

**PROGRESS REPORT**

**CITY OF CINCINNATI COLLABORATIVE AGREEMENT MUTUAL  
ACCOUNTABILITY OF ALL PARTIES**

**NOVEMBER 9, 2017**

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## INTRODUCTION

A center piece of Cincinnati's Collaborative Agreement is the use of problem solving to address all crime and disorder problems within Cincinnati.

The City of Cincinnati, the plaintiffs and the FOP, shall adopt problem solving as the principal strategy for addressing crime and disorder problems. Initiatives to address crime and disorder will be preceded by careful problem definition, analysis and an examination of a broad range of solutions. The City of Cincinnati will routinely evaluate implemented solutions to crime and disorder problems, regardless of the agency leading the problem-solving effort. The City will develop and implement a plan to coordinate the City's activities so that multi-agency problem solving with community members becomes a standard practice.

*Collaborative Agreement, pp. 4-5.*

This declaration introduces the section of the Collaborative Agreement dealing with Operative Provisions. It is not just the police department, but rather the City of Cincinnati, that is responsible for engaging in problem solving. It is specific in noting that the use of problem solving is for routine use by *all* parts of the City of Cincinnati in addressing any problem related to crime or disorder.

Collaboration is critical to effective problem solving, and the Mutual Accountability of All Parties report speaks to the range of agencies, organizations, and groups the city involves in its work. Despite the essential nature of collaboration, it is important to recognize that collaboration is one of several important tools employed to address problems. Other critical methods, such as data analysis, managerial oversight, policies and procedures, and training are also vital. In short, collaboration is akin to the tape measure in a carpenter's tool kit: the carpenter can build few things of quality without it, but it must be used with other tools to accomplish the desired outcomes. And just as counting the number of officers or citizens trained in problem solving does not, by itself, tell us much about the effectiveness of government, neither does listing agencies, organizations, and groups. It is only when we can link collaboration (and other methods) to improvements in the welfare of people, including police officers, that we can judge the value of the collaboration.

## **Purpose**

The report we reviewed covers the following topics:<sup>1</sup>

1. Citywide collaborative efforts and coordination with other law enforcement agencies in problem-solving efforts
2. Level of engagement of public officials, stakeholders and the community in problem solving projects
3. The oversight process by the City Manager's Advisory Group (MAG)
4. Evaluation Protocol

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<sup>1</sup> The City's Mutual Accountability of All Parties Report did not address the level of engagement of public officials, stakeholders and community in past problem solving projects.

## **Mutual Accountability of All Parties Report**

### **City Wide Collaborative Efforts**

The report lists more than ten programs or departments that are collaborative. In the descriptions of these programs and departments, the report frequently lists the other agencies that it works with. This compilation is impressive. There clearly is a great deal of work by city government that crosses many organizational boundaries. This is a sound foundation for problem solving.

The report does not sufficiently link these collaborative efforts to problem solving or outcomes. To take one example, the Neighborhood Enhancement Program (NEP) has been operating for 10 years and had 24 projects. Crime and disorder is clearly linked to these efforts. It has won awards. And it involves numerous city departments. If collaboration were an outcome, the NEP would be a clear success. However, collaboration is not an outcome. Rather, it is a means to a greater end, as is neighborhood cleanup. The report does not describe how NEP selects its targets, the forms of analysis that goes into both the selection of targets and into determining what needs to be done. And the report does not describe whether and how these efforts have had a demonstrable impact on the lives of residents and viability of neighborhood businesses.

We raise this point not because NEP is ineffective: we cannot determine how effective it is based on the information provided. Rather, we draw attention to this well-recognized, collaborative and seemingly laudable program because it illustrates a lack of attention to sustainable outcomes relative to the processes highlighted.

A similar problem arises with the description of Collaboration with Communities United for Action (CUFA). Here too, the report describes a potentially useful effort: “Since 2015, a total of 45 vacant or blighted buildings have been closed through either repairs or demolition” (p. 9). Elimination of eyesores is no small accomplishment. However, some vacant or blighted buildings are only eyesores and other are health hazard, hangouts for offenders, or substantial fire risks. Much will depend on context: a lone vacant building surrounded by functioning buildings in an economically advantaged neighborhood may be annoying; a cluster of derelict buildings in a disadvantaged neighborhood may be a serious source of many troubles. Again, the work of the CUFA is useful, and it is collaborative, but based on the report it is unclear how it contributes to reductions in crime or disorder in the city.

