data collection.¹

The CSP scandal, involving the falsification and misreporting of records between 2014 and 2021, not only potentially skewed data on the race and ethnicity of motorists stopped during that period by CSP, but naturally begged questions regarding the integrity of Connecticut law enforcement and the true prevalence of racial profiling in traffic stops. It is the goal of the methodology recommended in this report to meet the obvious need for enhanced data collection methods and appropriate oversight designed to assure the integrity of the data collected, and that through these process enhancements public trust can be restored.

This report delves into the complexities of traffic stop data collection in Connecticut, with a dual emphasis on establishing mandatory internal audit standards for departments state-wide and more rigorous external oversight. Our investigation and recommendations are framed within the context of ensuring the overall integrity of data collection, where technology plays a pivotal role in every aspect of the process. It presents an iterative approach to audit standards, understanding that not all recommendations are immediately feasible for every department.

With respect to potential mandates for departments statewide, we recognize the audit process as a critical tool, which we proffer can and should extend beyond the mere collection of data. Our approach is designed to identify not only data-collection issues but issues that encompass the legality of stops, the professionalism of officers, compliance with body-worn camera policies, tactical considerations, and any constitutional issues pertinent to the stops themselves and post-stop actions of law enforcement. By casting this wider net, the audit process becomes a comprehensive evaluation tool, scrutinizing not just data accuracy but also the adherence to legal and ethical standards, while at the same time imbuing a culture of continuous improvement in police agencies in Connecticut. The extent to which this broader methodology is recommended or mandated should be a point of discussion.

Our report includes a brief historical review of traffic stop data collection in Connecticut. This review aims to contextualize the current challenges and underscore the need for enhanced

¹ Information about IntegrAssure and its personnel who have contributed to this engagement can be found in Appendix A.

controls over the process. By understanding the past, we can better navigate the present and shape a more secure and trustworthy future for traffic stop data collection.

We acknowledge the multifaceted nature of this undertaking. Our recommendations are rooted in the belief that robust internal audits, empowered by technology, coupled with stringent external oversight, can collectively reform and refine traffic stop data collection and improve policing in Connecticut more broadly. This approach is not just about rectifying past shortcomings but about setting the standard of transparency, accountability, and fairness in law enforcement practices.

We also acknowledge that not every recommendation will be immediately feasible to implement by every agency in Connecticut and therefore have included a level-of-effort estimate for our recommendations. That being said, there are certainly immediate steps which can be taken to better assure the integrity of stop data.

Through this report, we aspire to contribute a meaningful blueprint for change, one that not only rebuilds public trust but also ensures that traffic stop data collection in Connecticut is a model of integrity and equity.

BRIEF HISTORY OF DATA COLLECTION IN CONNECTICUT

The historical evolution of the traffic stop data collection statute in Connecticut, particularly in the context of the Alvin W. Penn Racial Profiling Prohibition Act, represents a progressive journey towards ensuring fairness and transparency in policing practices. This evolution is marked by legislative foresight, technological adaptation, and a continuous response to emerging societal needs and challenges.

In 1999, the Connecticut legislature enacted the Alvin W. Penn Act, a pioneering move aimed at mitigating racial profiling in traffic stops. The Act mandated the collection of data on the race and ethnicity of drivers in traffic stops, intending to bring to light any potential biases in law enforcement practices. This initial phase was characterized by significant challenges, primarily due to the manual methods of data collection, which raised concerns about the accuracy and efficiency of the data. Law enforcement agencies struggled with standardizing the collection process across various jurisdictions, reflecting the gap between the legislative intent and its practical execution.

Recognizing the need for more comprehensive data to inform effective policymaking, the Connecticut legislature amended the Act in 2012 and 2013. These amendments expanded the scope of data collection, including more detailed information on the nature of stops and their outcomes. This period also marked the beginning of a significant shift towards digital data collection methods, signaling an acknowledgment of the crucial role of technology in enhancing the accuracy and ease of data analysis.

The Institute for Municipal and Regional Policy (IMRP) at the University of Connecticut² has played a pivotal role in the evolution and implementation of the Alvin W. Penn Racial Profiling Prohibition Act in Connecticut. This involvement has been particularly crucial following the legislative amendments made to the Act in 2012 and 2013. These amendments were aimed at creating a more robust system to address racial profiling concerns in traffic stop practices.

The IMRP, in consultation with the Office of Policy and Management (OPM), established the Racial Profiling Prohibition Advisory Board. This board was tasked with overseeing the design, evaluation, and management of the racial profiling study mandated by the amended Act (PA 12-74, "An Act Concerning Traffic Stop Information"). The primary purpose of this project was to monitor and prohibit racial profiling in Connecticut and to ensure compliance with the National Highway Traffic and Safety Administration (NHTSA) grant requirements. This included funding activities to prohibit racial profiling in the enforcement of state laws regulating the use of Federal-aid highways, collecting, maintaining, and providing public access to traffic stop data, evaluating the results of such data, and developing and implementing programs to reduce the occurrence of racial profiling.

The establishment of the Racial Profiling Prohibition Project Advisory Board was a strategic move to guide the implementation of the Act's amendments. The Board played a pivotal role in ensuring that data collection practices aligned with national best practices and effectively utilized technological advancements. Their guidance was instrumental in navigating the complexities of this transition, especially as law enforcement agencies grappled with system integrations, training needs, and maintaining uniformity in data collection across the state.

The shift towards digital data collection marked a new era in the evolution of the Act. Electronic reporting systems introduced enhanced efficiency and comprehensiveness in data collection. However, this transition was not without its challenges. The adaptation to new systems required significant efforts in terms of training law enforcement personnel and ensuring statewide uniformity in data collection practices.

Since May 2012, the Advisory Board and project staff have been meeting to outline and implement plans successfully under PA 12-74 and PA 13-75. Their early focus was on understanding traffic stop data collection and analyses in other states. This informed their approach to standardizing the method for collecting, recording, reporting, and analyzing racial profiling data in Connecticut. The project also involves collaboration with law enforcement, software vendors, and the Criminal Justice Information System (CJIS) to submit traffic stop information electronically.

The Connecticut Racial Profiling Prohibition Project (CTRP3) not only focuses on data collection and analysis but also provides public awareness, education, and training. This includes programs

² The IMRP was housed at Central Connecticut State University until October 1, 2021.

like "Fair and Impartial Policing (FIP)" to address conscious and unconscious bias in law enforcement. Additionally, CTRP3 facilitates forums throughout the state to enhance dialogue between law enforcement officials and community members.

The first analysis of Connecticut traffic stop data under the revised Alvin W. Penn Act was presented to the legislature in April 2015, with ongoing reports and updates since then. These efforts by the IMRP and the Advisory Board highlight a comprehensive approach to addressing racial profiling in traffic stops, combining data-driven analysis with community engagement and policy recommendations.

In recent years, the statute's implementation has continued to evolve, adapting to technological changes and emerging societal needs. The integration of technologies such as electronic ticketing, body cameras and GPS tracking reflects an ongoing commitment to using advanced tools to identify and address any disparities and potential biases in traffic stops.

This narrative of the traffic stop data collection statute in Connecticut underscores the importance of legislative foresight, technological adaptation, and the need for ongoing innovation in law enforcement practices. Understanding this historical context provides a foundation for addressing current challenges and shaping future directions in traffic stop data collection, ensuring that the principles of fairness and accountability are upheld in every aspect of law enforcement.

CONTINUED CHALLENGES IN DATA COLLECTION

The increased utilization of technology did not eliminate all issues relative to stop data and its collection. Some issues were apparent, but others would not emerge for years. While the system was built, in part, to standardize data, some departments were interpreting data fields differently. Moreover, manual entry of data, even when digitized, was prone to human errors. These errors could range from incorrect categorization of the race or ethnicity of drivers to misreporting the reasons for traffic stops or their outcomes. Lastly, varying levels of technological sophistication and resources across agencies led to difficulties in fully integrating the new systems. This resulted in fragmented data collection processes, with some agencies lagging in adopting the latest data collection technologies.

This resulted in some discrepancies in how data was recorded, categorized, and reported. Concerns remained about the integrity of traffic stop data, especially related to reporting errors which could skew levels of disparity potentially indicative of racial profiling. The absence of robust internal auditing and external oversight mechanisms meant that inconsistencies and errors often went unchecked.

What was missing from the process was robust oversight which allowed these issues to persist and grow. As these issues became public, trust in the law enforcement agencies' commitment to

transparency and accountability in traffic stop data collection began to erode. This was exacerbated by a lack of clear communication and transparency from the agencies involved.

The accumulating challenges and growing public scrutiny, significantly heightened by the state police scandal, placed increasing pressure on law enforcement agencies and state authorities to reform the traffic stop data collection process.

THE STATE POLICE SCANDAL

The issue of false reporting of stop data came to light following an investigation by Hearst Connecticut Media Group in 2022, which found that four state troopers had been investigated for the fabrication of traffic stop ticket data. This report prompted the Connecticut Racial Profiling Prohibition Project to conduct a comprehensive audit, which uncovered the extensive nature of what were found to be false and inaccurate stop data.

That audit revealed that hundreds of Connecticut State Police troopers and constables provided inaccurate information on at least 110,000 traffic stops between 2014 and 2021. Of the 110,000 inaccurate traffic stop records, the report characterized approximately 26,000 as false or inaccurate, 38,000 as having multiple errors, and 52,000 as duplicative. The report concluded that the inaccurate reporting led to skewed reports on the race and ethnicity of pulled-over motorists, with a significant number of drivers incorrectly identified by their race, ethnicity, age, and other demographic information. The false and inaccurate records raised concerns about the integrity of the state's racial profiling data. Overreported infractions were more likely to involve white drivers, while underreported violations often included Black or Hispanic motorists. These errors potentially downplayed the extent of racial and ethnic disparities in traffic stop numbers.

The revelations prompted a legislative hearing and a federal investigation. Connecticut's Office of the Chief State's Attorney initially launched an investigation, but it was later handed over to the U.S. Department of Justice. The Connecticut State Police instituted several reforms based on the audit findings. Governor Ned Lamont appointed Deirdre Daly, a former federal prosecutor, to lead an independent investigation. This inquiry aimed to understand how and why the discrepancies occurred and what reforms should be implemented to prevent recurrence. An order was issued for all state troopers to cooperate with the investigation.

The independent investigation into the Connecticut State Police (CSP) found significant failures in reporting racial profiling data, as mandated by the Alvin W. Penn Racial Profiling Prohibition Act. These included not effectively addressing known falsifications, inadequately supervising data entry, and lacking proper training. While initial audits suggested widespread intentional falsification among troopers and constables, further analysis found that most discrepancies could be attributed to issues like carelessness, lack of training, and technical problems, rather than intentional misconduct. Remedial measures and enhanced supervision, auditing, training, and technology improvements were recommended to ensure data accuracy and reliability moving forward.

