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Survey by PERF and University of South Carolina Shows Rapid Increase in CED Deployments

MANY HUNDREDS OF POLICE DEPARTMENTS HAVE added Conducted Energy Devices to their officers' toolbelts over the last few years, and CEDs are among the most commonly used less-lethal devices, according to a new national survey conducted by PERF and Dr. Geoff Alpert of the University of South Carolina (USC), a nationally recognized expert on police use of force.

Other less-lethal tactics, such as use of batons and "empty-hand" tactics such as strikes and arm-locks, are being eclipsed somewhat with the advent of Tasers™ and other CEDs, the study found.

PERF and USC conducted the new survey among the same group of local and state police agencies that participated in a similar PERF/USC survey in 2005, in order to produce data that could reveal trends in the use of less-lethal options.

The new survey, using 2008 data, found that 69 percent of police agencies have deployed CEDs, compared to 53 percent when the earlier survey was conducted in 2005. The increased deployment of CEDs is even more dramatic compared to 2003, when only 23 percent of law enforcement agencies reported using CEDs or stun guns in the LEMAS survey (Law Enforcement Management and Administrative Statistics), conducted by the Bureau of Justice Statistics.

Furthermore, police agencies are deploying CEDs to large numbers of officers, as opposed to providing them only to specialized units or to certain ranks. The new survey showed that among the agencies that have deployed CEDs, 81 percent provide them to at least 50 percent of their personnel. That figure is up slightly compared to three years earlier.

"As CED deployment has increased, other less-lethal weapon deployment appears to have decreased," PERF Research Director Bruce Taylor and Dr. Alpert wrote in a draft report on their latest survey findings. "It appears that, as more agencies begin to deploy the CED, they have had to remove other weapons from the officers' belt."

Specifically, deployment of chemical agents such as OC spray declined from 93 percent of agencies in 2005 to 87 percent in 2008.

Weapon-deployed chemical agent deployments fell from 16 percent to 10 percent of the responding departments.

Expandable baton deployments declined from 78 percent to 75 percent of responding agencies, and only 24 percent of agencies issue standard batons, compared to 37 percent in 2005.

ARM-LOCKS AND OTHER "EMPTY-HAND TACTICS" ARE STILL MOST COMMON USE OF FORCE

The new PERF/USC survey also asked police agencies for detailed data on how often the various less-lethal options have actually been *used* over the last four years.

The results show that to some extent, CEDs seem to have taken the place of other weapons and tactics.

"Empty hand tactics" such as grappling with a subject remain the most commonly used type of force, but have declined significantly, from an average of 19 such incidents per department per year in 2005 to 12 incidents in 2008.

(If those numbers seem small, it is because the survey results were statistically weighted in order to be representative of all local and state law enforcement agencies in the United States, and the large majority of police agencies are quite small. The median U.S. police department has only 12 sworn officers.)

Use of CEDs has remained quite steady over the last four years, at approximately 6 incidents per department per year.

Pointing a weapon at a subject also is relatively common, at approximately 7 incidents per department per year.

Use of chemical agents like OC spray has declined by two-thirds, from 7 incidents per department per year in 2005 to only 2 incidents in 2008.

And use of batons has been cut nearly in half, from 0.8 incidents per department per year in 2005 to 0.5 incidents in 2008.

Use of neck restraints, already quite rare in 2005 with 0.3 incidents per department per year, declined by 90 percent, to 0.03 incidents in 2008.

A Tribute to PERF

SOME OF YOU MAY HAVE HEARD ME MAKE A BIT of a critique about the American system of policing, namely that we have no national repository of model policies and best practices for the field. Our federal government does not create national policies on contentious issues that local police departments face on a daily basis—issues like use of force, mass demonstrations and disorder control, and whether to deploy new technologies like CEDs.

This is because the type of policing scheme that we have here in the United States is extremely decentralized—down to the level of 17,000 individual, autonomous police departments.

This system may have an advantage in the sense that local police departments can have their own unique qualities, based on local customs or the preferences of the local communities.

But at the same time, we should recognize that all of these separate departments are similar in a lot of ways. They all have to deal with the same big questions, such as how to prevent crime while maintaining strong civil liberties, how to minimize the use of force, and how police can work to earn the respect and cooperation of increasingly diverse communities.