The description of the Private Lot Abatement Program (PLAP) does contain information on results. However, the five indicators listed deal with process measures (e.g., activities such as the number of lots cleaned) rather than outcomes (e.g., number of crime averted). Again, the program is potentially useful, and it illustrates the use of partnerships. But it does not indicate if anything was obtained.

We do not single out these three examples because they are exceptions. They are not. Throughout the descriptions of interesting and potentially useful efforts there is an emphasis on actions taken and partners involved, but little description of what the desired outcomes are and whether those outcomes were achieved. As this is a report to help understand progress under the Collaborative Agreement, the report draws limited connections between many of these efforts and the Collaborative Agreement.

There is a notable exception, however. We will discuss Place-based Investigations of Violent Offender Territories (PIVOT) in greater detail in the third of our reports. Here we focus on its use of partners. The partner matrix displayed in Appendix H is a good illustration of how collaboration can be usefully linked to addressing a specific problem and achieving tangible outcomes. The Appendix gives a clear description of what PIVOT attempts to achieve, describes succinctly the two problems upon which it has been piloted, and links partnering agencies and organizations to tangible actions designed to address the problems. Finally, it provides evidence that its goals are being achieved. NEP is part of PIVOT projects, as are a host of other programs and departments. In Appendix H we can see how their collaboration helped achieve positive outcomes.

Appendix I shows the number of times various community stakeholders, city departments, and law enforcement agencies contributed to problem-solving efforts over the last three and a half years (43 months). Again, this is helpful in demonstrating that partnering is occurring. Without this evidence, we would be extremely concerned about the city's abilities to carry out problem solving. Nevertheless, this appendix tells us little about the usefulness of these partnerships. We anticipate that in the city's third report, which directly addresses problem solving, more details will be made available. This table, or something like it, could be useful for tracking progress. If repeated faithfully over a number of years, one could see if partnerships are increasing or declining, and which agencies or community stakeholders are relied upon.

Nevertheless, the report states,

“One of the most difficult challenges CPD and all City departments struggle with is consistent, accurate, useful documentation of our efforts. As evidenced in this report, there are many citywide problem-solving issues being addressed by a number of departments. However when it comes to documenting these efforts there is no uniform process or means to record each department’s contribution to the project. In addition, actual workload demands often compete with documentation efforts” (p. 16, emphasis added).

Paperwork is the nemesis of anyone working in any organization. There is absolutely no doubt that the need to record activities gets in the way of carrying out these activities. And police agencies are notorious for creating paperwork for their employees. It is also true that documenting efforts is the single most important mechanism for establishing accountability. There is an old expression, “You get what you measure,” and documentation is a measurement tool. So the last sentence can be interpreted as dismissing the importance of collaborative efforts as they get in the way of “real” police work. The Collaborative Agreement clearly defines what real police work is in Cincinnati. The difficulty expressed so frankly in the quoted passage needs to be addressed in a way that provides useful evidence of accountability with the minimum of administrative burden.

### **Collaboration with Other Law Enforcement**

The section, **Other Agency Participation** is interesting but not particularly helpful. Much of it describes work with other law enforcement agencies that any competent police agency can be expected to engage in. This is important work, but its connection to the Collaborative Agreement in general, and problem solving in particular, was not described. It is possible that there are important connections that were not described. If Cincinnati Citizens Respect Our Witnesses (CCROW) was developed from a problem solving effort of some kind, it would be a good illustration of linking a collaborative program to a specific problem (witness intimidation) and important outcomes (reduced fear and greater willingness to engage with the courts).

Crime analysis is not mentioned in this report, but vital to problem solving. Since 2002, the Cincinnati Police Department has dramatically expanded its number of crime analysts. They are in each police district and in many headquarters units. Yet, with the exception of the PIVOT description, there is no mention of them. Since the late 1980s, it has been recognized and documented that crime analysis is

vital to effective problem solving<sup>2</sup>. Analysts help detect problems. They analyze their nature. They often help craft solutions. And they measure the effectiveness of these solutions. It is safe to say that with the exception of the very smallest problems, collaboration with analytical units is as essential as collaboration with any other unit of government, private business, or community group (perhaps this will be addressed in the city's third report).

The establishment of the Office of Performance and Data Analytics (OPDA) furthers the use of analysis by the city, and is particularly important for large scale multi-agency problem-solving projects. OPDA could have an important role in the identification of large scale problems, crossing neighborhood and police district boundaries. And it could have an important role in evaluating solutions to such problems. It is possible that CincyInsights could be used by the public to enhance their engagement with problem solving. And it is possible to envision OPDA having an important role in educating and engaging the public with the principles of the Collaborative Agreement. However, much of what CincyInsight reports on its dashboard deal with activities, rather than outcomes (e.g., streets swept is an activity, while heroin overdoses is an outcome).