The scandal has significantly eroded public trust in the Connecticut State Police and highlighted the need for more stringent checks and balances in the traffic stop data collection and reporting processes and is a stark reminder of the importance of integrity, accuracy, and transparency in law enforcement data collection and reporting. It underscores the need for robust systems to prevent falsification and ensure that the data accurately reflects reality. The responses to the scandal, including the legislative and federal investigations, as well as the internal reforms and independent review, indicate a commitment to rectifying these issues and restoring public trust.

Yet, the scandal was not an isolated incident but the result of a series of deep-rooted challenges in the system. The inconsistencies and gaps in data, coupled with emerging concerns about data integrity and oversight, created an environment where such a scandal could unfold. Understanding these challenges is crucial in addressing systemic issues and implementing reforms to prevent future occurrences.

LOCAL DEPARTMENT ISSUES

In the wake of the Connecticut State Police scandal, there has been increased scrutiny of local police departments regarding their data collection practices. Indeed, at least two local agencies have had significant issues.

HARTFORD POLICE DEPARTMENT

A Hartford police officer resigned after an investigation by the Department indicated that he had falsified records of over 200 traffic stops that were never made in 2022 and early 2023. The investigation arose after an internal audit conducted by the Department. According to reports, the officer acknowledged the falsification of data and resigned before the internal investigation was complete. An arrest warrant which was issued based on a fabricated stop was invalidated through the investigation. According to news accounts the officer indicated that his motivation of falsely reporting his level of stop activity was a desire to show his superiors more productivity than he actually had.

NORWALK POLICE DEPARTMENT

In 2021, a Norwalk police officer was also found to have falsified traffic stop data. The discovery of the falsification of data came about after a complaint from an out-of-state driver who through Norwalk's publication of warning data, realized that there was a false report of his being stopped by the officer, when in fact, such a stop never occurred. An internal investigation uncovered multiple instances of such alleged stops of out-of-state motorists being issued written warnings, which, in fact, never occurred. The officer resigned his position and was later indicted for his misconduct.

CONSTABLE ISSUES

The CTRP3 audit report highlighted several key findings related to constables and their reporting of traffic stop data, acknowledging the challenges in evaluating constable records due to the unique manner in which their records are maintained.

The audit identified the overreporting of infractions to the racial profiling database, indicating error issues including possible intentional falsification with respect to reporting. Additionally, discrepancies were noted where more records appeared in the CIB database compared to the racial profiling system, indicating underreporting to the racial profiling system in violation of the Alvin W. Penn Act. While there are a number of potential explanations for these discrepancies, some having to do with the issuance of violations for local ordinances, the discrepancies undermine the legitimacy of stop data collection in those jurisdictions employing constables.

FRAUD AND MISTAKE TYPOLOGIES

Using typologies in fraud detection and oversight is an important strategy for identifying and preventing potentially fraudulent activities. Typologies are essentially patterns or methods commonly used in fraudulent practices. By understanding these patterns, organizations can develop targeted strategies to detect and prevent fraud.

For example, in the financial sector, recognizing typologies such as identity theft, transaction fraud, or money laundering can help in creating specific monitoring systems. Similarly, in data management, understanding typologies like data manipulation, unauthorized access, or data theft guides the development of security measures and auditing protocols.

In essence, the identification of typologies allows for a more focused approach to fraud detection and prevention. It enables organizations to anticipate potential areas of risk and implement more effective oversight mechanisms. This proactive approach not only helps in mitigating current fraud risks but also in adapting to evolving methods of fraudulent practices.

In traffic stop data collection, three primary fraud typologies are particularly relevant: ghost reporting, misreporting, and underreporting. Understanding these specific typologies is crucial for developing targeted auditing and oversight mechanisms in traffic stop data collection.

GHOST REPORTING

Ghost reporting in traffic stop data collection refers to the practice of logging traffic stops that never actually took place. Officers might engage in ghost reporting for various reasons, such as to inflate activity numbers, meet perceived quotas, or create a false appearance of productivity and efficiency. In its most insidious form, ghost reporting could be used to skew demographic numbers so as to give a false reading on demographic disparities. This manipulation could, depending on the scale of the practice, impact the perceived prevalence of racial profiling or biases in law enforcement practices. By creating inaccurate records that misrepresent the demographics of

stopped drivers, such manipulation would clearly undermine the efforts to identify and address systemic issues in policing.

To mitigate ghost reporting, strategies such as cross-referencing of stop data with other independent sources such as dashcam and body-worn camera footage, GPS data from patrol vehicles, and communication logs. Regular audits and data analytics can also be used to identify patterns indicative of ghost reporting. Complaints are also a potential source for uncovering ghost reporting. Most importantly, fostering a culture of accountability and transparency within a police agency and setting realistic performance expectations can help reduce the incentive for ghost reporting.

MISREPORTING

Misreporting in traffic stop data collection involves the inaccurate recording of details of actual stops. This could be due to human error, misunderstanding, or intentional falsification aimed at hiding misconduct or biases. For instance, an officer might misclassify the reason for a stop or incorrectly record the demographic details of individuals stopped. To mitigate misreporting, comprehensive training and clear guidelines on data entry are foundational and essential. Regular audits, including cross-referencing traffic stop reports with body camera footage and dispatch records, can help identify discrepancies. The implementation of automated data entry systems that minimize human error and establishing a culture of accuracy and accountability within law enforcement agencies are also effective strategies.

UNDERREPORTING

Underreporting in traffic stop data collection occurs when officers fail to log certain stops. This might happen for various reasons, such as a misperception relative to mandatory reporting and a mistaken belief that the stop was not required to be reported, a desire to avoid paperwork, or an intention to conceal either misconduct or the extent of biased policing practices. To mitigate underreporting, appropriate training on policy mandates is fundamental. Utilizing technologies like GPS tracking and automated data entry linked with in-car and body-worn cameras and CAD reporting can help ensure that all stops are documented. Regular audits and cross-referencing with other data sources, including complaints, can further help in identifying and addressing underreporting issues.

THE ROLE OF BODY-WORN CAMERAS IN INTEGRITY ASSURANCE

Body-worn and in-car cameras (when available) are crucial in ensuring the integrity of traffic stop data. These tools not only provide an objective record of police-public encounters, including stops, but also reinforce accountability and transparency in law enforcement. The effectiveness of these cameras heavily relies on best-practice policies for their proper activation and use,

ensuring that they are consistently turned on and kept recording during an entire police encounter. Leveraging this technology effectively requires accountability of officers for camera activation and a comprehensive methodology for analyzing and reviewing the footage, ensuring that every aspect of police encounters, especially traffic stops, is accurately documented and assessable for review.

NOTIONAL METHODOLOGY FOR INTERNAL AUDITS TO BE CONDUCTED BY POLICE AGENCIES

This section outlines recommendations for internal audits that should be considered by the Connecticut Racial Profiling Prohibition Project (CTRP3) as a departmental mandate to address ghost reporting, misreporting, and underreporting in traffic stop data. These proposed audits are vital for maintaining data integrity and accuracy, allowing police departments to identify and rectify discrepancies. By aligning these audits with CTRP3 guidelines, departments can enhance transparency and accountability, ensuring that traffic stop data collection methods are both reliable and compliant with state requirements. While these audits are meant to ensure the integrity of traffic stops and the data being collected for each such stop, by utilizing a 360-degree assessment of those stop, any sub-standard actions of police officers can be identified and appropriately remediated.³ This will lead to a process of continuous improvement of officers and, derivatively, each department. The collateral benefit of this approach cannot be overstated, and, while perhaps ultimately proffered only as a recommendation as opposed to a mandate, serves to significantly further the mission of CTRP3 in promoting fairness and transparency in policing

The methodologies for our recommended audits include:

ASSESSMENT OF SELECTED TRAFFIC STOPS

For this audit both a random and targeted sample of traffic stops would be selected for detailed review, verifying the data against body-worn and in-car camera footage, GPS logs, and dispatch records.

TARGETED ASSESSMENTS

Targeting criteria include stops involving use of force including the display of firearms, vehicle or person searches, handcuffing, frisks, pursuits, summary arrests, and those generating citizen complaints.⁴ Each assessment would be conducted through a 360-degree review process, utilizing pre-designed rubrics for consistency. (See Appendix B for a notional rubric.). The review would include an analysis of body-worn camera (BWC) and in-car camera (ICC) footage, all related police

³ Generally, the remediation will consist of coaching, mentoring and additional training. Discipline will only be utilized in egregious or apparently incorrigible circumstances.

⁴ To the extent that a contact arose out of response to a crash, or the vehicle stop is associated with a separate motor vehicle or criminal complaint, no stop form is required to be completed.

reports and data, and any supervisory reviews conducted, ensuring a comprehensive evaluation of each stop's adherence to policies and procedures.

RANDOM ASSESSMENTS

For random assessments within the internal audit process, we proposed that a set number of traffic stops conducted by each officer per month, which do not meet the targeted criteria, be selected for review. The same rubric employed for targeted assessments would be utilized to assess these random stops. This approach ensures a broad and unbiased sampling of stops, enhancing the overall integrity of the audit process. By analyzing these randomly chosen stops, departments can identify patterns or issues not covered by targeted assessments, providing a comprehensive overview of traffic stop practices and adherence to departmental policies. This method complements targeted assessments, offering a balanced and thorough examination of police encounters.

DATA CROSS-REFERENCING

Cross-referencing of various data points of daily police activity would be conducted on a regular basis and would be designed to reveal aspects of non-compliance. Specifically, such cross-referencing would reveal unreported traffic stops⁵; failure to comply with body worn or in car camera policies; and failure to comply with the completion of traffic stop data form.

In the best-case scenario, the following data would be extracted in an automated fashion and cross-referenced in order to identify anomalies. Once perfected and tested, technical assistance from CTRP3 or other agency could be provided so as to develop a template for the data pull for each agency, with anomalies being highlighted for investigation by the agency.

The relevant data points⁶ would include:

1. CAD Data
2. RMS data including tickets/warnings; arrests; citations and pursuits
3. Centralized Infraction Bureau (CIB) data
4. BWC and ICC data
5. Vehicle Stop Data from the Form as collected, in the racial profiling database

The following anomalies should be resolved:

⁵ Not all police agencies in Connecticut require contact with a dispatcher when conducting a traffic stop, with the dispatcher issuing an incident number, with the incident not being able to be cleared until the stop form is completed. This would appear to be a best practice which would curtail the practice of "ghost stops".

⁶ There are certain reforms which would serve to best facilitate these audits. Inclusion of an agency's unique identifier for an incident (which should already be included in the agency's CAD, RMS and BWC/ICC data) should be included in both the CIB form and Vehicle Stop Data in order to best facilitate these ongoing audits. In addition, it would be helpful if POST facilitated the adoption of a unique identifier for each sworn officer in the state. Additionally, to address issues with respect to handwritten tickets, a mandate that all handwritten tickets be entered into the CIB database would be advisable.