So I believe there is a right and proper role for the federal government in coming up with best practices and national policies for policing. But what we see happening all the time is the reverse. The best practices, protocols, and policies are developed at the local level by some local police chief. And then the Justice Department, through agencies like the COPS Office, the Bureau of Justice Assistance, and the National Institute of Justice, works to identify the best policies, write about them, and distribute them across the country.

Of course it's good that these federal agencies do serve as clearinghouses of useful information. But my 42 years in policing have left me with a sense that there's a delay in the process. Chiefs around the country end up waiting and hoping that somebody will come up with a policy on the latest difficult issue. I think it would be better if the U.S. Congress would direct the federal government, under the auspices of the Justice Department, to assume greater responsibility here.

Chief John F. Timoney, PERF President

But given the system we have, what we've seen over the last five years or so is that PERF has jumped into this vacuum. Using private and government sponsors, PERF has led the charge in coming up with national policies and best practices on issues like deadly and less-lethal force, racial profiling, the impact of guns on crime, immigration policy, dealing with special populations such as the mentally ill, the impact of the economic crisis on policing, and so on.

So because of this, and because of the great leadership of Chuck Wexler and his staff, PERF has really been able to elbow its way in and have a seat at the table of this Presidential Administration—and not a back seat, but right up front. PERF was one of the first organizations that this Administration reached out to. That's a tremendous credit to Chuck and his entire staff. The policing profession is lucky to have an institution like PERF. There are other police organizations, but they pale in comparison to PERF's ability to come up with thoughtful policies and practices on the critical issues in policing.

So what I want to do in my final letter here as President of PERF is thank Chuck and all the great staff at PERF for what you do, day in and day out. You have made the profession better, and for that I'd like to thank you all.

Thank You, John Timoney

Chief John Timoney makes some very generous comments about PERF in his column this month, and I want to add that it is precisely because we have had strong leaders like John on the PERF board that we have been able to accomplish what we have.

John's experience and operational knowledge of policing as a chief and a leader for many years have been invaluable in identifying the key issues and pushing the envelope on them. John and I talk on the phone three or four times a day, and it's not unusual for me to get an email from him at 5 a.m. saying, "Did you see such and such in the New York Times? PERF ought to take a look at this."

Furthermore, with John, and for that matter with all of the chiefs we have had as PERF President and members of the PERF Board, there has never been any politics or small-mindedness.

I met John Timoney in the 1990s, and I can vividly remember the moment. It was in Phoenix, where PERF was working on the first Critical Issues project supported by Motorola, about process mapping. Bill Bratton, then Commissioner in New York, could not come and so he sent John, who was then First Deputy Commissioner of the NYPD.

So there was John, talking on his cell phone, rocking back and forth on his heels, with a look on his face that said, "What in the world am I doing in Phoenix, when I should be back in New York City, the center of the universe, doing my job?"

Immigration Reform Plan Offered by Panel That Included Former PERF President Jerry Williams

Jerry Williams, former police chief in Aurora, Colorado and former president of PERF, has brought to our attention a set of recommendations on immigration reform, produced by the Strategic Issues Program at the University of Denver.

The Strategic Issues Program brings together panels of experts and concerned citizens to examine the many facets of a single complex issue. The 20-member Immigration Reform committee, on which Professor Williams served, is the fourth such panel convened by the University of Denver.

"We spent six months listening to people who had important perspectives to share on the immigration reform issue, and then spent another four or five months meeting every two weeks to discuss the input and develop our recommendations," Williams told *Subject to Debate*. Williams currently serves as associate research professor at the University of Colorado Denver School of Public Affairs.

PERF recommends the 50-page final report of the panel, which details 25 recommendations and provides a clear, well-written, thoughtful analysis of the immigration issue.

The report, *Architecture for Immigration Reform: Fitting the Pieces of Public Policy,* can be found online here: www.du.edu/issues.