Despite our optimism about the utility of OPDA and CincyInsight, we do have some concerns, based on the police experience of top-down data analysis in other cities.

In policing, there is a long standing conflict between authority decentralizing to get officers closer to the public and the public's needs, versus centralizing to tighten accountability and avoiding mistakes. Since the 1990's centralization has been the dominant theme of policing in the U.S. Much of this has been driven by the use of data analysis in COMPSTAT like processes. One result has been an increased tendency for police agencies to be managed by numbers, to use data to put "cops on dots", and to focus on police activities (e.g., stops and arrests). The relatively recent controversies over New York City's stop, question, and frisk practices, and their racially skewed results illustrates the difficulty in centralization based on performance metrics that are unconnected to the public's problems.

Problem solving (or any form of community policing) requires a great deal of decentralization, particularly if collaboration with the public, community institutions, and other agencies of government are to be part of problem solving

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<sup>2</sup> John E. Eck and William Spelman (1987). "Who Ya Gonna Call: The Police as Problem Busters." *Crime and Delinquency*. 33: 31-52. Ronald V. Clarke and John E. Eck. 2005. *Crime Analysis of Problem Solvers in 60 Small Steps*. Washington, DC: U.S. Department of Justice, Office of Community Oriented Policing Services.



efforts. It is often difficult to find substantive metrics that are valid across many different problem-solving efforts (e.g., how does one compare the outcomes of an effort to address thefts from vehicles in one neighborhood, to an effort to divert heroin addicted sex workers from the streets of another neighborhood, and problem-solving effort in a third neighborhood that impacts shootings?). Rather than acknowledge and address this difficult question, many police agencies and city administrators resort to counting activities (e.g., community members met, or arrests made). We raise this concern now, to help Cincinnati avoid replicating the mistakes of other cities.

Consequently, while we are optimistic about the potential of OPDA, we encourage strengthening of decentralized analysis to support small scale problem solving. The strengthening of OPDA should not come at the expense of analytical capabilities throughout the police department and in other city agencies. And we are skeptical of the possible use of OPDA to set activity performance levels for the Cincinnati Police Department. Instead, OPDA could be harnessed to enhance interagency and public collaboration in problem solving.

As collaboration can only be understood with reference to the problems the agencies and groups are working on, we reserve any further recommendations regarding collaboration to our assessment of the city's third report.

### **Problem-Solving Education and Engagement**

Except for efforts by the CCA, there seems to be little work being done to educate the public about problem solving and the Collaborative Agreement. The work by the Office of Human Relations is laudable, but does not appear directly connected to the Collaborative Agreement.<sup>3</sup>

One of the outgrowths of the Collaborative Agreement was the Community Policing Partnering Center. It is not mentioned in this report. Does it still function and if so, what is its role. If it is not functioning, are there plans for some entity to carry out its education and engagement functions?

If this section is an accurate report on the amount of public education and engagement, then this is unfortunate. Every problem-solving project is an

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<sup>3</sup> One of our team, Eck, and his wife have attended Rethinking Racism sessions in their role as residents of Cincinnati. They recall little or no mention by session facilitators of the Collaborative Agreement, despite the CA's relevance. Some participants did mention the collaborative, however. There was no mention of problem solving and its relevance to reducing troublesome police-citizen encounters (the central topic of much of many discussions).

opportunity to engage and educate the community: both the community directly involved in the project, and the public at large.

In fact, we suspect more has been done to educate the public than shown here. There have been a number of news segments on PIVOT, for example (even before winning the Herman Goldstein Award). In the spring of 2016, in another example, the Black United Front sponsored a multi-day conference that did discuss the Collaborative Agreement and problem solving. So the parties to the Collaborative Agreement may not have been as deficient in this area as portrayed in this report.

Nevertheless, there does seem to be a lack of a plan to educate the public and public officials. And such education and engagement that does occur seems to be idiosyncratic and uncoordinated.

