

**INTERIM REPORT
ON
BEST PRACTICES IN
POLICING**

SUBMITTED BY:



IntegrAssure

IN PARTNERSHIP WITH



**NATIONAL
POLICE
FOUNDATION**

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I. Introduction.

The past 18 months have given rise to a sustained nationwide push for a wholesale revisitation of how policing is administered and conducted. Policing across America has never been as challenged as it is today. Spurred by a series of high-profile incidents, including the murder of George Floyd, and troubling trends, including increase in violent crime and challenges in recruitment and retention of police officers across the country, many states have commenced efforts to identify what can be done to improve equity, fairness, and effectiveness in policing while maintaining public safety. Colorado's effort culminated in the passage of [House Bill 21-1250](#) ("HB21-1250").

HB21-1250 built upon the historic reforms enacted under the [Senate Bill 20-217](#) ("SB20-217"), which enacted expansive body-cam requirements for police officers, imposed new limitations on the use of physical and deadly force, established new reporting requirements on police departments and the state Division of Criminal Justice, and expanded the authority and mandate of Colorado's Peace Officer Standards and Training unit among other mandates. SB20-217 further created new requirements, such as bystander intervention requirements for police officers, prohibition of certain uses of force for crowd dispersal during mass demonstrations, and the establishment of new causes of action for infringements of state constitutional rights by police officers for which qualified immunity would not be a defense, becoming the first state in the country to do so.

HB21-1250 modified many of Senate Bill's enactments, including advancing the effective dates of some of the requirements and clarifying when certain of its mandates apply. Among the changes made by HB21-1250 are new mandates for the suspension or revocation of a police officer's certification for unlawful uses of force or failures to intervene and employment protections for police officers who report unlawful conduct by other officers. Combined, SB20-217 and HB21-1250 represent a comprehensive set of changes that put Colorado at the forefront of enacting legislations to strengthen public safety, improve policing accountability and outcomes for all. These acts, however, do not mark the end of the Colorado state legislature's attention to policing and the ways in which it can be further improved.

Among the provisions of HB21-1250 is a requirement that the Division of Local Government (the "Division") in the state Department of Local Affairs contract with a *"nationally recognized research and consulting entity that is an expert in data-driven, evidence-based policing that is community-focused for an independent study to assess and provide a report and findings on evidence-based policing national best practices in defined areas of study."*

The act requires the completion of two studies by the consulting entity: an interim study, due no later than December 30, 2021, and a final study, due no later than July 1, 2022. Per the act, the final study *"shall determine evidence-based best practices in the following areas to promote greater policing fairness, equity, and effectiveness:*

- I. *Use of force strategies, standards, and training that value the sanctity of human life, promote de-escalation tactics, provide clarity for officers, protect communities, and minimize harm to offenders;*
- II. *Crime and community harm reduction strategies that include problem analysis of high-risk people and places, considering racial and ethnic bias in policing with a focus on prevention while improving safety and police-community interactions;*
- III. *Initiatives to safely increase community response for lower-level offenses and calls for service;*
- IV. *Strategies to effectively move law enforcement and the community forward together by building a shared understanding and identifying common solutions to better protect our vulnerable and underrepresented communities, in addition to those suffering from mental illness or experiencing homelessness through non-traditional policing methodologies;*
- V. *Methods to enhance officer receptivity to engage in evidence-based policing practices that involve harm reduction and reduce reliance on traditional justice system resources and processes;*
- VI. *Innovative approaches to officer mental health, recruitment, and retention to address trauma and ensure officer preparedness for community engagement, and;*
- VII. *Analysis of recruitment and qualification standards for entry-level police officer positions to attract candidate pools with diverse perspectives and ongoing training and qualification requirements to enhance officers' willingness to engage in justice strategies embracing community collaboration while also decreasing and identifying signs of problematic behaviors."*

Pursuant to the act's requirement to contract with a nationally recognized research and consulting entity, the Division awarded a contract to IntegrAssure on November 30, 2021, to conduct the required study.

IntegrAssure partnered with the National Police Foundation ("NPF") to form the IntegrAssure Team to identify national best policing strategies. The IntegrAssure Team's unique qualification comes from the combination of experts in practical operational law enforcement expertise from around the country with leaders in academic research. Our experts are nationally recognized and have a proven track record of imagining, developing, implementing, and overseeing best, innovative, and promising practices.

IntegrAssure: IntegrAssure was founded in March 2021 by Jeff Schlanger immediately upon his retirement as the Deputy Commissioner of Risk Management Bureau (RMB) for the New York City Police Department (NYPD) and is dedicated to the proposition that police departments can (and must) continuously improve through a disciplined process of re-examination, re-engineering, and re-imagining of each area of concern. While a new company, its personnel have decades of experience in policing. Its nationally recognized thought leaders range from chief executives in departments of various sizes from around the country, who bring practical

operational law enforcement expertise, to thought leaders in criminal justice system reforms, who bring expertise in promulgating and monitoring the best and most promising policing practices.

