A Framework for Accountability: PTSR

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The following is an excerpt from The New World of Police Accountability by Samuel Walker, Professor Emeritus of Criminal Justice at the University of Nebraska at Omaha. Dr. Walker is a widely quoted expert on issues of civil liberties, policing and criminal justice policy. He is the author of 14 books on those subjects. He has been interviewed in every major media outlet in the United States and around the world, including The New York Times, The Washington Post, PBS/Frontline, CNN and others. He has served as a consultant for the Department of Justice and police departments nationwide.

His book can be purchased on Amazon.

Visit Dr. Walker’s website for more articles and reports.

A s we have argued, the various element of the new police accountability represent a package, a set of policies and programs that work together and reinforce each other. Failure to develop one of those elements weakens the other parts. Put simply, it is not sufficient to develop state of the art written policies on use of force and other critical incidents if, for example, they are not reinforced by training, or if there is no early intervention system to track officer performance and identify officers with problematic performance, or if there is no meaningful discipline of officers who violate a policy. To understand the interrelatedness of the various elements of the new police accountability it is useful to think of them in terms of the acronym PTSR, which stands for Policy, Training, Supervision, and Review.

Policy
As we discussed earlier, accountability requires that departments have clear and specific policies on all critical incidents involving the life, liberty and safety of people. Future policy development points in several directions. First, all law enforcement agencies should have state of the art policies on all critical incidents. Second, the process of policy development should be recognized as an open-ended one. Not too many years ago, for example, foot pursuits were not covered by policies designed to reduce the risks to officers and citizens. Today, however, foot pursuits are recognized as potentially very dangerous, and are increasingly covered by department policies. We cannot foresee what aspects of police-citizen interaction will be also need to be covered by policies in the future. Third, there needs to be a continuing process of refining and clarifying existing policies. The Collaborative Reform report on Las Vegas found the department’s policy on deadly force to be generally sound, but it nonetheless made a series of recommendations for improvement. Fourth, policies need to be made consistent throughout a department’s policy manual to ensure, for example, that the less lethal force policy is not contradicted or muddied by reference to it in another policy statement. Finally, policies need to be continually reviewed and revised (see the final section on “Review”).

Training
Training, it hardly needs to be said, is a basic element of modern police administration, and it represents one of the major achievements of the police professionalization movement in the twentieth century. Training, moreover,
must be a continuous and comprehensive effort, including pre-service academy training, mandatory annual in-service training, roll call training, and special ad hoc training for certain officers. The importance of in-service and other forms of refresher training was highlighted by Art Acevedo, Chief of the Austin, Texas, Police Department, who believes that "the vast majority of improper uses of force, especially deadly force, are a direct or indirect result of officers abandoning the tactics that we spent a lot of time and money training them on."

The new accountability also imposes new training burdens on police departments, particularly with regard to data analysis. Several aspects of the new accountability rely on the systematic analysis of officer performance data: early intervention systems and trend analyses of officer-involved shootings, other uses of force, and other critical incidents. With respect to COMSTAT, an important innovation for analyzing trends in crime and disorder, Michael D. White argues that existing police training programs "often fall short" in preparing officers for such new demands. His comments are equally relevant for the data-driven aspects of the new accountability.

**Supervision**

The heart of policing is the on-the-street crew of one sergeant and between eight and ten officers (the standard generally recognized in the profession). Accountability depends heavily on how a sergeant supervises those officers. Moreover, the nature of those responsibilities has changed and expanded with new accountability mechanisms such as early intervention systems. On the street, sergeants are responsible for directly observing their officers, supporting and backing them up, monitoring their actions, and directly intervening when necessary or appropriate. When an officer violates department policy, as in using excessive force, the sergeant has a duty to report it to internal affairs for investigation. When an officer's conduct is simply less than ideal but not a violation, the sergeant may choose to advise, counsel, or mentor that officer about proper police action. Such actions represent the best kind of "early intervention" to improve officer performance.

Meaningful discipline of officers for violation of department policies is in many respects the crucial part of a comprehensive accountability system. Each police department has its own organizational culture (although regrettably we have only limited research on this subject). A key part of the culture is the "going rate," the level of discipline that is routinely meted out for certain violations of policy. The term "going rate" comes from research on sentencing in criminal courts, and refers, for example, to the normal and expected sentence for a first offense burglary conviction where the offender has no prior felony convictions.

**Review**

Review . . . consists of a variety of policies and practices that seek to learn from particular incidents and/or patterns of incidents. An EIS is one form of review: examining an officer's performance record to identify any pattern of problematic conduct. Another form of review that has emerged in recent years is post-incident review. It involves an administrative review of any and critical incident that is entirely separate from the disciplinary review directed toward whether or not an officer violated any department policy or law. An administrative review is designed to determine whether the incident in question raises questions about the department's policies, training, or supervision that need to be revised in order to prevent serious incidents in the future. In this respect it plays a feedback role, potentially strengthening the policy, training and supervision aspects of the PTSR framework.

Policy review, finally, involves an examination of patterns and trends in one or more areas of police activity. It might involve a review of use of force incidents, high speed vehicle pursuits, or other incidents over the course of several years. The purpose is to identify any patterns or trends that suggest needed changes in policies, training and supervision. Policy review can and should also involve learning the best practices from around the country.
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