### **Recommended Education Initiatives and Engagement Opportunities**

1. Routinely develop press briefing packets on problem-solving projects, and clearly link beneficial outcomes from the projects to problem solving, and then link problem solving to the Collaborative Agreement. Such packets should highlight collaboration and show how it helped solve problems.
2. Post prominently on the City's website brief descriptions of problem solving efforts— as many should be collaborations across city agencies, posting should not simply be in the police section of the website. For large scale and long term problem-solving projects, these should be regularly updated (i.e., these posts should not just appear at projects' conclusions, but should be used to inform the public throughout).
3. Incorporate materials on the Collaborative Agreement and problem solving in efforts to deal with race in Cincinnati. Problems associated with race, even if not related to policing, are opportunities for city agencies to apply problem solving to achieve meaningful tangible outcomes.
4. Develop and disseminate case studies in problem solving for use in a variety of public education venues.
5. Create briefing materials on the Collaborative Agreement and problem solving for prospective candidates to elected office so they are informed about the agreement and problem solving.
6. Create similar briefing materials for applicants to senior management positions in city government. This is particularly important when applicants are likely to come from outside of Cincinnati.
7. Develop with the Cincinnati Public Schools a curriculum on problem solving for high school students. Youth problems can sometimes be effectively addressed by youth. Problem solving requires the application of most parts of

academic curricula: civics and government, statistics and mathematics, writing and speaking. Even the arts can be incorporated into problem solving projects.

## Overview of City Manager’s Advisory Group

As compliance with the Collaborative Agreement drew near and Federal oversight by the United States District Court and the Federal Monitor were coming to an end, the Collaborative Parties entered into the Collaborative Agreement Plan (CA Plan) that designated the City Manager’s Advisory Group (MAG) as the body to take the lead in overseeing the continuation of reforms started under the Collaborative Agreement. The CA Plan describes the operation of the MAG:

Composition of the Advisory Group will include members of the Police administration, FOP, and people from various aspects of the community. The agendas for the meetings will be built pragmatically with presentations on actual problem-solving projects, and updates on police training. Additional topics to be discussed include the review of various reports on officer conduct, such as, future *RAND Reports*, Citizen Complaint Authority reports, community efforts to improve police-community relations, and findings of the CPD’s Employee Tracking Solutions (ETS) risk management system.

*CA Plan, p. 10*

The work plan for this report calls for the City and CPD to review and evaluate the MAG’s:

- Defined purpose and responsibilities
- Use of the CA Plan
- Ongoing evaluation of police-community relations

### 1. *Defined Purpose and Responsibilities*

The work plan calls for a comprehensive evaluation of: the MAG’s role in monitoring progress of the Collaborative Agreement, process used to capture and report data related to CA issues and progress reports provided to the community.

The information that was provided is descriptive and mirrors the language from the CA Plan regarding the types of presentations, reports, data and discussions around which the MAG is to build its agendas. The report explains that the MAG conducts outreach activities, efforts to promote dialogue related to police-community relations and helps develop metrics to “. . .ensure timely implementation of the Collaborative Agreement” (p. 24). There are references to the goals of the CA Plan, and a statement that the MAG ensures progress and implementation by tracking “. . .crime summaries, reviews traffic and pedestrian

stops, evaluates Police use of force, assesses reports of the Citizen Complaint Authority, and facilitates stakeholder meetings to address problem solving approaches” (p. 25). The report also states that, “. . . MAG continuously measures police-community relations by holding the affiliated parties accountable for their responsibilities” (p. 25). There is an Appendix M to the MAG Overview that consists of agendas from six 2016 and 2017 MAG meetings. The agendas list the discussion items and the presenters.

The report does not discuss what actually happens at MAG meetings. There is a clear recitation of the defined purpose and responsibilities of the MAG, often verbatim from the CA Plan; however, the report does not demonstrate how the MAG fulfills its responsibilities. For example, the report doesn’t describe any metrics the MAG may have developed and used to ensure the timely implementation of the Collaborative Agreement, or how it has held affiliated parties accountable for their responsibilities. No meeting minutes were provided for the six Appendix M meetings. The report only notes agenda topics such as: *Citizen Complaint Authority Annual Report, CPD Data Update, Body worn Camera Deployment Update, Problem Solving* – and the presenters for these topics. Items on the agendas often re-occur on subsequent agendas but with no indication whether these are new discussions or follow up to previous presentations.