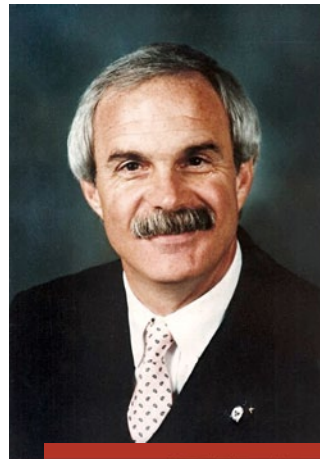

Prof. Jerry Williams

DEFINING THE GOALS OF AN IMMIGRATION POLICY

Prof. James R. Griesemer, former dean of the Daniels College of Business at the University of Denver, served as chairman of panel and provided an explanation of the word "architecture" in the report's title:

"For the United States, immigration has become a perplexing policy puzzle. Few topics are more consequential—and few have been more resistant to resolution. The problem is not a dearth of ideas; policy proposals of all stripes are offered every day. Nor is it a shortage of research; it is difficult to find a topic that has more think tanks, university centers and research organizations analyzing data…. Nor is it a lack of advocacy; few issues have more advocates, pressing more positions, more passionately, than immigration. Rather, in the panel's view, the difficulty arises from a lack of architecture. What is required is an overarching design that can guide the formation of a comprehensive immigration policy."

For example, one of the panel's most fundamental recommendations is that the top goals of U.S. immigration policy should begin with national security, "social vitality" (strengthening the social cohesion of the nation while recognizing the benefits of a diverse society), and strengthening the economic advantage of the United States.

Those goals might sound rather innocuous, but in fact they are not congruent with the existing goals of U.S. immigration policy, the panel found. Current policies focus on family unification, obtaining needed skills from people outside the United States, and refugee relief.

"Unclear or conflicting goals are the nemesis of good public policy," the panel said in its report. "Nowhere is this better illustrated than in our own nation's immigration policy, which is a tangled web of statutory and administrative approaches that have been patched together over many years. In truth, it is difficult to speak of an immigration policy as if it were a coherent set of actions leading to defined goals. Rather, today's immigration policy is the result of a series of decisions based upon goals and priorities that seem to shift over time…. The result is a U.S. immigration system that is unpredictable, opaque, and that produces results that are sometimes exactly the reverse of those intended."

Following are excerpts from the report:

Global migration cannot be ignored: Global migration is shaping the world. It is a force that may be managed, but is

The Application of Private-Sector Best Practices to Strategic Decision-Making: Investing in Police Research and Development

By Brenda J. Bond, Ph.D.

MANY POLICE LEADERS BELIEVE THAT PRIVATE-SECTOR practices are relevant to and greatly needed in the management of police organizations. There are others who suggest that the police organization is unique, and is too idiosyncratic to adopt private-sector practices.

However, one thing is certain: The political, social and economic contexts in which the police exist are constantly changing. So it behooves us to explore how to foresee and respond to these ever-changing conditions in the most effective way possible. Without a doubt, citizens expect the police to be using the best practices to reduce crime and manage public resources, even if residents don't hold public rallies demanding particular management improvements or the adoption of certain techniques.

Most citizens do not know exactly what it is that police must do to work more effectively; it is the police executives' job, not the citizens', to have that expertise. But citizens have unspoken expectations that their police will do their jobs in a smart way.

Prof. Brenda J. Bond

So thinking about better police decision-making and management is a worthwhile investment of time. This article discusses the idea of a "Smart Organization,"[1] and describes private-sector principles that support effective strategic management and decision-making. I also will discuss the operationalization of this idea through the adoption of private-sector research and development (R & D) practices.

Researchers have found that what distinguishes high-performance organizations from the rest are significant investments in R & D, and the integration of R & D principles into the fabric of the organization. R & D is widely supported in private-sector organizations that are looking to create and manage effective innovation and change.

"Smart R & D" is about making high-quality decisions, defined as those that produce the best prospects for creating value. A "Smart Organization" has two key ideals: being smart and acting smart. Being smart is defined as *making* good strategic decisions, and acting smart means effectively *carrying out* those decisions. Research and development strategies assist organizations in "being and acting smart" by creating mechanisms for effective innovation and outcomes.

The following principles, generated by private-sector research, characterize the "Smart Organization":

- Creating a "value creation culture." The focus of all decisions and activities is on creating *value*.

- Creating "valuable options or alternatives" for every important decision. Examining various options facilitates creativity and the generation of new ideas.

- Supporting continual learning throughout the organization. Learning, growing and change must be viewed as important and energizing.

- "Embracing uncertainty": People must understand the boundaries of uncertainty within their areas of expertise, and must articulate those boundaries in terms of possibilities and probabilities.