- Stops that are contained in the CIB database but not in the Vehicle Stop database. There may in fact be valid reasons for this including whether the summons was issued for a non-traffic offense; was the result of a crash response or investigation; or was the result of certain exempt commercial vehicle enforcement activities. Nonetheless, these situations should be resolved either through an examination of the data or through further investigation. This process could and should be automated.
- Stops that are contained in the Vehicle Stop database but not in the CIB database. This could occur because of a verbal warning being issued.
- CAD data that indicates a traffic stop without BWC (or ICC) or without CIB or Vehicle Stop Data Form.
- CIB warning or summons entry without Vehicle Stop Data Form.
- CIB warning or summons entry without BWC or ICC.

PATTERN ANALYSIS

Use of the same data analytics to identify patterns potentially indicative of ghost reporting, misreporting, or underreporting, focusing on disparities in activity levels, demographic data, or outcomes.

The following patterns or scenarios should be identified and addressed:

- Significant disparities in peer-group comparison of activity level.
- Significant disparities in peer-group comparison of racial groups being stopped.
- Significant disparities in peer-group comparison of type of violations being cited (moving versus equipment).
- Significant disparities in peer-group comparison of frisks, searches, request for search, handcuffing, summonses, and arrests.

OFFICER INTERVIEWS

Clearly, interviews must be used to resolve issues which arise from these audits. Likely, most issues can be resolved at the line supervisor level and involve coaching, mentoring and training. That being said, situations may arise in which an internal investigation into intentional violations of policy is required.

In addition to resolution of specific issues, focus groups and surveys may be helpful in identifying issues that officers are generally having with stop data collection, and interpretation of related policies. The use of focus groups or surveys should ideally lead to the removal of barriers to full compliance with training or policy gaps being addressed and resolved.

TECHNOLOGY ASSISTANCE

Certainly, the utilization of BWCs and ICCs in the ways suggested is a substantial move forward in the ability to help ensure the integrity of stop data collection. There are potentially other tools

which would help facilitate the collection, collation, and analysis of data, which ideally would integrate into a tool that would select the appropriate items for review and enable the workflow for those reviews.

MANDATORY REPORTING TO CTRP3 OF COMPLAINTS INVOLVING VEHICULAR STOPS

As part of a comprehensive program to help ensure the integrity of vehicular stops and stop data, a critical step would be to require local police agencies to report complaints related to stops and stop data to the CTRP3⁷. Adoption of such a measure would enhance transparency and accountability by providing an awareness to CTRP3 of potential issues and in appropriate cases allow for an external review mechanism for grievances concerning traffic stops. It would enable CTRP3 to monitor and investigate complaints for patterns that may indicate systemic issues or individual misconduct in data reporting. Furthermore, this requirement would facilitate a more comprehensive oversight process, allowing CTRP3 to correlate complaint data with traffic stop records and identify discrepancies or irregularities. By centralizing the reporting of complaints, CTRP3 can serve as an impartial body to address concerns raised by the public and law enforcement personnel alike, ultimately contributing to the credibility and reliability of traffic stop data and reinforcing public trust in law enforcement practices.

MANDATORY REPORTING TO CTRP3 OF LOCAL AUDIT RESULTS

In addition to the mandatory reporting of complaints related to stops, mandating the reporting of audit findings, in accordance with the outlined audit protocols, to the CTRP3 would represent a significant step in bolstering the project's capacity to oversee and ensure the accuracy of traffic stop data. This requirement would facilitate ongoing monitoring and evaluation of law enforcement agencies' compliance with data collection standards, allowing for timely identification and investigation of potential irregularities. By receiving audit findings, CTRP3 would maintain a current understanding of each agency's data integrity, assess the effectiveness of implemented corrective actions, and identify trends that may warrant further scrutiny or systemic changes. It is recommended that such reports be submitted quarterly utilizing appropriate technology for the workflow of submission and receipt of the information. An analysis of the local audits could help guide the decision of which agencies would be appropriate for further inquiry or audit by CTRP3.

NOTIONAL LEVEL OF EFFORT OF EACH AUDIT COMPONENT

While many of the components of the suggested audit protocol should ideally be part of what every police agency does in terms of quality assurance, the implementation of the recommended internal audits to ensure the integrity of traffic stop data will necessitate a not insignificant level

⁷ Current law only requires police to report complaints of racial profiling to the Office of the Chief State's Attorney and CTRP3.

of effort from local police agencies, especially those agencies that are not currently engaged in an active effort to assure the quality of their work. It need not be said that such quality assurance, not only in the area of traffic stop data, but in all areas of police operations, is crucial for fostering continuous improvement in law enforcement practices.

Conducting assessments of selected traffic stops, both through targeted and random sampling, requires planning and execution. Officers will need to be trained in utilizing pre-designed rubrics for evaluations, to ensure consistency across assessments. The process involves analysis of body-worn and in-car camera footage, police reports, and supervisory reviews, demanding time and attention to detail.

Targeted assessments focus on stops with specific characteristics, such as use of force or searches, requiring a detailed examination of each encounter. Random assessments add another layer of oversight, ensuring that a broad spectrum of stops are reviewed for compliance and best practices.

Given recruitment issues and the broad array of supervisory duties, consideration should be given to civilianization or outsourcing of a portion of the required effort.

The cross-referencing of data points, including CAD and RMS data, BWC and ICC footage, and form submissions to the racial profiling database, adds a technical component to the audit. This requires some advanced analytical capabilities and the development of automated systems for data extraction and anomaly detection. Clearly, collaboration with CTRP3 for technical assistance to help build the right analytical framework and tools would be ideal, as would statewide inter-agency cooperation in refining these processes.

Similarly, the resolution of anomalies identified through data cross-referencing and pattern analysis would involve a systematic approach to investigating discrepancies which would require training and policy guidance.

Ultimately, the successful implementation of these audit methodologies hinges on a commitment to transparency, accountability, and a willingness to address any identified issues proactively. While this endeavor is undoubtedly resource-intensive, the potential for enhancing public trust and the effectiveness of law enforcement practices would make it a valuable investment.

NOTIONAL METHODOLOGY FOR OVERSIGHT BY CTRP3

CTRP3 plays a pivotal role in ensuring the integrity and accuracy of traffic stop data collection. Given its mandate, CTRP3, or a designated entity, could significantly enhance oversight through a series of structured audits and mechanisms:

REVIEW OF MANDATORY AGENCY REPORTING OF FINDINGS AND FAILURES

CTRP3 should systematically review the findings and failures reported by local police agencies as part of their internal audits. This review process would ensure that agencies are not only conducting their audits as required but are also taking corrective action based on their findings. CTRP3's role would involve verifying the accuracy of reported data, assessing any remediation undertaken, and providing feedback or directives for further improvement.

REVIEW OF COMPLAINTS INVOLVING VEHICULAR STOPS

Another critical oversight function would involve the review of complaints related to vehicular stops. CTRP3 could establish protocols for working with departments to receive, analyze, and potentially respond to such complaints, ensuring that they are thoroughly investigated by the relevant department and that appropriate actions are taken. This process would serve as a direct channel for addressing public concerns and enhancing transparency and accountability in traffic stop practices.

RANDOM AND TARGETED SELECTION OF DEPARTMENTS FOR COMPLIANCE AUDIT

CTRP3 could also conduct its own compliance audits, selecting departments for review through a combination of random selection and targeting based on specific criteria, such as the volume of traffic stops, previous audit findings, or the frequency of complaints. These audits could be conducted as meta-audits of the departmental audits, assessing their thoroughness, accuracy, and the effectiveness of corrective actions implemented.

HOTLINE

Establishing a hotline (telephone, email, and website) for reporting discrepancies, complaints, or concerns related to traffic stops and data collection could provide an additional layer of oversight. This hotline would allow for anonymous reporting, encouraging officers and the public to report issues without fear of reprisal. CTRP3 could monitor the hotline, triage reports for investigation, and track resolution outcomes.

ESTABLISHMENT OF DEPARTMENT POINTS OF CONTACT

CTRP3 should establish a users group providing a point of contact for each police department in the state. Doing so would facilitate the implementation of the suggested measures and would enhance the overall the ability of CTRP3 to realize the full potential of data collection. The group could meet on a regular basis, perhaps quarterly, and would share and discuss data concerns and mitigative strategies to address those concerns. In addition, having an established point of contact in each department, who would serve as a liaison between their department and CTRP3, allowing for quick and reliable dissemination of training and the provision of technical assistance on all issues related to data collection.

NOTIONAL LEVEL OF EFFORT AND POTENTIAL TIMELINE FOR IMPLEMENTATION

Implementing these oversight mechanisms would require an elevated level of effort and resources. The review of mandatory reporting, complaints, and conducting compliance audits would necessitate dedicated personnel with expertise in data analysis, law enforcement practices, and audit procedures. Establishing and managing a hotline would also require some operational and technical support.

This comprehensive approach to oversight by CTRP3 would significantly contribute to the integrity of traffic stop data collection, ensuring that police departments adhere to best practices and that any issues are promptly identified and addressed.

INTO THE FUTURE

Imagine a system where Computer Aided Dispatch (CAD) seamlessly interfaces with License Plate Recognition (LPR) technology. This advanced integration not only matches a vehicle's registration to its owner almost instantaneously but also brings up an historical view of the vehicle's interactions with law enforcement, providing a comprehensive and immediate context for the officer on duty, thereby enhancing their safety.

Going further, AI could also be employed to assess the "apparent" race, age, and gender of a driver using advanced image recognition algorithms. While there are serious ethical and accuracy considerations to address in the development of such technology, the goal would be to reduce subjective human reporting errors. This AI would not replace human discretion but would serve as a supplementary tool to provide officers with data that may assist in unbiased reporting.

The AI system could also be designed to observe and record post-stop actions. Utilizing a combination of body-worn camera footage and AI analysis, the system could document events during a stop, tagging specific behaviors and actions without human input, thereby reducing reporting burdens on the officer and enhancing the objectivity of the report.

At the conclusion of an incident, this system could auto-generate a report that captures all the relevant details of the stop, including the time, location, reason for the stop, the outcome, and any enforcement actions taken. Officers would review and, if necessary, add additional context to these AI-generated reports to ensure they accurately reflect the stop's events. Such a system would create an ecosystem where continuous auditing is built-in, with AI cross-referencing and validating data in real-time. Discrepancies could be flagged immediately, prompting further review or immediate corrective action. This would not only streamline the data collection process but also enhance the accountability and transparency of traffic stop procedures, fostering public trust and ensuring that law enforcement practices adhere strictly to the principles of justice and fairness.