## 2. *Use of the Plan*

No evidence was provided that the MAG is using the CA Plan, other than as a framework to convene, identify its membership and determine topical areas for discussion. It wasn’t shown that the MAG holds its members and their constituent organizations accountable for ongoing continuous improvement of police-community relations as envisioned by the Collaborative Agreement or fosters problem-solving projects. To fulfill the responsibilities assigned to it in the CA Plan the MAG needs to be able to document:

- The information and data that is discussed during its meetings
- Any analysis and evaluation of the data and information that was discussed
- What problem-solving projects were identified
- Who are serving on the problem-solving teams formed to address the problems
- The metrics that have been developed to address the identified problems
- The outcomes that have resulted from the problem-solving efforts

- The police-community relations issues that are being discussed and evaluated

The CA Plan clearly vests the MAG with the responsibility to ensure the continuation of the reforms started under the Collaborative Agreement and leadership must come from the MAG that holds the Collaborative Parties accountable for addressing all of the elements necessary for effective problem solving. Holding meetings that do not require the Parties to demonstrate collaboration, data analysis, identification of specific problems and tangible outcomes will result in the loss of the expertise, knowledge and vigor that the CA Plan contemplated the Collaborative Parties would carry on.

Perhaps what is necessary at this point is a recognition and admission by all Parties that there needs to be a re-commitment to the Collaborative Agreement principles and the problem-solving process. It has been almost a decade since the Parties were found in compliance with the terms of the Collaborative Agreement and that compliance was only achieved after the City and the Plaintiffs agreed to extend portions of the Collaborative Agreement for one additional “Transition Year” to fully implement the adoption of problem-solving as the City’s principal crime-fighting strategy to address crime and disorder problems. The Transition Year involved intense efforts to develop processes, procedures, educational materials to guide officers and CPD in-house expertise and knowledge about collaborative problem-solving. As we stated in our first Progress Report, “The Collaborative Agreement has helped guide three mayors, three city managers, and four police chiefs. During this time Cincinnati has experienced even more changes in city council, among the command staff of the police, and among community leaders.” Now is the time for the Parties to again immerse themselves in the Collaborative Agreement’s values and the understanding of problem-solving. Such an effort has to be led by the MAG.

### 3. *Ongoing Evaluation of Police-Community Relations*

Nothing in the City’s report provides a description of any ongoing evaluation of police-community relations. We believe this is attributable to the issues we discuss in the *Use of the Plan* section above. This important element of ongoing evaluation of police-community relations cannot be effectively addressed without a re-commitment to the Collaborative Agreement’s values and problem-solving principles.

## Recommendations

1. The MAG should emerge as the point of leadership in a renewed commitment to the Collaborative Agreement principles and problem-solving processes. This responsibility falls principally on the shoulders of the City Manager and Chief of Police. Nevertheless, community representatives and FOP representatives do bear some responsibility for assuring that the MAG focuses on these principles and processes.
2. Education is a significant component of the required leadership. Education entails both external communications to the public, the press and education venues, as we discuss in our Recommended Education Initiatives and Engagement Opportunities above, but also training of the Collaborative Parties and their constituents on problem solving principles and processes. There is a wealth of problem solving expertise in Cincinnati that can be enlisted to assist.
3. The MAG should exert greater managerial responsibility over the continued implementation of the Collaborative Agreement. Minimally this should be reflected in meeting minutes that document who was in attendance at MAG meetings, detail on what was discussed, decisions that were made and who was assigned responsibility for follow up.
4. The MAG should routinely assess the quality and quantity of problem solving engaged in by the City and its police department. MAG's involvement should begin at the earliest stages when the problem being addressed is reasonably large.

## Evaluation Protocol

Discussion of the evaluation protocol begins with a section in the Executive Summary of the Report on Mutual Accountability of All Parties. The summary lists the evaluation tools to be used in the ongoing assessments, including surveys, observations or problem-solving activities, community meetings, citizen complaint data and processes, and annual statistical compilations of interactions between the police and community members (p. 26). Although there is evidence of efforts to realize the goals of statistical analysis of crime and policing activity, there is little evidence in this report of efforts to evaluate – rather than simply to describe procedure and policy – the effectiveness of the staffing protocols. Process activities are the primary activity to realize the goals of Mutual Accountability. However, there is very little attention to questions of bias that have animated the Collaborative Agreement.

### A. *What the Report Says*

The discussion of the evaluation protocol is divided into two sections: CPD Staffing Processes and Officer Performance and Analytics.

#### *1. CPD Staffing Processes.*

The evaluation protocol calls for comprehensive reviews of personnel decisions. The Executive Summary and details of the procedures are rich in description. There is extensive review of recruiting and hiring criteria and procedures. Procedures for allocation of officers to units and locations and review of workforce levels are routinized. Details are provided in Appendices O, P, Q and S.