National Police Foundation: Established in 1970, NPF is the oldest nationally known, nonprofit (501(c)(3)), nonpartisan, and non-membership-driven organization dedicated to improving American policing. NPF is a research organization with a long history of successful partnerships with law enforcement, cities, states, universities, federal agencies, other non-governmental organizations, and private foundations. Harnessing the power of science to advance policing, NPF’s growing portfolio of scientific research and experiments remains the catalyst for significant changes in policing, informing scholars and practitioners alike, and serves as a model for the systematic examination of real-world challenges. For more than 50 years, NPF has conducted seminal research in police behavior, policy, and procedure, and continues leading efforts in new evidence-based practices and innovations to law enforcement. NPF works closely with public safety and criminal justice agencies across the country and internationally and has worked on national and local community policing projects, including assessing the implementation of recommendations, concepts, and strategies captured in the *Final Report of the President’s Task Force on 21st Century Policing (“Task Force Report”)* and developing a *Community Engagement Playbook*. NPF has also worked with local police departments nationwide, including the Baltimore (MD) Police Department and the Chicago (IL) Police Department, on implementing recommendations from the *Task Force Report*.

Because of the legislatively required delivery date for this Interim Report¹ and the fact that the contract for this engagement was awarded on November 30, 2021 this report offers only a status update on the study, including the initial steps taken by the IntegrAssure Team. This report outlines the foundation for the Final Report and our anticipated next steps for consideration by DOLA and the respective judiciary committees of the Colorado House of Representatives and Senate.

II. Scope.

HB 21-1250 calls for a study of evidence-based best practices in seven distinct subject areas. Accordingly, our Final Report will be organized to report on the categories listed below. Each category has a team member dedicated to that subject area. We refer to each area as a “workstream.” The workstreams are:

¹ The mandated delivery date for the Interim Report is December 30, 2021. Because of the short period of engagement, in consultation with DOLA, it was agreed that the interim report would update the status of the study, describing in broad strokes the project, the preliminary steps that we have taken and the methodology we are and will be employing.

- I. Use of force
- II. Crime and community harm reduction
- III. Community-based public safety initiatives
- IV. Alignment of law enforcement and community approaches to public safety
- V. Police officer support for best-practices policing
- VI. Recruitment, retention, and wellness
- VII. Employment standards and training

For each workstream, the Final Report will offer a discussion of existing and emerging best practices for policing that hold the greatest promise for achieving meaningful change. The report will seek to maintain a balance between being comprehensive and selective in its curation of available approaches and strategies. Accordingly, it will offer multiple approaches and strategies for consideration while highlighting a select subset. Where a strategy or approach has been demonstrated to be efficacious through studied implementation, a discussion of those studies will be offered. Where conclusive statistical evaluations are unavailable, the report will explore any compelling theoretical, anecdotal, or intuitive basis for believing a strategy or approach will be effective. The study will also take into account the tremendous variation in size of departments throughout Colorado. While some best practices may have universal application and efficacy others may not be feasible nor necessary for all departments.

III. Methodology.

For each workstream, a consistent evaluative methodology will be employed to determine which practices are to be highlighted as best practices. Those that meet the requisites of the methodology will be featured accordingly.

First, we will follow a clear definition of what constitutes a best practice. For purposes of identifying which practices should be featured among myriad options available for consideration, we define a best practice as: *a process, intervention, or protocol that is shown through competent evidence or compelling analytical reasoning to effectively and reliably achieve a desired result or outcome.*

Under this definition, there are three steps to assessing something as a best practice:

1. First, a desired result or outcome must be identified, or a problem for which a solution is sought must be articulated;
2. Second, the process, intervention, or protocol must be described, including the designated roles or responsibilities of any personnel involved; and
3. Third, the linkage between the process, intervention, or protocol and the desired outcome must be demonstrated, either through an examination of studied evaluations or through a clear articulation of the basis for which such a linkage can be reasonably anticipated.

We note that the availability of statistical, anecdotal, and theoretical support for established and emerging practices will ultimately reflect the state of investment in policing research and empirical scholarship, which, unfortunately, has not always kept pace with the urgent level of interest in policing matters. Additionally, particularly for emerging practices or those that remain in their early stages of development or implementation, studied evaluations may be unavailable since such evaluations typically require an extended period of observation and assessment.