- Supporting an "outside-in" strategic perspective. Outside information should be systematically sought and used in strategic decision-making and the evaluation of decisions and actions.

- Institutionalizing "systems thinking" as part of the organization's culture. People should be trained to think through the full implications of their activities or proposals, and to bring multiple viewpoints to the decision process. People must understand how their work and actions are part of a larger system.

- Supporting "open information flow": the routine capturing, packaging, sharing and application of qualitative, quantitative, and anecdotal data. Formal and informal communication channels must be encouraged.

- Coordination: People must be coordinated effectively with the types of work they do best. Employees must know they are part of an organization-wide team, and must be encouraged to participate in creating value.

- Supporting disciplined decision-making. There must be a systematic process for making strategic choices and decisions, engaging the right people and information, and selecting options or alternatives based on the highest value.

Many police leaders are applying these principles to their organizations. For example, for several years I served as the Director

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1. The idea and principles of the Smart Organization are grounded in the research of Matheson and Matheson, 1999.

of Research & Development for then-Police Chief Ed Davis in Lowell, Massachusetts. We built an R & D shop that eventually laid the groundwork for a research study on policing disorder and the "Broken Windows" theory. This study, led by Anthony Braga at Harvard's Kennedy School, was successful in part because of the innovative and strategic risk-taking by Chief Davis, as well as the belief by commanders and officers on the street that they were part of an experiment that could significantly impact the way officers around the world have an impact on crime.

Today, as Commissioner of Police in Boston, Ed Davis uses the lessons of that early research in a much larger environment. Meanwhile, the current chief in Lowell, Ken Lavallee, has received federal grant funds to continue the efforts piloted in the experiment. This is the type of investment that R & D facilitates.

However, while there are police R & D offices scattered among the thousands of police agencies nationwide, as detailed in a recent PERF study, there is very little information available, or public discussion for that matter, of how organizations are operationalizing R & D best practices.

If police leaders are expected to use the best available tools to prevent and respond to crime, then it seems a more deliberate investment in R & D is worthy. Less than one percent of police budgets are dedicated to research and development, yet the police are charged with some of the most powerful responsibilities in society.

One way that police leaders can deliberately and systematically infuse the "Smart Organization" principles into the entire organization is through research and development. Arguably, some police R & D units do behave this way, but generally, they do not. In reality, the R & D system in the policing field is underutilized, and a missed opportunity.

To advance this idea, here is a thought experiment about what R & D could do for policing. Imagine a police department in which R & D is an integral domain within the organization, serving as a think tank and addressing current and future public safety and management challenges. The R & D shop would work with police executives, managers, and officers in the field to systematically ensure that the Smart Organization principles are embedded in operational and strategic decisions. R & D would be involved in recruitment, training, and professional development. They would also be connected with the community, building networks with various partners and constantly gathering feedback.

In other words, R & D would no longer be the "catch-all" bureau, focused mainly on generating grants for the police department. Granted, finding and winning grants is an important task,

especially in today's economy. But a police R & D department should be about much more than that. Like the police officers on the street, R & D specialists are trained observers. It is their job to ask a lot of questions in ways that compel people to think and act differently. R & D serves as the hub and facilitator of creativity, change, and knowledge. The R & D shop makes interesting, new and valuable connections, working across disciplines and looking beyond the police world for strategies, technologies, and relationships to further the police organization and mission. R & D forecasts emerging challenges and identifies new ways to confront those challenges. R & D facilitates experiments and identifies innovative practices, and secures resources to conduct the experiments and test the innovations. A good R & D shop does more than respond to the requests of officers or management; it proactively seeks out alternative viewpoints and approaches to management and crime challenges.

R & D also tracks accomplishments and successes, and assesses the outcomes of organizational practices, thus supporting accountability. An R & D group is a tenacious consumer of other people's research, and also conducts its own research on organizational practices and public safety strategies. R & D staff members "network," both inside and outside the department.

Of course, there are endless possibilities of how far an R & D shop could go in a police department. But we are hardly living in a time of endless resources.

Nevertheless, "there are ways." Police leaders can address the resource issue with public- and private-sector grants; realignments of existing resources; strategic partnerships with think tanks and public and private academic organizations or businesses; regionalization of the R & D function with other departments; outsourcing various R & D tasks; and creating non-hierarchical, cross-department working groups/teams to accomplish R & D tasks.