This evaluation information is largely descriptive and processual. Appendix O shows the City's Civil Service Rule 10 that regulates promotions. This information is presented with no analysis. Appendix P presents the procedures for disqualification of applicants who have applied to join CPD. Appendix Q shows procedures for officer rotation and transfer once assigned, Appendix R shows the policy for deployment and assignments, and Appendix S is a form that officers complete if they request reassignment. There is no evidence in the Mutual Accountability Report of efforts to analyze staffing decisions and outcomes against the backdrop of these protocols. There is descriptive information in some of the MAG Dashboards of staffing decisions, but there is little analysis using benchmarks of effective management of staff and resources.



## 2. Officer Performance and Data Analytics

As we noted in the first report, and we note again in this report, the level and rigor of statistical analysis is well below the level that was achieved when an external group (RAND) was working with the City and CPD to develop methods and tools for evaluation.<sup>4</sup> Instead, most of the evaluation activities described in the report are qualitative: documentation, discussion at meetings, or monitoring of administrative (activity) data.

The MAG Dashboard (Appendix N) is an exception, and is a major step toward transparency and analysis of CPD performance with respect to crime and policing activity. The dashboards are constructed from the City's open data portal, and specific indicia are exported to the dashboards to provide empirical snapshots of police activity. Several dashboards include domains of statistical information consistent with nationwide initiatives to promote and apply metrics of police performance with respect to public safety.<sup>5</sup>

This work is a substantial step toward fulfilling the goals of the Collaborative Agreement to create an evaluation framework for routinized assessments of police activity and their effects. The dashboards provide access to a wide range of data on crime indicators derived from the City's open data portal. Most of the dashboards provide extensive data on crime and policing. The CIRV dashboard shows evaluative information by neighborhood. Shootings are disaggregated by fatal and non-fatal, which is quite helpful for analyses of firearm-specific epidemiology and evaluation of firearm enforcement. Two of the dashboards address police accountability for constitutional policing by aggregating officer-specific information: police-involved shootings and officer personnel characteristics.

However, there is little in the dashboards that allow for evaluation of the outcomes and impacts of staffing metrics and decisions. Once again, the information is largely descriptive and cross-sectional. In addition, it is unclear how the data or reports or maps can be exported from the dashboards, or how these reports can be customized by individual users to respond to specific questions.

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<sup>4</sup> See, e.g., John MacDonald, Robert J. Stokes, Greg Ridgeway, and K. Jack Riley (2007). "Race, neighborhood context and perceptions of injustice by the police in Cincinnati." *Urban Studies* 44: 2567-2585. Greg Ridgeway and John M. MacDonald. (2009) "Doubly robust internal benchmarking and false discovery rates for detecting racial bias in police stops." *Journal of the American Statistical Association* 104: 661-668.

<sup>5</sup> Appendix N at p.3 (pages are not numbered).

The dashboard, as currently depicted , does not facilitate the analysis of problems, the assessment of problem solutions, or dissemination of information about the utility of problem solving. It can serve as a first step in detecting possible problems.

In short, with the exception of police shootings, there is little in the way of detailed analysis to allow for evaluation of how staffing decisions bear on police activity. In other words, description is the primary evaluation activity, rather than analysis of performance or effectiveness.

*B. What the Report Doesn't Say*

*1. CPD Staffing Processes*

Despite the extensive array of policies and procedures in the Appendices, there is little analysis of how these policy developments work in action. For example, a table in the Executive Summary shows hiring by academy class from 2014-7, and planned recruitment for 2018 (p. 29). But there is little information about the characteristics of the recruited classes. None of the appendices or the Dashboards show the performance of CPD in putting these procedures to work operationally in terms of descriptions of who has been recruited and hired. There is no information available on essential characteristics of recruits (e.g., education, employment history, prior law enforcement experience), on their deployment and rotation across the City, assignments of new recruits or other staff by specific command, and on the movement of officers who have requested specific assignments.

One dimension of staffing that is closely related to public trust and accountability is discipline, promotion, and termination or decertification of officers.<sup>6</sup> There is little in the dashboards about officer accountability on any of these dimensions. These are essential components of transparency that lead to legitimacy and community trust in the police. How often are officers disciplined or terminated? For what reasons? Are there officers with multiple incidents requiring discipline? And if so, what are the characteristics of these officers? Are they deployed in specific neighborhoods of the City?