Accordingly, we anticipate two broad categories of best practices will emerge. Specifically, there will be those whose efficacy is supported by strong statistical evidence, and those for which such evidence may be limited or unavailable but for which there is a strong anecdotal or theoretical basis of support. For practices selected for recommendation despite the lack of available statistical or empirical evidence, the Final Report will take care to clearly articulate a reasoned basis for why such practices retain great promise despite the lack of empirical data.

In canvassing for potential best practices, the Final Report will consider several factors, including:

1. Support by community members;
2. Support by police officers and public safety professionals;
3. The logistics and costs of implementation, including:
 - a. Potential barriers, and
 - b. Any requisite participation or support from local, state, or federal agencies
4. Funding considerations;
5. Any available case studies;
6. Current or past adoption by other jurisdictions; and
7. Any statistical, anecdotal, or theoretical bases of support.

For each workstream within the scope of the report, the assigned workstream lead with specialized expertise in the subject have started conducting a preliminary review and analysis of the most noteworthy practices, compiling those worthy of consideration in the report pursuant to the criteria described above. The IntegrAssure Project Management Office (PMO) will convene regularly to review the compiled practices and determine which practices should be considered further. The PMO will also identify and select other noteworthy practices for consideration for inclusion within the report.

While the workstream leads are collecting and assessing various best practices within their workstream, the IntegrAssure PMO, in partnership with the National Police Foundation, will solicit and collect written input and insight from the stakeholders on their thoughts and recommendations for each of the workstreams. The collection of this data will be followed with a virtual meeting with each stakeholder in which that stakeholder's input is discussed. The stakeholder engagement process is described in more detail below.

The IntegrAssure PMO will analyze all stakeholder input and share the relevant recommendations and insights with each of the workstream leads. Each workstream lead will

consider the stakeholder input in their analysis section and then select several candidates for the final recommendations for the Final Report.

Finally, the collective IntegrAssure Team will vet, analyze, and select among these candidates those deemed appropriate for inclusion in the Final Report as best practices. This critical step will allow the Team to apply its diverse perspectives and experience to its evaluation of the recommendations and to ensure that all crucial factors are considered.

The Final Report will represent the culmination of our applied methodology: a rich, curated compilation of the leading best practices across a broad spectrum of policing that should equip the State of Colorado with multiple promising options in each of the areas of focus enumerated in HB 21-1250.

IV. The Foundation of Our Work

The areas of review all revolve around the relationship between police and the communities they serve and the ways in which this relationship can become more inclusive under a common public safety mission. Since the time of Sir Robert Peel, policing has theoretically rested upon the foundational precepts that “the police are the public and the public are the police” and that the “ability of police to perform their duties is dependent on public approval of police actions.”² It is clear, however, that in some communities, rather than being one and the same, an adversarial relationship between the community and the police has grown and trust in the police has waned significantly. Part of this distrust is rooted in the persistent exclusion of some communities from key conversations about policing, including the targets and methods of enforcement.

The murder of George Floyd rightly brought on a national level, a re-examination, and in many cases a re-imagining, and re-engineering of policing. Various reforms in jurisdictions throughout the country were enacted. This endeavor was not necessarily an attack on policing itself, nor a wholesale attempt to devalue the work of those departments and officers that have

² The 9 principles of policing according to Sir Robert Peel are:

1. The basic mission for which the police exist is to prevent crime and disorder.
2. The ability of the police to perform their duties is dependent upon public approval of police actions.
3. Police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.
4. The degree of cooperation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.
5. Police seek and preserve public favor not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law.
6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient.
7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

worked assiduously to continually improve how they carry out their sworn duties. Rather, it was a clear recognition that more needed to be done and that there was a unique window of opportunity to do so.

In the 19 months since that horrific day in Minneapolis, there has been a growing understanding that any practice which ultimately does not fully consider, and balance, the need for public safety, has the potential to cause unintended, but equally, if not more impactful harm to that community. With historical increases in violent crime, a growing collateral refrain from communities has been that while they are certainly concerned with police conduct, they are equally concerned with their safety and the safety of their families and neighbors.

The provisions of Colorado's reforms have recognized the imperative for such consideration and balancing, and, indeed, this study is an outgrowth of that recognition. The areas of study are those that, if reformed in accordance with best practices, would yield a system that is not only more fair, transparent, and responsive to the needs of the community; but one that, in the end, would deliver better service and a safer community to those it serves. The areas of study also recognize that the ecosystem of police-community relations, cannot flourish without a concern for making police officers all that the community needs them to be. Because of this, the areas of inquiry in the study recognize the need to promote the well-being of officers and to make them more receptive, and willing to engage. Moreover, the study also acknowledges the need for departments to recruit and retain those who truly share the goals and vision of their community and their department and who demographically represent the communities that they serve.