The vision for such a technologically integrated future in law enforcement is predicated on thoughtful implementation, robust safeguards to protect civil liberties, and ongoing evaluation to address any unforeseen consequences. With the right balance of human oversight and AI efficiency, law enforcement can step into a new era where data integrity is assured and community relations are strengthened by trust in the systems designed to serve and protect.

CONCLUSION

The comprehensive examination of traffic stop data collection and its integrity within Connecticut, as detailed throughout this report, underscores both the complexity and the paramount importance of this endeavor. We have examined the historical evolution of data collection practices, and as illuminated by the shadow of the Connecticut State Police scandal, proposed rigorous methodologies for both internal audits and external oversight.

The proposed notional methodologies for internal audits and oversight by the Connecticut Racial Profiling Prohibition Project (CTRP3) offer a blueprint for systematic change. These methodologies are designed not merely as corrective measures but as a method for embedding transparency, accountability, and continuous improvement within the fabric of law enforcement agencies across Connecticut.

It is imperative to acknowledge that the journey towards establishing comprehensive integrity in traffic stop data collection is intricate and demanding. The adoption and implementation of the proposed methodologies will require a concerted effort from all stakeholders, including police departments, oversight bodies, and the community at large. This collaborative endeavor is essential for fostering a culture of integrity and trust, which are the bedrock of effective law enforcement and community relations.

This report underscores the significance of leveraging technology, such as body-worn cameras and automated data cross-referencing systems, as indispensable tools in the quest for data accuracy and integrity. These technological solutions, coupled with robust audit practices and external oversight, form a critical infrastructure to safeguard against data manipulation and ensure the fidelity of traffic stop data.

The integration of mandatory reporting mechanisms, both for complaints involving vehicular stops and for local audit results, is a strategic recommendation aimed at enhancing the oversight capabilities of CTRP3. Such mechanisms will not only enable timely identification and remediation of issues but also reinforce the collective commitment to transparency and accountability.

In conclusion, the path to restoring and maintaining public trust in law enforcement through impeccable traffic stop data collection is challenging. The recommendations outlined in this report are not mere suggestions but a call to action—a comprehensive framework designed to

elevate the integrity of traffic stop data collection to a standard that reflects the principles of justice and equality.

Our recommendations should not be seen not as an endpoint but as part of a continuous process of evaluation, adaptation, and enhancement. It is through the pursuit of continuous improvement that we can build a law enforcement system that is not only effective in its mandate but also unequivocally trusted by the community it serves.

APPENDIX A: ABOUT INTEGRASSURE AND RELEVANT PERSONNEL

IntegrAssure, a firm with extensive experience in police reform, is committed to improving public safety environments through ethical principles and innovative strategies. In the evolving landscape of law enforcement, IntegrAssure works closely with departments, as well as city, state and federal governments relative to improving police practices. Jeff Schlanger and IntegrAssure are currently in long-term oversight roles in Aurora (CO), San Leandro (CA), and Petaluma (CA), employing collaborative oversight designed to enhance public trust and establish sustainable public safety practices.

IntegrAssure's approach incorporates risk management and technology, such as body-worn camera video analysis, to identify performance issues for early intervention through coaching, mentoring, and training. By assisting police departments with the integration of such technology, IntegrAssure plays a crucial role in modernizing law enforcement agencies and their interactions with the public.

For further details on the specific nature of the work in these cities and how IntegrAssure's methodologies could help shape the future of law enforcement, please refer to their website: www.IntegrAssure.com.

JEFF SCHLANGER

Mr. Schlanger's experience spearheading high-profile independent investigations and oversight began in his role as a prosecutor in the Manhattan District Attorney's office (DANY), where he spent 12 years and rose to the level of both Senior Trial and Senior Investigative Attorney, the first individual to hold both such titles. During that period, Mr. Schlanger investigated and prosecuted some of the most notorious cases in the office, including the prosecution of the West Side gang known as the Westies and the prosecution of John Gotti, the head of the Gambino Crime Family.

Mr. Schlanger left DANY in 1990 and formed a private investigations firm which was bought by Kroll in 1998, the world's leading investigations firm at the time. At Kroll Mr. Schlanger headed the Security Services practice and founded the Government Services practice, and, with William Bratton, began consulting to major police departments around the world. He was instrumental in the proposal for and the design and execution of the monitoring methodology in Los Angeles, serving as the Deputy Primary Monitor for the Los Angeles Police Department (LAPD) consent decree for eight years. During this period, he was responsible for all operations of the monitorship including the review of LAPD's compliance with all reform efforts. During that same time period, Mr. Schlanger performed significant independent investigations at the request of large police departments throughout the country including the Tennessee Highway Patrol (an investigation into corruption in the hiring and promotion process), the San Francisco Police Department (an investigation into an internal affairs investigation probe involving the son of a Chief in the Department), and the Austin Police Department (investigative reviews of two separate fatal officer-involved shootings). In addition, Mr. Schlanger led major investigations and coordinated

security for the private sector and led the Security Services Group through the tumultuous aftermath of 9/11.

In 2009, when Kroll's Government Services Practice was spun out, Mr. Schlanger became the president and CEO of the new entity, KeyPoint Government Solutions. KeyPoint employed more than 2500 investigators responsible for performing security clearance investigations on behalf of various agencies of the U.S. government. During this same period, Mr. Schlanger also served as the Primary Deputy Monitor of HSBC, developing methodologies and overseeing their implementation to ensure remediation of the bank's involvement in financial crime throughout the world. The HSBC monitorship today stands as the most complex and comprehensive monitorship ever implemented.

In 2014, Mr. Schlanger left KeyPoint to re-join the public sector as the chief of staff to Manhattan District Attorney Cyrus Vance. At DANY, Mr. Schlanger oversaw the day-to-day operations of the office with more than 500 attorneys and 700 support staff. Mr. Schlanger also oversaw a number of special projects for the office, including its "Extreme Collaboration" program with the New York City Police Department (NYPD) which included the funding of NYPD's mobility initiative from forfeiture funds, providing approximately 36,000 officers with smart phones and the infrastructure to support those devices. Today, those devices continue to be an indispensable tool for NYPD officers.

In 2015, Mr. Schlanger left DANY, to join Exiger as president of its advisory division. There, Mr. Schlanger again oversaw the work on the HSBC Monitorship, as well as all other advisory engagements. In 2016, Mr. Schlanger led a team of policing professionals in the comprehensive review of the University of Cincinnati Police Department (UCPD), conducted in response to a fatal officer-involved shooting. The project included a thorough review of the UCPD and an analysis of its current practices relative to best practices in policing. The report found more than one hundred areas for improvement and made more than 275 specific actionable recommendations for improving the department while at the same time rebuilding trust between the UCPD and its community. Mr. Schlanger was then chosen to be the monitor of the department, overseeing the implementation of those recommendations. This monitorship was voluntary, supported and embraced by the University and the community as a way to provide assurance to the public that the reforms to which the UCPD had committed were actually being undertaken.

In 2018, Mr. Schlanger again left for the public sector, joining the NYPD as Counsel to the Police Commissioner. Three months later, Mr. Schlanger was asked to take on the position of Deputy Commissioner for Risk Management as the department elevated the risk management function to bureau (three star) status. Mr. Schlanger served in this capacity until March of 2021, helping to guide the Department through its most tumultuous period ever, implementing reforms brought about by both the federal monitorship arising out of stop and frisk abuses and the tragic murder of George Floyd.

In his role as Deputy Commissioner for Risk Management, Mr. Schlanger also sat on numerous departmental committees including the Use of Force Review Board and the Disciplinary Committee and headed the Use of Force and Tactics Working Group.

Over the years, Mr. Schlanger has also served in numerous pro bono positions including as Special Assistant District Attorney in Nassau County investigating a particular cold-case homicide as well as a separate claim of innocence in a child molestation conviction; and as Special Counsel to the New York State Commission on Public Integrity, involving an investigation into corruption and perjury allegations involving the governor of the state.

Mr. Schlanger started his latest venture, IntegrAssure, upon his departure from NYPD in March of 2021. IntegrAssure focuses on integrity assurance processes in both the public and private sectors. He currently serves as the Independent Consent Decree Monitor for the City of Aurora (CO), and the Independent Police Auditor of both San Leandro and Petaluma, California.

Mr. Schlanger is a graduate of Binghamton University and New York University School of Law and holds a federal security clearance.

DEAN ESSERMAN

Dean Esserman has more than three decades of experience in law enforcement and is currently serving as the Senior Counselor of the National Police Foundation. He started as an Assistant District Attorney in Brooklyn, New York from 1983 to 1987. He went on to serve as a Special Assistant United States Attorney before serving as General Counsel to Chief William Bratton of the New York City Transit Police from 1987 to 1991. He was the Assistant Chief of Police in New Haven, Connecticut from 1991 to 1993, where he put into effect a community policing plan, cut crime city-wide and established the Connecticut's first federally funded Drug Gang Task Force. He then became Chief of Police for the M.T.A. Metro North Police Department, headquartered in New York City, serving from 1993 to 1998. In 1998, he was appointed as Chief of Police in Stamford, Connecticut. He was also concurrently appointed, while serving as Chief, by the Federal Courts as the Monitor of the Walkill, New York Police Department in 2000. In 2002, he returned to New York City to join Thacher Associates. Later that year, he was recruited as Chief of Police of the City of Providence, Rhode Island, where he served 8 ½ years until July 1, 2011. He was also appointed as a Distinguished Professor and Executive in Residence at the Roger Williams University School of Justice Studies. On October 18, 2011, he was recruited back as the Chief of Police for the City of New Haven, Connecticut. Upon returning to New Haven in 2011, he was also appointed as a visiting faculty member at both Yale University and the Yale Law School as well as being appointed as a visiting faculty member and practitioner in residence at the University of New Haven. He also holds a lecturer's appointment at the Yale University Child Study Center.

He has served as a member of the Board of the Vera Institute of Justice, the National Police Foundation, the Police Executive Research Forum (PERF), and the Hurricane Island Outward
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Bound School. Presently he serves as a member of the Board of the Local Initiatives Support Corporation (LISC). He is a lifetime member of the IACP and served as the Chair of the Juvenile Justice and Child Protection Committee. He is a graduate of the Federal Bureau of Investigation's (FBI) National Executive Institute and the Law Enforcement Counter Terrorism Program. He is also a graduate of the Police Executive Research Forum's Senior Management Institute for Police and the United States Secret Service Dignitary Protection Program. He is a graduate of Dartmouth College (BA) and New York University School of Law (JD) and is a member of the New York and Massachusetts Bars.

APPENDIX B: 360-DEGREE ASSESSMENT METHODOLOGY



**OPERATIONAL INTEGRITY
METHODOLOGY
HOW WE PERFORM OUR 360°
REVIEWS OF UOFs, PURSUITS AND
COMPLAINTS**

March 21, 2024

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I. INTRODUCTION

This document provides the structured process that IntegrAssure will employ for conducting comprehensive reviews and assessments of the Anytown Police Department (APD) and its various law enforcement activities, including uses of force, vehicle pursuits, complaints, stops, and other related interactions.