Another dimension of police management that connects supervision with both internal and external accountability is the response of police departments to citizen complaints, and the picture that police managers draw from analyses of complaint

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<sup>6</sup> See, e.g., Samuel E. Walker and Carol A. Archbold, *The New World of Police Accountability* (2<sup>nd</sup> ed.). Los Angeles: Sage Publications.

data.<sup>7</sup> CPD posts citizen complaint data in the Open Portal. However, there is as of yet no dashboard that compiles the data in ways that may be of interest to city leaders and communities. Users can download data to determine the dispositions of various types of citizen complaints by type of allegation or by officer characteristics. This is a burden on citizens lacking skills in data compilation and analysis. Equally important is the absence as of now of aggregation of these data into meaningful metrics. Just as with discipline, these data can be compiled by officer and officer characteristics, by neighborhood, by type of complaint, etc. The data also can be linked to discipline data to determine the responsiveness of CPD to citizen complaints.

Policing is an amenity and essential to public safety. As such, there is a strong argument for proportional allocation of police by a metric that considers both crime and population benchmarks. The dashboards tell us much about police activity and calls for service, but little about how police are allocated to specific neighborhoods across the City. Knowledge of staffing and deployments by neighborhood or police district would advance the goals of the Mutual Accountability effort by showing equal treatment by neighborhood characteristics.<sup>8</sup> Which types of officers are allocated to specific places? Does experience matter, are experienced officers spread across the City, how often do movements take place, and other staffing processes and decisions can be assessed from these data.

## 2. *Officer Performance and Data Analytics*

Several key metrics are missing from the dashboards. First, patterns of contacts, arrests or citations, use of force, and other officer-specific data are not posted in a dashboard in a way that would allow for citizens to probe the data with specific questions about police performance. Together with deployments, discipline and promotion, and other management actions related to officer performance, citizens should be able to access these data to assess bias and the commitment of police executives to fairly and proportionately serve all communities.<sup>9</sup>

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<sup>7</sup> *Id.* See, also, Dennis P. Rosenbaum, Daniel S. Lawrence, Susan M. Hartnett, Jack McDevitt, and Chad Posick (2015), Measuring procedural justice and legitimacy at the local level: the police–community interaction survey, *Journal of Experimental Criminology* 11: 335-366. Turgut Ozkan, John L. Worrall, and Alex R. Piquero (2016), Does minority representation in police agencies reduce assaults on the police?" *American Journal of Criminal Justice* 41: 402-423.

<sup>8</sup> See, e.g., Jeffrey Fagan (2017), Allocating Police, *Journal of Policy Analysis and Management* 36:703-707.

<sup>9</sup> See, e.g., Jeremy Gerner and Kristen Mack, ACLU sues Chicago over police deployment, Chicago Tribune, October 27, 2011, at <http://www.chicagotribune.com/news/local/breaking/chi-aclu-sues-chicago-police-over-deployment-20111027-story.html>

Second, historical data and change evaluations are inconsistent or not available. The MAG dashboard is a recent development, so longitudinal comparisons of current and past indicia may be difficult. Still, there is no information as of now regarding how these indicia have changed over time, whether for the better or the worse. There is no basis for consistent historical analysis within metrics, and to compare changes across metrics (e.g., deployments and 911 response times by neighborhood from 2012-2017). The August 24, 2017 City Manager's Report shows comparisons of crime and policing indicia with varying starting points, permitting assessments of both short- and long-term change. That report shows the potential to conduct those analyses and incorporating the metrics into the MAG dashboards. Accordingly, historical comparisons are important for evaluating the change and growth of a police department, along specific dimensions, and in which areas of the city.

Analysis of officer performance should also examine the internal dynamics of discipline that affect officers, and that characterize an organization that prioritizes procedural fairness to officers as well as citizens.<sup>10</sup> While rigorously observing officer confidentiality, monitoring how discipline is administered together with promotions and other positive indicia of officer performance provides a picture of trust within the police institution.

Again while safeguarding confidentiality, monitoring indicia of police stress can also provide information that can be connected to police performance.<sup>11</sup> Routine debriefings of officers with respect to critical incidents in their everyday work can generate data on the work environment that may contribute to stresses on officer well-being.<sup>12</sup> While these data should be closely guarded, publicizing the adoption of this policy and reports of debriefing activity can provide evaluative information

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<sup>10</sup> Rick Trinkner, Tom R. Tyler, and Phillip Atiba Goff (2016), Justice from within: The relations between a procedurally just organizational climate and police organizational efficiency, endorsement of democratic policing, and officer well-being, *Psychology, Public Policy, and Law* 22: 158 - 181.

<sup>11</sup> See, e.g., Kim S. Ménard and Michael L. Arter (2013). "Police officer alcohol use and trauma symptoms: Associations with critical incidents, coping, and social stressors." *International journal of stress management* 20: 37-56. André Marchand, Céline Nadeau, Dominic Beaulieu-Prévost, Richard Boyer, and Mélissa Martin (2015), Predictors of posttraumatic stress disorder among police officers: A prospective study, *Psychological Trauma: Theory, Research, Practice, and Policy* 7: 212-221.