I would encourage all police leaders to ask themselves, What are the possibilities for my community and my agency with an R & D "Smart Organization" approach?

Brenda J. Bond, Ph.D. is Assistant Professor of Public Management at Suffolk University. Her area of expertise is development, implementation and evaluation of public safety practices; organizational change; and systematic approaches to public safety challenges. Professor Bond has worked with police executives across the nation on police management and organizational change, and previously served as Director of Research and Development for the Lowell, Massachusetts Police Department. She can be reached at bbond@suffolk.edu.

But in short order, John "got" what PERF was about, and his leadership has been key to enabling PERF to make the strides he talks about in his column. John is a very worldly guy and street-smart about policing issues. He's also a straightforward, low-maintenance guy with a great sense of humor, which is rare enough. He even has a great sense of humor about himself, which is somewhat rarer.

I look around at some of my colleagues in other organizations, and I feel privileged to work with board members like John who have only one thing on their minds: what's best for policing and the community.

John, thank you for your exemplary leadership of PERF. One more thing—keep the 5 a.m. emails coming. We want to keep you engaged in PERF, because you are absolutely one of the smartest people in the business.

Bureau of Justice Assistance Project Helps Police Get the Most for Their Technology Dollars

THE LAW ENFORCEMENT INFORMATION TECHNOLOGY Standards Council (LEITSC) has completed its tasks and recently shut down as an active project. Although the project is finished, the tools developed by the Council will continue to help police agencies ensure that the dollars they spend on technology are put to most effective use. This can be especially important during the current economic downturn, when law enforcement agencies across the nation are being forced to cut their budgets.

LEITSC was an organization made up of four police membership organizations: PERF, the National Sheriffs' Association, the International Association of Chiefs of Police, and the National Organization of Black Law Enforcement Executives. Chief Larry Boyd of the Irving, Texas Police Department served as PERF's representative on LEITSC's governing panel, assisted by PERF staff liaison Dr. Craig Fraser.

LEITSC developed technology standards for law enforcement and served as the voice of the law enforcement community on technology standards issues.

For example, LEITSC published documents called *Standard Functional Specifications for Law Enforcement Computer Aided Dispatch (CAD) Systems* and *Standard Functional Specifications for Law Enforcement Records Management Systems (RMS)*. These documents and other information will remain available on the LEITSC website, at www.leitsc.org.
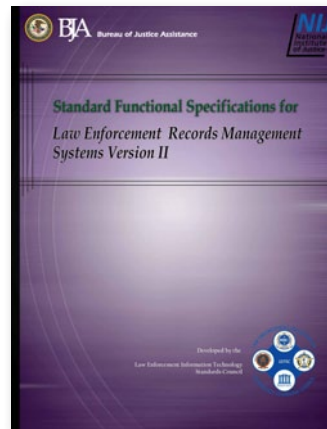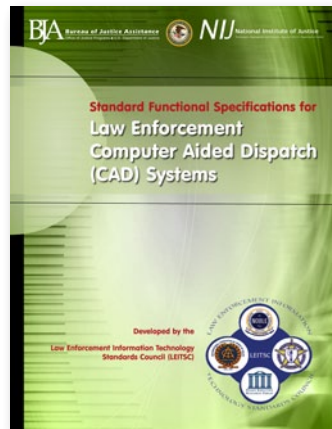
These publications provide details about the basic functional requirements that all RMS and CAD systems should have in order to achieve interoperability. Thus, the documents can guide police agencies through the request-for-proposal and procurement processes, in order to ensure that money will be spent most efficiently and effectively on RMS and CAD systems. The specifications also help ensure that a new technology purchase will serve an agency's needs in the future as well as meet current needs.

LEITSC's "standard functional specifications" do not state a preference for one technology system or vendor over another. Rather, they define the work that a system is expected to perform. Law enforcement agencies can incorporate those standard specifications in their RFPs. In the past, individual police agencies struggled to research all the available technology, conduct needs assessments, and write RFPs from scratch. That piecemeal approach not only wasted time and energy, but also was less likely to produce strong, standardized requirements that would promote interoperability of various technological systems within an agency and with other agencies.

LEITSC existed since 2003 with ongoing support from the U.S. Justice Department's Bureau of Justice Assistance.