The objective of these reviews is to ensure that all law enforcement actions are conducted in compliance with legal standards, departmental policies, and ethical guidelines. These assessments are integral to maintaining accountability, transparency, and trust in our law enforcement practices. The review and assessment of any incident serves as the basis of our philosophy relative to police performance improvement: identify and correct small mistakes before they become larger and, whenever possible, correct them through coaching, mentoring, and training. This methodology, in fact, becomes the best of early warning systems, not waiting for multiple events to occur before performance issues are identified and corrected. Its main purpose is to make every officer the best that he or she can be, and derivatively make the department all that it can be.

Performance issues may not always have as their root the conduct of the men and women of a police department. Policies, training, supervision and systems of accountability are vital components of continuous improvement and are separate tracks that we have been and will continue to look at in conjunction with the reviews described herein.

II. OUR PHILOSOPHY OF COLLABORATIVE OVERSIGHT

In our oversight and review and assessment process, we firmly embrace a philosophy of collaborative oversight. This approach is rooted in the principle that effective oversight should not be a punitive "gotcha" mechanism, but rather a constructive partnership aimed at continuous improvement. Our goal is to work hand-in-glove with command staff and other stakeholders, fostering an environment of open dialogue, mutual understanding, and shared commitment to excellence in law enforcement practices. We aim to embed a philosophy and methodology of continuous improvement within APD that will have officers critiquing their own performance and conforming their performance with best practices. Key aspects of this approach include:

A. EARLY FEEDBACK AND COMMUNICATION

We prioritize providing feedback to command staff at the earliest opportunity. This timely communication allows for immediate awareness and understanding of any issues or concerns identified during the assessment.

B. OPEN DIALOGUE ON ISSUES

By engaging in candid discussions about the issues uncovered, we aim to create a space where insights are shared openly, and perspectives are broadened. This dialogue is crucial for a comprehensive understanding of the context and nuances surrounding each issue.

C. JOINT DETERMINATION OF REMEDIATION

We believe in collaboratively discussing any potential remediation necessary. This involves collaboratively assessing performance to evaluate the impact of any performance issues and considering the most effective and appropriate course of action for remediation. Ultimately remediation is the responsibility of the Department and the Chief of Police.

D. EFFECTIVE IMPLEMENTATION OF REMEDIATION

The process of effecting remediation is a cooperative effort. We may, if requested, assist in developing strategies and actions that are not only corrective but also proactive in nature, ensuring that the measures taken are practical, sustainable, and aligned with the best practices in policing. We will document agreed upon remediations and will ensure completion of those remediations.

E. FOCUS ON LEARNING AND GROWTH

Our approach is underpinned by a commitment to learning and growth. We view each assessment as an opportunity for development and improvement, rather than merely a compliance check.

Through this collaborative oversight approach, we will work together with APD to strengthen its practices and policies, thereby enhancing its ability to serve and protect the community effectively. Our role is not only to monitor but to be a facilitator of positive change, guiding and supporting APD in its journey towards excellence in policing.

III. SCOPE OF ASSESSMENTS

The scope of our assessments encompasses a broad range of activities:

- **Use of Force:** Examination of instances where physical force or weapons were used by officers, evaluating their necessity, proportionality, and legality, consistent with APD. We also examine issues related to the duty to intervene; the duty to provide medical assistance; and the requirements relative to relief of involved officers.
- **Pursuits:** Analysis of vehicle pursuits to assess adherence to safety protocols, decision-making processes, and compliance with pursuit policies.
- **Complaints:** Review of complaints lodged against officers or the department to ensure thorough investigation, fair adjudication, and appropriate response.

- Stops: Evaluation of stops (traffic or pedestrian) to ensure the stop, and the reason(s) behind the stop, was consistent with the law; and that the rationale and the conduct of officers during these interactions comports with department philosophy and policy.
- Other aspects of Constitutional Policing: Other aspects of constitutional policing are reviewed.
- Professionalism: The professionalism of officers involved in the incident is observed and assessed.
- Tactics: The tactics employed, especially with regard to officer safety, are evaluated.
- Equipment issues: Issues are noted regarding equipment malfunction or failure, to the extent that such issues need to be further reviewed and evaluated.
- Officer Documentation: Officer documentation of the incident is reviewed and evaluated.
- Supervisory Review: The supervisory review of the incident is assessed and evaluated.
- Policy Implications: The extent to which the assessment of the incident indicates that a review of a particular policy or procedure is warranted, such a need is documented.
- Continuous Improvement Assessment: We ask the question: “Could something with respect to this incident have been done differently which could have reasonably achieved a better outcome?”

IV. METHODOLOGY

Our assessment methodology is grounded in objectivity, thoroughness, and a commitment to best practices. It involves:

- A detailed examination of incident reports, body-worn camera footage, witness statements, and any other relevant documentation as well as review and assessment of supervisory reviews.
- Determining whether all actions by law enforcement personnel are legally justified, ethical, and within policy guidelines.
- Application of established legal standards and departmental policies as benchmarks for evaluation.
- Documenting each of our assessments with relevant findings in each area reviewed with recommendations relative to both individual officer performance and wider-reaching issues. For each of the areas of assessment in our incident review we will indicate whether there is an “Issue or Notable Observation” or not.

V. OUTCOMES AND RECOMMENDATIONS

The outcomes of these assessments are aimed at:

- Identifying areas where officers have excelled in their duties and those areas where improvements are needed.
- Discussing specific remediation for particular officers involved in an incident.
- Recommending changes or enhancements in training, policies, and practices to prevent future occurrences of any identified issues.

- Strengthening community relations by demonstrating a commitment to accountability and excellence in policing.
- Examining the role of supervisory actions and review in our assessment to understand how supervisors and command staff respond to and manage situations involving uses of force, pursuits, complaints, and stops.

VI. COMMITMENT TO CONTINUOUS IMPROVEMENT

Our review process reflects our efforts to promote commitment to continuous improvement in the Anytown Police Department. Effective policing requires not only adherence to laws and policies but also responsiveness to the evolving needs and expectations of the community. Through these assessments, we will assist APD in its pursuit of upholding the highest standards of law enforcement and fostering a culture of integrity, respect, and professionalism. The philosophy of continuous improvement is a major focus, and we will discuss each incident with APD in the context of determining whether anything could have reasonably been done differently so as to have potentially and reasonably achieved a better outcome.

VII. OUR REVIEW AND ASSESSMENTS

Our review and assessment of each incident examined is fully documented and reported to command staff. We will, at weekly meetings, discuss our findings with command staff and collaborate with them on what, if any, actions should be taken in light of the review. We will track recommendations and remediations which have been mutually agreed upon. These recommendations fall into two major buckets: those that are specific to an individual office and those that have broader applicability to specific units or the department as a whole.

Our assessment criteria are detailed below with explanations relative to each section.

A. BODY WORN CAMERA UTILIZATION

A key component of our assessment process involves the evaluation of the adherence to body-worn camera (BWC) protocols. Proper use of BWCs ensures that a clear and comprehensive record of events is maintained, which is invaluable for post-incident reviews, investigations, and building community trust. This assessment is integral to ensuring that the benefits of BWC technology are fully realized in our efforts to enhance policing standards and practices.

1. KEY CONSIDERATIONS IN BWC PROTOCOL COMPLIANCE ASSESSMENT:

- **Activation Compliance:** Were BWCs activated at the start of an incident or encounter, in accordance with departmental policies.
- **Continuation of Recording:** Did BWCs remain active throughout the duration of the incident, ensuring continuous and uninterrupted recording.
- **Termination of Recording:** Was termination of the BWC recording appropriately timed to ensure the entire incident was captured.

- Muting and Audio Considerations: Were there any instances where audio was muted or disabled.

B. PRE-INCIDENT ACTIONS

Pre-incident actions can reflect the level of preparedness and situational awareness of the officers involved. Evaluating these actions offers insight into their readiness to handle unexpected situations and adherence to training and protocols.

Specifically, reviewing pre-incident actions can reveal how well officers assess and manage risks before engaging in a situation. This includes understanding the environment, potential threats, and available resources. Similarly, the making of sound decisions based on sound judgement and intelligence is a crucial skill for an officer which we need to evaluate.

1. KEY CONSIDERATIONS IN PRE-INCIDENT PLANNING ASSESSMENT:

- How officers gathered information before the incident, evaluating their effectiveness in understanding the situation they are about to engage in.
- The quality of the plans that were developed, or the lack of any plan developed when time allowed.
- The quality of decisions made by the officers before the incident, considering the available information and circumstances.

C. LEGAL PREDICATE FOR CONTACT WITH SUBJECT

Intrusive law enforcement interactions must be predicated on reasonable suspicion, probable cause, or other legal justification, such as fulfilling a caretaker function. By ensuring that there is an appropriate legal basis for the interaction, officers demonstrate a commitment to upholding legal standards and protecting the rights of individuals. This can enhance public trust in law enforcement agencies by reassuring the community that officers are acting within the scope of their authority and respecting citizens' rights.

1. KEY CONSIDERATIONS LEGAL PREDICATE FOR CONTACT ASSESSMENT

- Was the level of the encounter supported by objectively reasonable facts from the perspective of the involved officer so as to make the encounter constitutionally permissible.
- Specifically, with respect to a consensual encounter, whether the individual was free to leave and not answer any questions.
- Specifically, with respect to a Terry Stop, whether the officer had a specific, articulable, and reasonable suspicion, not a mere hunch, that the person is, or is about to be, or was involved in criminal activity. This suspicion must be supported by specific facts or observations.
- Whether, in the case of a Terry Stop, the stop was brief and focused on confirming or dispelling the officer's suspicion.
- In the case of an arrest, whether there was probable cause to make the arrest.

D. COMMUNICATION WITH SUBJECTS(S)

Communication plays a critical role in law enforcement interactions, especially in high-stress situations like those involving use of force. Effective communication can de-escalate tensions, clarify intentions, and prevent misunderstandings, while poor communication can exacerbate a volatile situation.

1. KEY CONSIDERATIONS OFFICER COMMUNICATION ASSESSMENT

- **Clarity of Communication:** How clearly and effectively did the officer communicate with the subject. This includes the use of clear language, appropriate tone, and understandable instructions.
- **De-escalation Efforts:** Were attempts made by the officer to de-escalate the situation through verbal communication? This could include calming the subject, negotiating, or employing other crisis intervention techniques. It also includes active listening to understand the subject's concerns or state of mind; the use of empathetic and non-confrontational language, and the avoidance of language or gestures that could escalate tension.
- **Command Presence and Authority:** How did the officer balance assertiveness with respectfulness to maintain control of the situation without escalating tensions?
- **Use of Verbal Warnings:** Did the officer provide adequate verbal warnings or make the consequences of non-compliance clear to the subject?
- **Responsiveness to Subject's Communication:** Did the officer listen and respond appropriately to the subject's verbal and non-verbal cues?
- **Cultural and Linguistic Considerations:** How well did the officer adapt their communication to accommodate any cultural or linguistic differences.