<sup>12</sup> See, e.g., Kim S., Ménard and Michael L. Arter (2014), Stress, coping, alcohol use, and posttraumatic stress disorder among an international sample of police officers: does gender matter?." *Police Quarterly* 17: 307-327. Nnamdi Pole, Suzanne R. Best, Daniel S. Weiss, Thomas Metzler, Akiva M. Liberman, Jeffrey Fagan, and Charles R. Marmar (2001), Effects of gender and ethnicity on duty-related posttraumatic stress symptoms among urban police officers, *The Journal of nervous and mental disease* 189: 442-448.

about a dimension of police supervision that portrays a department concerned with officer well-being and its connections to officer performance and citizen trust.

Perhaps the most critical omission in the current array of data analytic tools is the absence of methods to assess bias. It is difficult to assess the progress in the Collaboration toward bias-free policing without these tools. In some domains, such as police shootings, data in the Open Portal are available, but the burden is shifted to citizens to compile and analyze those data. Moreover, there is an additional burden to integrate these indicia of bias with other dimensions of policing and locate them in neighborhood and departmental contexts. This limitation mirrors the limitations in the analysis of citizen complaints and use of force. The dashboard strategy is commendable, but key elements and capacities such as these are missing. These capacities are critical to assess several key dimensions of bias.

For other policing metrics, such as police contacts, there is no information available to evaluate bias either in contacts or their outcomes (e.g., searches, arrests, citations, contraband seized), or the constitutional basis of police contacts. This omission was discussed in the previous report. Each of these is critical to understanding bias in policing.<sup>13</sup>

With respect to bias in citizen contacts or arrests, there are no metrics developed to assess bias. The same is true of use of force. There also are no dashboard components available, although those developments are part of future plans.<sup>14</sup>

In sum, there is extremely limited data available via analytic tools to assess the bias components of the Collaborative Agreement. In some areas, the data are available but the analytic tools have yet to be developed. In other areas, the data exist with CPD but are not available in the Open Portal. And in still other areas, the data as of now do not exist.

### ***C. Recommendations***

1. The recommendations for development of metrics to evaluate Mutual Accountability components follow from the analysis of the limitations

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<sup>13</sup> Ridgeway and MacDonald, *supra*. Greg Ridgeway and John MacDonald (2010), "Methods for assessing racially biased policing." In (M. White and S. Rice, eds.) *Race, Ethnicity, and Policing: New and Essential Readings*: 180-204. Ian Ayres (2002), "Outcome tests of racial disparities in police practices." *Justice Research and Policy* 4: 131-142. *Floyd v City of New York*, 959 F. Supp. 2d 540. Samuel Walker (2002), "Searching for the denominator: Problems with police traffic stop data and an early warning system solution." *Justice Research and Policy* 3: 63-95.

<sup>14</sup> Mutual Accountability Report, Appendix N at p. 5 (pages are unnumbered).

of the evaluation protocols. They also build on the recommendations in the last report. The critical areas in CPD Staffing are creating accessible analytic models for recruitment, discipline, deployments. The critical areas in Bias Free Policing are in the development of metrics to specifically assess bias along several dimensions of policing.

2. As in our First Report, the City and CPD should commit to the development of metrics and tools to make assessments routine and accessible to the public. The plans for future dashboards are important steps. But beyond that, specific components are needed to assess bias in each domain of CPD activity. From current practice in police departments elsewhere, these metrics can be designed with an eye toward routine updating, concurrently with updating of the components of the Open Portal and the Dashboards.
3. There needs to be an institutional commitment to develop metrics and algorithms to assess bias, with automated reports generated concurrently with updating of the Open Portal data. Critical additions to the Open Portal, including arrests and police discipline, are predicates to the development of these metrics. A general analytic framework can be developed for each component.
5. The Open Portal and Dashboards should be integrated with the Problem Solving Tracking System. At present Dashboards are not organized around problems and do not report on them. The PIVOT project provides a useful example of how the city might make the Open Portal and Dashboards collaborate with problem solving.
4. To move this forward, the City and CPD should convene a Working Group that includes researchers and police executives, community user groups, academics and IT professionals to develop the indicia, metrics, analytic algorithms, and display tools to realize the evaluation components of the MAG design. This recommendation also is contingent on the development of capacity in CPD and the allocation of resources to create the infrastructure for tools to assess Mutual Accountability.