Ultimately, a system which is fair and responsive to the community, and which relentlessly strives to make officers all that they can and must be, will promote greater trust in and respect for police. This in turn will make officers feel better about themselves and the job they are doing which will make recruitment and retention of quality candidates less difficult. The police and the community will then be able to best collaborate to address and reduce crime, which will make both community members and officers safer.

The recommendations of best practices in our Final Report will serve as a road map for those who seek to continuously improve policing and have their community-police ecosystem flourish.

V. The Paradigm of Our Work

In examining each of the workstream areas, we will utilize our RISKS (Remediation of Identified Situations Key to Success) approach to continuous improvement. The defined scope of the assignment has identified those areas which the legislature has determined, and we agree, are "key to success." We will be searching for and ultimately presenting in our Final Report, best practice remediations for those areas.

Each of the identified areas presents an area of risk—one in which harm has occurred and will continue to occur unless properly remediated. And, while only one of the workstream areas explicitly calls out harm reduction, it is harm reduction in each of the areas that is at the heart of

this study. Our Final Report will start with an examination and analysis of the harm in each of the areas, and why the reduction of that harm is “key to success.” The Report will then present best practices and emerging remediations for the risk presented

Our Report will address the harm that can come from poor policing and of the many forms that poor policing can take. Although deliberate malfeasance, like malicious uses of force and illegal enforcement actions, are among the most visible forms, poor policing can also derive from ineffective public safety strategies or those that are misaligned with a community’s public safety expectations or priorities. The harms of poor policing can combine and compound, transforming isolated incidents into systemic problems. Our approach will be attuned to identifying solutions that account for and address these harms in whatever forms they assume.

Similarly, we will address the harms that come to the community through criminal activity which range widely from violent crime that in a split-second forever and irretrievably devastates an extended family to quality-of-life crimes that slowly erode a community’s sense of well-being. Our approach will identify those solutions that have worked best or have the promise of working well to promote the ability of community members and the police to respond to the threats posed by criminal activity under a banner of a common public safety mission.

Lastly, we will address the harm which comes to good police officers, who, in the words of Peel, “are the public” and who undertook a career in public safety with the intention to only help and do the right thing. Here, we will examine and identify solutions which address the stress and impact on performance that can be caused by the demands of a job combined with a pervasive feeling of underappreciation.

To address and heal past harm and to prevent future harm in each of these areas, evidence-based best practices will be identified. Because each of these best practices must be built on a strong institutional foundation, we will also identify best practice for solidifying that foundation.

VI. Stakeholder Engagement

The legislation which gave rise to this assignment appreciated the importance of seeking input from various stakeholders. We have developed a list of those stakeholders in collaboration with DOLA, and plan to meet with each of them over the course of the next 8- 12 weeks. To best facilitate those meetings, we have distributed a questionnaire eliciting their thoughts and recommendations on each of the Workstream areas.

Once in receipt of the response from the stakeholders, we will schedule a follow-up meeting to discuss the stakeholder’s input in greater detail. At that meeting, which will include numerous members of our team, we will delve deeply into each of the areas in which the stakeholder has expressed interest. The meetings will be informed by our experts who have been dealing directly with these issues in a variety of different roles and understand the various imperatives involved and the practicalities that attend the potential implementation of significant new policies. Our experts are dedicated to improving policing nationally based on the notions embodied in the act.

Through our dialogue with stakeholders, we will ensure that their viewpoints and thoughts are heard and considered in the final report.

The IntegrAssure Team has worked with the Advisory Committee and DOLA on finalizing the list of stakeholders and met with the Advisory Committee on December 16, 2021, to solicit additional stakeholders. The questionnaire was distributed on December 28, 2021. That list of stakeholders includes:

Colorado State Patrol

UFA Transit

American Civil Liberties Union

Representative Leslie Herod

Second Chance Coalition

Senator Julie Gonzales

Senator Bob Gardner

Representative Terri Carver

Fraternal Order of Police

County Sheriffs of Colorado

Colorado State Patrol Association

Colorado Association of Chiefs of Police

Colorado Municipal League

Colorado Counties, Inc.

National League of Cities

National Association of Counties

Colorado District Attorney's Council

Colorado Attorney General's Office (Police Officer Standards and Training Board)

We anticipate that additional stakeholders may emerge during the process from whom the IntegrAssure Team will also want to hear. The goal is to acquire a combination of voices and perspectives that is as diverse as those within the State of Colorado, and to take them all into account as we formulate the Final Report.

VII. Conclusion

We look forward to engaging with stakeholders and to continued dialogue with DOLA and the Advisory Committee as we continue our study and shape our Final Report. We firmly believe that the report will present best practices which, if implemented, can build on the groundbreaking legislation of 2020 and make Colorado fairer and safer for everyone.