E. DE-ESCALATION

De-escalation is key to good policing, especially in situations where use of force is or may become involved. Even in non-use-of-force contacts with civilians, the level of an officer's de-escalation skills can impact the outcome of an encounter.

1. KEY CONSIDERATIONS IN DE-ESCALATION ASSESSMENT

Verbal De-escalation: How officers used their verbal and non-verbal communication skills to de-escalate tension. This includes tone of voice, choice of words, and body language.

- Providing clear and simple instructions or requests
- Actively listen in order to understand the subject's concerns or state of mind
- Acting empathetically and non-confrontationally
- Avoiding the use of language or gestures that could escalate tension, such as profanity or aggressive demeanor.

Efforts to Slow Down or Stabilize the Situation: Review of tactical decisions made to slow the pace of the encounter, allowing more time for a peaceful resolution.

- Avoiding rushing or forcing a resolution unless immediate action is necessary for safety.
- Creating a controlled environment where both the officer and the subject have time to think and communicate.

Attempts to Understand and Empathize with the Subject: Evaluation of the officer's ability to empathize with the subject, considering their emotional, mental, and situational state.

- Recognizing signs of mental illness, substance abuse, or emotional distress.
- Showing compassion and understanding, which can help in gaining the subject's trust and cooperation.

Utilization of Space, Barriers, or Tactical Repositioning: How did officers use physical space and positioning to reduce the immediacy of a threat and increase safety.

- Maintaining a safe distance to reduce perceived aggression.
- Using barriers (like vehicles or furniture) as protection and to create a buffer zone.
- Repositioning to avoid cornering or overwhelming the subject.

Decisions to Wait for Additional Resources or Specialized Units: Evaluates the judgment used in deciding to wait for backup, specialized units, or crisis negotiators.

- Recognizing when the situation is beyond one's training or requires specialized skills.
- Using the time before additional resources arrive to stabilize the situation as much as possible.

F. USE OR DISPLAY OF FORCE

Assessing the legal justification for each use of force is a critical component of any comprehensive use-of-force review. This assessment ensures that force is used in compliance with legal standards, departmental policies, and ethical considerations.

1. KEY CONSIDERATIONS USE OF FORCE ASSESSMENT:

- **Alignment with Legal Standards:** We assess each use of force against relevant legal standards, including constitutional guidelines and state law.
- Specifically, we will assess whether each involved officer's actions were objectively reasonable considering the circumstances, without the benefit of 20/20 hindsight. This means evaluating the situation from the perspective of a reasonable officer on the scene, rather than with the clarity often available after the fact. In doing so, we will take into account (1) the severity of the crime; (2) any immediate threat to involved officers or

others; and (3) whether the subject was actively resisting or evading arrest by flight.

- **Other Factors:** We will assess the degree to which alternative methods of capture or restraint were considered by the officer and other potentially relevant factors such as the number of suspects versus officers; and the size, age, and condition of the suspect versus the officers.
- **Consistency with APD Policies:** We will evaluate whether the use of force aligns with the specific policies and procedures of APD.
- **Proportionality:** We will assess whether the level of force used was proportional to the threat presented and the subject's actions.
- **De-escalation:** As noted above, we will assess whether de-escalation was properly employed.
- **Officer Training and Experience:** We will consider the training and experience of the officer(s) involved and how this may have influenced their decision-making.
- **Alternative Options:** We evaluate whether other less intrusive options were available and why they were or were not used.
- **Reporting and Supervisory Review:** We will assess the officer's documentation of the incident and the supervisory review of the incident.

G. DUTY TO INTERVENE ASSESSMENT

The "duty to intervene" is a critical component of law enforcement accountability and ethics. It refers to the obligation of an officer to step in when they observe another officer engaging in excessive use of force or conduct that violates a person's rights, departmental policies, or laws. This duty is rooted in the principle of upholding justice, protecting civilians from harm, and maintaining the integrity of the law enforcement profession. The evaluation of this duty is essential to promote a culture of accountability and to ensure that all officers adhere to ethical standards and legal guidelines.

1. KEY CONSIDERATION IN DUTY TO INTERVENE ASSESSMENT

- **Identifying the Need to Intervene:** Was there a clear and apparent need for an officer to intervene in the situation? We consider the nature of the incident, the actions of the involved officers, and the level of force used.
- **Officer's Response to the Situation:** How did officers at the scene respond to any improper conduct? Did they take appropriate actions to prevent, stop, or report the misconduct? We consider the timeliness and effectiveness of their intervention.
- **Barriers to Intervention:** Were there any potential barriers that might have prevented an officer from intervening, such as hierarchical constraints, perceived peer pressure, or fear of retaliation?
- **Training and Policy Awareness:** Did the officers possess the knowledge and understanding of relevant policies and training regarding intervention duties? We consider if the situation reflects a need for enhanced training or clearer policies.

- **Reporting and Follow-up Actions:** Was the incident reported appropriately by the officers following the incident, in line with departmental policy? We consider the actions taken by the department upon receiving the report.

H. MEDICAL RESPONSE ASSESSMENT

The provision of medical response after a use-of-force incident is a fundamental duty of law enforcement officers. It involves assessing the medical needs of individuals involved in the incident and ensuring that appropriate medical care is provided promptly. This duty reflects a commitment to preserving life and health, even in situations where force was necessary. Evaluating this aspect is crucial for ensuring that policies and practices prioritize the well-being and rights of all individuals, align with humanitarian principles, and comply with legal obligations.

1. KEY CONSIDERATIONS IN MEDICAL RESPONSE ASSESSMENT

In evaluating whether there was appropriate discharge of the duty to intervene the following is considered:

- **Timeliness of Medical Assessment and Response:** We evaluate how quickly officers assessed the need for medical assistance after the use of force and the promptness of the response in providing and/or calling for medical aid.
- **Adequacy of Medical Care Provided:** We consider the adequacy of first aid or medical care provided by the officers, if applicable, and determine if the care was appropriate for the injuries or conditions observed.
- **Training and Knowledge:** We assess the officers' training and knowledge regarding medical response and first aid and evaluate whether their actions reflected this training and knowledge.
- **Escalation to Medical Professionals:** We review the decision-making process regarding when to escalate to medical professionals, such as calling an ambulance or EMTs and evaluate if this decision was made in a timely and appropriate manner.
- **Documentation and Reporting:** We assess how the medical response was documented and reported in the incident report. We consider whether the documentation accurately and thoroughly reflects the medical care provided and the condition of the individual.
- **Policy Adherence:** We evaluate if the officers' actions complied with departmental policies and protocols related to medical response after the use of force.
- **Consideration of Special Medical Needs:** We assess if officers considered and appropriately responded to any known special medical needs or conditions of the individual.

I. RELIEF PROTOCOLS ASSESSMENT

This section of the assessment focuses on evaluating adherence to relief protocols in use-of-force incidents. Relief protocols typically mandate that an officer involved in a significant use of force should be relieved from direct contact with the subject at the earliest opportunity by an available officer. This protocol serves as post-force de-escalation of tension between a subject and officer involved in a use of force, allowing for a decompression of the situation and the most professional handling of post-force police operations. Adhering to relief protocols is fundamental in ensuring that use-of-force incidents are managed with the utmost professionalism and consideration for all involved. Compliance with these protocols reflects APD's commitment to responsible and ethical law enforcement practices.

1. KEY CONSIDERATIONS IN RELIEF PROTOCOL ASSESSMENT

- **Timeliness of Relief:** We evaluate how promptly the involved officer was relieved following the use of force incident and assess any delays and the reasons behind them.
- **Implementation of Relief:** We review the process of how the relief was implemented. Was it done in a manner that maintained the dignity and rights of the subject while ensuring the safety of all parties?
- **Documentation and Reporting:** We assess the accuracy and completeness of documentation regarding the relief process in the incident report and ensure that the relief action and timing are accurately reported.
- **Policy Adherence:** We assess the extent to which the actions taken comply with the APD's relief protocols and policies and identify any deviations from the protocol and the justification for these deviations.

J. PURSUIT INVESTIGATION REVIEW

In incidents involving pursuits, we will systematically evaluate the pursuit to ensure it aligns with departmental policies, legal standards, and the prioritization of public and officer safety. This evaluation includes reviewing the initiation, conduct, and termination of pursuits, focusing on adherence to policy and decision-making processes.

1. KEY CONSIDERATIONS IN PURSUIT ASSESSMENTS

- **Justification for the Pursuit:** Was the pursuit initiated based on a clear and justifiable reason, aligning with APD policies and legal standards.
- **Adherence to Pursuit Policies:** Did officers involved in the pursuit adhere to departmental policies regarding when to initiate or terminate a pursuit.
- **Risk Assessment:** Did the risk assessment conducted by officers before and during the pursuit, appropriately consider the safety of the public, the officers, and the suspect.

- **Decision-making and Communication:** Was the decision-making process and the communication among officers and with dispatch during the pursuit effective and appropriate.
- **Outcome of the Pursuit:** Was the conclusion of the pursuit, including any arrests, injuries, or property damage, handled appropriately.
- **Documentation and Supervisory Review:** Was the documentation relative to the pursuit complete and accurate and was the supervisory review appropriate in documenting the supervisor's assessment of the pursuit including lessons learned and any corrective actions to be taken.

K. COMPLAINT INVESTIGATION REVIEW

This segment of our assessment applies only to the review of complaint investigations. The thorough and impartial assessment of how police departments investigate internal citizen complaints is a cornerstone of maintaining integrity and public trust in law enforcement. Such evaluations are pivotal not only for ensuring compliance with legal and ethical standards but also for reinforcing a culture of accountability within police agencies. By reviewing the investigative processes and the reporting mechanisms of these complaints, we can ensure that each case is handled with the utmost diligence, fairness, and transparency. This type of review is essential in identifying strengths and areas for improvement in the department's approach to internal oversight. It serves as a critical mechanism for promoting organizational learning, enhancing community relations, and upholding the principles of justice and professionalism that are fundamental to the mission of law enforcement.

1. ORIGIN OF COMPLAINT

In the pursuit of transparency and accountability, complaints should be able to be received through a wide array of channels to accommodate the diverse needs and preferences of the community. Complaints should be able to be submitted through the department's website, via email, by phone, through traditional US mail, or directly to an officer or at a police facility. Internally, complaints may originate from supervisors or fellow officers who observe conduct that warrants review.

In our assessment, we note the origin of the complaint.