Additional information is available at. www.leitsc.org.

COMPLAINTS AGAINST OFFICERS

Citizen's complaints against officers alleging excessive use of force are very rare events, the study found, with only one or two complaints per department per year on average. In addition, the average police department in 2008 had 0.81 excessive-force complaints that were generated from within the department. That figure has nearly tripled, from 0.29 internally generated complaints of excessive force in the average department in 2003.

CONCLUSION

"Our study demonstrates a general increased presence of CEDs in law enforcement," the authors wrote. "Deployment of CEDs has risen significantly to about 70 percent of all law enforcement agencies. Furthermore, we found that the greater use of CEDs has displaced the use of batons."

The authors called for continued research on the deployment and use of CEDs and other types of force. "For example, the recent announcement by Taser International instructing officers that they should avoid firing their CED weapon into a suspect's chest raises some concern about the viability of this weapon," they said. "Since training in most weapon use typically includes instructing officers to aim for the center mass of a suspect, this advisory will likely have a major impact on law enforcement agencies. Policy-makers at various levels can use our study as a planning tool to adjust to this and other advisories that may emerge with the increased use of CEDs and other less-lethal weapons."

not likely to be stopped…. The rising tide of global migration has resulted in remarkable changes to the U.S. immigration picture. In little more than 35 years, the number of foreign-born in the Unites States rose from an estimated 4.7 percent of the population in 1970 to 13.5 percent of the current U.S. population….Given these changes, it is no surprise that immigration has re-emerged as a key issue in the United States. The panel recommends that global migration be recognized as an opportunity to be capitalized upon to our national benefit, rather than a reality to be ignored.

[Global migration is the result of "push" and "pull" factors.] Lack of opportunity, unemployment, hunger, disease, natural disasters, armed conflict, political repression, previous immigration to a particular country by family and friends, and other factors "push" the migrant to leave his or her native land. At the same time, economic opportunity, the chance to reunite with family or friends abroad, and greater political freedom "pull" the individual toward one country or another.

Economic opportunity is a key driver of immigration: There is widespread agreement that the quest for economic opportunity is one of, and most likely the primary driver of migration. Thus, from the panel's perspective, focusing on economic improvement provides a key point of leverage for both managing immigration and maximizing its potential benefits.

The rise in illegal immigration and a heightened concern about drug smuggling, crime and terrorism have combined to increase the focus on U.S. border security. In addition to significant increases in funding, personnel and equipment, the U.S. Bureau of Customs and Border Protection (CBP) has expanded the construction of physical barriers along the Mexican border….It is difficult to determine with precision just how successful these increases in border security have been. For example, a 14-mile fence built nearly a decade ago near San Diego seems to have proven effective in terms of reducing the number of illegal border crossings in that sector.

That said, there is evidence that the flow of illegal immigration has adapted to the San Diego fence by shifting to the more remote areas of the Arizona desert. Nevertheless, … it is very likely that illegal border crossings will become increasingly difficult and expensive.

Border security alone will not control immigration: The panel recommends that the United States continue efforts to strengthen the security of the U.S. border and that Congress fund CBP at levels required to maintain effective border enforcement. [However,] given [the United States'] vast expanse of land borders and seacoasts, it seems highly unlikely that immigration will be controlled by border security alone. The opportunity for economic improvement is a primary driver of migration. Hence, a key step in reducing illegal immigration is to remove the economic incentive to migrate.

For more than 20 years, federal law has required all employers to examine documents presented by new hires … and to complete and retain employment eligibility verification forms (I-9). There is general agreement that the I-9 process has been undermined by fraud…. To improve the identification process, in 1997 Congress established a pilot program for electronic verification of employment status [E-Verify]. Plagued by problems and inaccuracies in its early years, the accuracy of the E-Verify system is now much improved.

The problem is that the U.S. does not yet have a secure, reliable and universal means of identification. The idea of a national calling card for identifying citizens and non-citizens has become the third rail of immigration politics. But without a means of positive identification, it makes very little difference what immigration policies are adopted because they can't be effectively enforced.

Architecture for Immigration Reform: Fitting the Pieces of Public Policy, is available online at www.du.edu/issues. For further information, contact Prof. Jerry Williams at Jerry.Williams@ucdenver.edu.

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