2. TIMELINESS OF THE COMPLETION OF THE COMPLAINT INVESTIGATION

The prompt resolution of internal and citizen complaints is crucial in maintaining the integrity and efficacy of police oversight mechanisms. Swift investigative action not only demonstrates the department's commitment to accountability but also helps in preserving the trust and confidence of the community. It is essential, however, to recognize that the time necessary to thoroughly investigate a complaint can vary widely, depending on the complexity of the complaint and the intricacies of the underlying incident. A balanced approach is required to ensure that investigations are conducted as expeditiously as possible, without compromising the

thoroughness and fairness needed to reach just and accurate conclusions. Timely investigations can prevent the escalation of community concerns, reduce the potential for misinformation, and ensure that corrective actions or disciplinary measures are implemented in a relevant timeframe.

In our review we note the length of time that was taken to complete the investigation from the date of intake to the date of completion.

3. INTERVIEW ISSUES

Interviews are a pivotal component of the investigative process in resolving internal and citizen complaints within law enforcement agencies. They provide an opportunity to gather firsthand accounts, clarify details, and understand the perspectives of all involved parties. Effective interviews can illuminate the facts of the case, reveal inconsistencies, and contribute significantly to establishing the veracity of the complaint. Conducting comprehensive and impartial interviews is essential for ensuring the thoroughness and fairness of the investigation.

In our review of an investigation, we assess the interviews that were conducted from a variety of different standpoints.

A. SELECTION OF INTERVIEWEES

We assess whether all potential witnesses were properly identified and interviewed, including the complainant, the accused personnel, bystanders, and other relevant parties.

B. APPROPRIATENESS OF QUESTIONING

With respect to the appropriateness of questioning, we assess whether:

- A structured approach to the interviewing was employed that established a conducive environment.
- Open-ended, non-leading questions were used to elicit detailed responses.
- The questions were free of any bias or preconceptions on the part of the investigator.
- Follow-up questions were utilized to ensure that all relevant was obtained.
- Witnesses were interviewed separately and in-person when practical and beneficial.
- The interview was recorded and appropriately documented.

4. EVIDENCE COLLECTION AND REVIEW

With respect to evidence collection and review we assess whether:

- All relevant forms of evidence were actively collected, including body-worn camera footage, any additional video from the scene, photographs, and diagrams of the incident location.
- The scene of the incident was adequately documented when necessary, including the

taking of photographs and creating diagrams when beneficial for understanding the case to ensure a clear and detailed representation of the physical context in which the incident occurred.

- All documents pertinent to the matter were gathered and reviewed including officer reports, witness statements, and any administrative paperwork related to the incident, or the individuals involved.
- Body-worn camera footage and other video evidence was reviewed to provide a clear and objective account of the events as they unfolded, including an analysis of actions, behaviors, and any verbal exchanges captured in the footage.
- The integrity of the evidence was maintained throughout the process, with appropriate measures taken to ensure its preservation, including the safeguarding of digital data, maintaining a chain of custody for physical evidence, and ensuring that evidence is not tampered with or degraded.
- The evidence such as body-worn camera footage was appropriately utilized during interviews to clarify events, challenge inconsistencies, and corroborate statements.

5. OTHER INVESTIGATIVE ISSUES

With respect to other investigative issues, we assess whether:

- The investigator pursued all relevant and material leads during the investigation including tracking down additional witnesses, seeking out further evidence, and exploring any new information that arose during the course of the investigation.
- There were any indications of bias or unfairness in the conduct of the investigation. This entails examining the investigator's approach to all parties involved, ensuring that actions and decisions were based on evidence and facts rather than preconceived notions or prejudices.
- The investigation was comprehensive and meticulous, covering all aspects of the incident. This includes a complete examination of the circumstances, context, and actions of all individuals involved.
- There was any minimization or disregard of any evidence that could impact the outcome of the investigation. All evidence, regardless of whether it supported or contradicted initial assumptions, was given appropriate consideration and weight.
- The investigator maintained an objective standpoint throughout the process, analyzing evidence and statements critically and without bias. This includes evaluating the credibility of all sources and cross-referencing information to confirm its accuracy.
- The investigation was conducted transparently, with clear and comprehensive documentation of each step and finding. This documentation serves as a record of the investigative process and supports the conclusions reached.

6. THE REPORT ON INVESTIGATION

The creation of clear, concise, and unbiased reports following complaint investigations is

important. These reports not only serve as the official record of the investigation but also as a testament to the department's commitment to transparency, accountability, and justice. A well-crafted report is essential for several reasons: it provides a trustworthy account for all parties involved, including the complainant, the subject of the complaint, and the community at large; it ensures that the investigative process is documented in a manner that is easily understandable and free from ambiguity; and it upholds the integrity of the investigation by presenting facts and findings in an impartial and objective manner. The quality of these reports is a direct reflection of the department's dedication to upholding the highest standards of law enforcement practice and to fostering trust within the community it serves.

With respect to the report on investigation, we assess the following:

A. REPORT LAYOUT

Whether the report was structured in a logical, coherent manner, facilitating clear understanding and ease of navigation through the document. This includes an organized presentation of information, findings, and conclusions.

B. INVESTIGATION SYNOPSIS

Whether the report included a concise and accurate synopsis of the complaint, providing a clear understanding of the allegations and the context of the investigation.

C. APPROPRIATE DISCUSSION OF EACH ALLEGATION

Whether the report thoroughly addressed each specific allegation made in the complaint. This involves an individual examination of the facts and evidence relevant to each allegation.

D. APPROPRIATE CONCLUSIONS

Whether the conclusions drawn in the report were appropriate and supported by the investigation's findings. This includes ensuring that conclusions are based on evidence and sound reasoning.

E. AVOIDANCE OF UNSUPPORTED CONCLUSORY STATEMENTS

Whether the report refrained from making conclusory statements without proper evidentiary support. All conclusions and assertions were backed by specific findings from the investigation.

F. IDENTIFICATION OF EXCULPATORY EVIDENCE

Whether the report identified and considered all exculpatory evidence that could suggest the innocence or mitigate the responsibility of the subject of the complaint.

G. IDENTIFICATION OF INCULPATORY EVIDENCE

Whether the report identified and evaluated all inculpatory evidence that could indicate the

culpability of the subject of the complaint.

H. NEUTRAL TONE

Whether the report maintained a neutral tone throughout, devoid of any evident bias towards either party. This includes an impartial and objective presentation of facts and findings.

L. POST-ENCOUNTER CONSTITUTIONAL RIGHTS ASSESSMENT

This segment of our assessment process is dedicated to assessing the adherence to constitutional standards in law enforcement actions following an encounter. The Constitution provides fundamental rights that must be respected in all law enforcement activities. Ensuring compliance with constitutional standards is paramount in upholding the rule of law and protecting the rights of individuals. This assessment is crucial for identifying areas where law enforcement practices may need improvement or refinement. It also serves as a safeguard against potential civil rights violations, reinforcing the commitment of law enforcement agencies to ethical and lawful practices.

1. AREAS OF ADDITIONAL CONSTITUTIONAL REVIEW

A. FRISK

We assess the legality and appropriateness of any frisk conducted during the encounter. This includes evaluating whether the officers had reasonable suspicion to believe that the person was armed and dangerous, as required by *Terry v. Ohio*. An officer may conduct a frisk only, absent consent, if there is a reasonable suspicion that the person stopped is armed and dangerous. This suspicion must be based on specific and articulable facts, not just a hunch. The frisk is limited to a pat-down of the outer clothing for weapons.

B. SEARCH

We examine the searches conducted post-encounter for compliance with fourth amendment protections against unreasonable searches. This includes assessing whether searches were conducted with proper legal justification, such as consent, a warrant, incident to arrest, inventory, or exigent circumstances. The warrantless search of a detained individual or his or her belongings is only permissible in the case of a detention if a legally permissible frisk has determined the presence of that which reasonably is felt to be a weapon.

C. DETENTION

We assess the legality and duration of any detentions following an encounter. This includes ensuring that detentions were based on reasonable suspicion or probable cause and, in the case of detentions, were not unduly prolonged or unduly restrictive as to the place and condition of the detention. Generally, only reasonably necessary restrictions beyond an indication that an individual is not free to leave are constitutionally permissible. These additional restrictions must

be reasonable to ensure the safety of officers or others and/or to prevent an escape or willful refusal to comply with an order of detention.

D. HANDCUFFING

We review the use of handcuffs or other restraints to ensure that their use was reasonable and necessary under the circumstances and did not constitute excessive or punitive restraint. Handcuffing is generally associated with an arrest, which requires probable cause to believe that the person has committed a crime. However, officers may also use handcuffs during a Terry Stop for safety reasons if they reasonably believe that their safety, or that of others, is at risk, or that the detainee is a flight risk. This must be justified by specific circumstances suggesting the individual may be armed, dangerous, or a flight risk. The use of handcuffs during a stop does not automatically turn the encounter into an arrest, but it does increase the level of scrutiny regarding the lawfulness of the police action.

E. ARREST

We evaluate the legality of any arrests made, ensuring they were supported by probable cause and conducted in accordance with legal procedures.

F. MIRANDA WARNINGS

We review whether Miranda warnings were properly administered when required. This includes assessing whether suspects were informed of their rights before any custodial interrogation, as mandated by the *Miranda v. Arizona* decision.

M. PROFESSIONALISM ASSESSMENT

This component of our assessment process focuses on evaluating the professionalism exhibited by officers during law enforcement encounters. Professionalism in this context refers to the conduct, demeanor, and adherence to the ethical and procedural standards expected of law enforcement officers. The professionalism of law enforcement officers is fundamental to maintaining public trust and confidence in the criminal justice system. It is essential for the fair and effective administration of justice and for fostering positive community relations. This assessment helps in identifying areas of excellence and areas where improvement or additional training may be necessary. By continually evaluating and reinforcing professional standards, APD evidences its commitment to the highest ideals of law enforcement and community service.

1. KEY CONSIDERATIONS IN PROFESSIONALISM ASSESSMENT

The following are the major aspects of professionalism that we evaluate.

A. CONSISTENCY WITH TRAINING AND POLICY

We review whether the officer's behavior is consistent with departmental training and policy guidelines.

B. INTERACTION WITH THE PUBLIC

We assess the nature of interactions with the public, including courtesy, respect, and ability to effectively communicate.

C. HANDLING OF STRESSFUL SITUATIONS

We evaluate the officer's ability to handle stress and maintain professionalism in challenging or high-pressure situations.

D. IMPARTIALITY AND FAIRNESS

We evaluate to determine whether the officer's actions and decisions were impartial and fair, free from bias or prejudice.

N. TACTICAL ASSESSMENT

This section of our assessment is dedicated to critically evaluating the tactics employed by officers in various incidents. Effective and safe tactical execution is essential for the success of law enforcement operations and for the protection of officers and the public. This assessment serves as a crucial tool for evaluating and enhancing tactical approaches in law enforcement. It helps identify areas of strength and areas needing improvement or additional training. By reviewing the tactics employed in various incidents, we aim to foster an environment of continuous tactical improvement, heightened safety, and the greatest professionalism in APD's practices.

1. KEY CONSIDERATIONS IN TACTICAL ASSESSMENT

A. APPROPRIATENESS OF TACTICS

We examine whether the tactics used were appropriate for the situation, considering factors such as the nature of the incident, the level of threat, and the available resources.

B. OFFICER SAFETY

We assess how the tactics employed by the officers prioritized their own safety, including the use of protective equipment, adherence to safety protocols, and situational awareness.

C. PUBLIC SAFETY

We evaluate the impact of the officers' tactics on public safety, including risk mitigation strategies to protect bystanders and prevent unnecessary harm or escalation.

D. TACTICAL TRAINING AND PREPAREDNESS

We review the alignment of the employed tactics with the officers' training and preparedness, assessing their ability to apply tactical knowledge and skills effectively.

E. DE-ESCALATION TECHNIQUES

We consider the use of de-escalation techniques as part of the tactical approach, evaluating efforts to resolve situations with minimal force and conflict.

F. DECISION MAKING AND JUDGEMENT

We assess the decision-making process and judgement exercised by the officers in choosing and implementing tactics.

G. COMPLIANCE WITH POLICY AND BEST PRACTICES

We assess whether the tactics employed were in compliance with departmental policies and recognized best practices in law enforcement.

O. EQUIPMENT ISSUE ASSESSMENT

This section of our assessment is used to evaluate whether there were any equipment issues that are noteworthy in terms of their impact on the incident or relative to deficiencies which should be avoided in the future.

The primary objective of this assessment is to determine if there were any significant issues related to inappropriate use or malfunction of equipment, including but not limited to firearms, non-lethal weapons, protective gear, communication devices, and surveillance tools, during the incident under review.

1. KEY CONSIDERATIONS IN EQUIPMENT ISSUE ASSESSMENT

A. EQUIPMENT MALFUNCTION AND FAILURE

We determine whether there were any instances of equipment malfunction or failure during the incident and assess the impact of such malfunctions on the outcome of the incident.

B. INAPPROPRIATE USE OF EQUIPMENT

We assess whether equipment may have been used inappropriately or contrary to training and protocols.

C. TRAINING AND HANDLING

We assess whether the handling of equipment during the incident aligned with standard training and protocols.

P. ASSESSMENT OF OFFICER(S) DOCUMENTATION

The assessment of officer documentation in police incidents is a critical aspect of our review. It ensures that the written and recorded accounts of incidents are thorough, accurate, and reliable, thereby supporting the principles of accountability, transparency, and continuous improvement in

policing practices. The main objective of this assessment is to evaluate the comprehensiveness, accuracy, and timeliness of the documentation provided by officers involved in the incident. This includes examining written reports, and any other forms of official documentation that detail the incident.

1. KEY CONSIDERATIONS IN OFFICER DOCUMENTATION ASSESSMENT

A. *COMPLETENESS AND ACCURACY*

We evaluate whether the documentation thoroughly and accurately represents the events of the incident, assessing the level of detail and clarity in the descriptions provided.

B. *CONSISTENCY WITH EVIDENCE*

We compare officer documentation with other available evidence, such as video footage, to check for consistency.

C. *TIMELINESS AND PROCEDURE COMPLIANCE*

We assess whether the documentation was completed in a timely manner following the incident.

D. *TRANSPARENCY AND OBJECTIVITY*

We review the documentation for signs of bias, subjectivity, or omission of critical information.

Q. POLICY ISSUE ASSESSMENT

Our review includes an assessment of whether the need for any policy change is implicated by the circumstances of the incident. Assessing the need for potential policy changes in the wake of a specific incident is an important component of ensuring that law enforcement practices remain responsive to evolving challenges.

1. KEY CONSIDERATIONS IN POLICY ASSESSMENT

A. *RELEVANCE AND EFFECTIVENESS OF CURRENT POLICIES*

We assess whether the policies which were implicated in the incident provided the appropriate guidance for officers to follow under the circumstances of the incident.

B. *INCIDENT ANALYSIS AND POLICY IMPACT*

We evaluate how the existing controlling policies influenced the actions of officers and the outcome of the incident to identify any gaps or deficiencies in those policies.

C. BEST PRACTICES AND BENCHMARKING

We continuously compare current policies with best practices and standards considering any insights from other agencies or jurisdictions that have successfully implemented policies addressing similar issues.

R. SUPERVISORY REVIEW ASSESSMENT

Assessing the supervisory review process of a specific police incident is crucial to ensure that oversight mechanisms are functioning effectively. A thorough and appropriate supervisory review is essential for ensuring accountability within law enforcement. It serves as a key mechanism for overseeing the actions of officers and maintaining high standards of conduct. This standard serves to enhance public trust, and fosters continuous improvement through applied coaching and mentoring when performance can be improved.

The primary objective of this assessment is to evaluate the appropriateness, thoroughness, and effectiveness of the supervisory review conducted in relation to the incident. This includes examining how the supervisory review addressed the actions, decisions, and conduct of the officers involved, as well as the overall handling of the incident. It aims to determine whether the supervisory review was conducted in a manner that upholds standards of accountability, transparency, and fairness.

1. KEY CONSIDERATIONS IN SUPERVISORY REVIEW ASSESSMENT

A. COMPREHENSIVENESS OF THE REVIEW

We assess whether the supervisory review examined all aspects of the incident, including the actions of individual officers and the situational context, determining if the review adequately considered all relevant evidence, including documentation, witness statements, and any available audio-visual material.

B. ADHERENCE TO PROCEDURES AND STANDARDS

We evaluate whether the supervisory review was conducted in accordance with established departmental procedures and industry standards, assessing the consistency of the review process with legal requirements and ethical obligations.

C. OBJECTIVITY AND IMPARTIALITY

We examine the impartiality of the supervisors conducting the review, ensuring that there were no conflicts of interest or biases that could have influenced the outcome, determining if the review was conducted in an objective manner, free from external pressures or influences.

D. TIMELINESS AND RESPONSIVENESS

We evaluate the timeliness of the supervisory review, considering the urgency and seriousness of the incident, assessing whether the review was conducted in a manner that allowed for prompt corrective action and response.

E. OUTCOMES AND RECOMMENDATIONS

We review the conclusions and recommendations made as a result of the supervisory review, assessing the effectiveness of any actions taken following the review, including disciplinary measures, policy changes, or additional training.

S. DIFFERENT APPROACH/BETTER OUTCOME

"What could have been done differently to have reasonably achieved a potentially better outcome?" is an essential component of a continuous improvement philosophy in the assessment of police incidents. While this is an assessment we make in our reviews, it is done with the intention of having APD always ask this question of itself and each officer of him or herself.

The objective is to foster a reflective and analytical approach towards each incident; to encourage a mindset of learning and improvement by retrospectively examining the incident to identify alternative strategies, decisions, or actions that could have led to a more favorable outcome.

This question should be applied to all facets of the incident under review, from pre-incident planning through supervisory review of the incident, leading to a refinement of incident response strategies and management practices, in turn leading to more effective and safer outcomes in future situations.

Regularly questioning and analyzing incident outcomes fosters a proactive mindset, emphasizing the importance of ongoing improvement and adaptation in law enforcement practices. When done properly, this process not only aids in identifying areas for growth and development but also reinforces a commitment to excellence, accountability, and progressive change in law enforcement.

T. SUMMARY OF ASSESSMENT AND ITEMS FOR DISCUSSION

In this section of our assessment, we present a consolidated summary of the key issues and unresolved questions identified during the assessment of the incident and summarize any exemplary conduct identified in the incident.

The aim is to provide a clear and concise overview of the areas that require further attention, resolution, or action; and to recognize any exemplary conduct identified. This summary serves as a guide for prioritizing efforts in addressing the challenges uncovered and in formulating strategies for improvement and a roadmap for emulating exemplary conduct.

The purpose of this summary is to:

- Highlight critical issues that emerged during the assessment
- Outline significant questions that remain unresolved or require deeper investigation, thereby setting the agenda for subsequent analysis, discussion, and decision-making.
- Highlight any exemplary conduct that was identified in the assessment.

While this summary reflects on the incident under review, it is also forward-looking, intending to inform future policy decisions, training programs, and operational strategies. It is designed not only to address the specifics of the incident but also to contribute to the broader goal of continuous improvement in law enforcement practices.

U. RECOMMENDATIONS

This section outlines the recommendations derived from the comprehensive assessment of the incident. These recommendations are designed to address specific issues and exemplary conduct identified during the review and to promote overall improvement in law enforcement practices. The aim is to provide targeted guidance for remedial actions, policy enhancements, and training initiatives.

The recommendations are broken down into two major categories: Specific Officer Remediation; General Departmental Recommendations; Specific Officer Commendation.

1. SPECIFIC OFFICER REMEDIATION

We detail any recommendations for individual officers involved in the incident, focusing on areas such as additional mentoring, coaching, training, counseling, or disciplinary actions, as warranted by the findings of the assessment. Each recommendation is tailored to the circumstances and actions of the specific officers, ensuring a personalized and effective response to the issues identified. We also note our thoughts relative to commendation of specific officer behavior.

2. GENERAL DEPARTMENTAL RECOMMENDATIONS

We propose any broader training, policy and equipment recommendations that extend beyond the scope of the individual officers involved as raised by the specific incident under review. Recommendations focus on enhancing overall departmental preparedness, responsiveness, and adherence to best practices and could include updates to existing policies, introduction of new training modules, and leveraging technology for educational purposes.

3. RECOMMENDATIONS FOR OFFICER RECOGNITION

We recognize exemplary conduct of officers in any of the areas assessed as it is just as important to recognize model conduct and use it as a teaching tool as it is to address and use potential issues.

V. POST-REVIEW CONFERENCE WITH APD

The documentation of each operational review will be shared with APD. In weekly post-assessment meetings with the Anytown Police Department (APD) leadership and relevant personnel we will review notable observations in each incident. This meeting is a cornerstone of our collaborative review process, designed to comprehensively discuss the findings and recommendations emanating from our assessments.

- **Documentation of Findings:** For each incident reviewed we will present the documentation of our review including any notable observations in any of the assessment areas. The documentation is structured to facilitate a clear understanding of our observations and the underlying data supporting them.
- **Discussion of Recommendations:** We will discuss our recommendations, emphasizing our thoughts for actionable steps for improvement and the rationale behind each suggestion. During these meetings we will encourage open dialogue, allowing APD representatives to provide context, ask questions, and express concerns.
- **Collaborative Action Planning:** The core of the meeting involves collaboratively developing an action plan to address the notable observations. This process ensures that the recommendations are feasible and aligned with APD's operational capabilities and strategic goals.
- **Follow-Up and Accountability:** We have established a mechanism for follow-up and accountability, to ensure that agreed upon timelines for implementing the action plan are met.