In Case You Were Wondering
What PERF Has Been Up To...

By Chuck Wexler

Every year is a busy year at PERF, and 2012 was no exception. In this issue of Subject to Debate, I'd like to bring PERF members up to date on some of the projects we've been working on this past year, and tell you about our plans for 2013.

First and foremost, I want to thank our PERF members, who contribute to everything we do—completing our surveys, participating in our meetings, and providing information and guidance for our reports. Our members are the essence of PERF, and we are very grateful for their help.

Next, this is an excellent opportunity to say thank you to the organizations that provide support for PERF projects. I'll mention many of them specifically below in relation to particular projects, and let me express my gratitude right now to the Bureau of Justice Assistance, the COPS Office, the National Institute of Justice, the Office on Violence Against Women, the Bureau of Justice Statistics, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and in the private sector, the Motorola Solutions Foundation, the Joyce Foundation, Carnegie Corporation of New York, Target, the MacArthur Foundation, the Ford Foundation, the Chicago Community Trust, and Verizon Wireless.

Below is a sampling of some of the projects we completed in 2012 or are currently working on:

GUN VIOLENCE

The school shooting incident in Newtown, CT has horrified the nation, and in recent days PERF has been working with other policing organizations on joint statements about what the nation needs to do to prevent further tragedies. I also have been talking to news media reporters about this issue, as I know many of you have been doing.

When reporters call me about gun violence, I must speak to what I know, and so I direct the media to research that PERF has been conducting, and to the expert views of police chiefs who have participated in PERF summits on gun violence in recent years.

Earlier this year, with support from the Joyce Foundation, PERF undertook a project to explore the problem of gun violence in the United States and to demonstrate the toll it imposes on our communities. As part of this project, PERF worked with five U.S. police departments—Minneapolis, Milwaukee, Austin, San Diego, and Philadelphia—and one Canadian department—Toronto—to analyze all of the gun crimes committed in those cities during a single week.

Costs of Firearm Crime in 2010

<table>
<thead>
<tr>
<th>Crime Type</th>
<th>Incidents</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gun Homicide</td>
<td>8,775</td>
<td>$43,875,000,000</td>
</tr>
<tr>
<td>Armed Robbery</td>
<td>128,793</td>
<td>$6,439,650,000</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>138,403</td>
<td>$7,612,165,000</td>
</tr>
</tbody>
</table>

TOTAL: $57,926,815,000

Janeé Harteau Joins PERF Board

PERF welcomes Minneapolis Police Chief Janeé Harteau to its Board of Directors. Chief Harteau was sworn in to the top position in the Minneapolis Police Department on December 4, after being nominated by Mayor R.T. Rybak and approved unanimously by the City Council. She is known for her dedication to policing, her leadership skills, and for having strong support in the community. Harteau joined the Minneapolis Police Department in 1987 and rose through the ranks, working in narcotics enforcement, organized crime, and other units. She earned a master's degree in public safety administration from St. Mary's University.
The study produced findings on issues such as concealed carry laws, tracing of guns used in crimes to the states where they were originally sold, and strategies that local police find most effective in fighting gun crime. One area of focus was the economic costs of gun crime. Using the most conservative estimates of the costs of an individual crime, PERF calculated that in just one week, gun crime cost our six case-study cities more than $38 million. On a nationwide, annual basis, gun crime cost the United States more than $57 billion in 2010. Our research also noted that the United States has far higher rates of gun violence than most other nations. For example, our current research revealed that Philadelphia has a rate of homicides by firearm that is 17 times that of Toronto, even though Toronto is a larger city than Philadelphia.

These findings were presented at PERF’s 2012 Annual Meeting in Washington,1 and they generated interest from the news media. A New York Times reporter attended our Annual Meeting and wrote about PERF’s work,2 and the Wall Street Journal cited PERF’s findings in a front-page story:3

This project is continuing, and the Joyce Foundation recently awarded PERF funding to establish a National Gun Violence Research Center in 2013. In addition, PERF is planning a Critical Issues in Policing executive session, to be held in February, about the police response to active shooters. PERF President Chuck Ramsey and I participated in a meeting at the White House on December 20 with Vice President Biden to discuss the Obama Administration’s agenda for dealing with gun crime. I believe PERF is positioned to take a role in helping to identify the best course for Congress and the Obama Administration to take in the coming weeks. I think we need to take a comprehensive approach, rather than focusing on any single reform measure. I encourage PERF members to send me an email at cwexler@policeforum.org and let me know what you are thinking about this.

CRITICAL ISSUES IN POLICING SERIES

Sexual Assaults: With support from the Motorola Solutions Foundation, in March 2012 PERF released our Critical Issues report titled Improving the Police Response to Sexual Assaults. This was one of the most important Critical Issues projects we have ever done.

As part of this project, PERF played a role in successfully urging the FBI to modernize the outdated and limited definition of rape used in the Uniform Crime Reporting system. Attorney General Holder later announced that the FBI is making the necessary changes.

Second, in this project we brought together about 150 police chiefs, sexual assault experts, women’s organization leaders, and key federal officials to discuss weaknesses in the police response to sexual assault. The topics included unwarranted “unfounding” or downgrading of rape allegations, special considerations regarding how sexual assaults are handled on college campuses, and how the Philadelphia Model of external review of the handling of reports of rape can improve the police response and build legitimacy.

Later in the year, PERF received funding from the Justice Department’s Office on Violence Against Women to build on our work in the area of sexual assaults, by creating and testing performance measures and quality assurance standards for police departments in the handling of these crimes. Working with the Women’s Law Project in Philadelphia, which plays a key role in the Philadelphia Model, PERF will also help police agencies transition to the new, expanded definition of rape issued by the FBI for its UCR program, and will work with four cities to test new practices.

De-Escalation and Minimizing Use of Force: In this project, PERF addressed a difficult and extremely important issue facing police departments of all sizes across the nation: police encounters with persons with mental illness, drug or alcohol addictions, disorders such as autism, or other conditions that can cause them to behave erratically and unpredictably. When persons in crisis brandish weapons or otherwise act in a threatening manner, it can be challenging for police to resolve such incidents peacefully.

For more than two decades, police agencies have been developing programs, such as the “Crisis Intervention Team” model first developed in Memphis in 1988, which are designed to de-escalate the tensions in such incidents and reduce the chances that police will use force. In February 2012, PERF convened a conference on this topic in Washington, DC. Participants included police executives, leaders of the mental health system, and other experts. In August PERF released a report summarizing the findings of that conference, titled An Integrated Approach to De-Escalation and Minimizing Use of Force.

Like other Critical Issues reports, this report was mailed to all PERF members, and is available on PERF’s website at http://www.policeforum.org/library/?folderPath=/library/critical-issues-in-policing-series/#documents.

How the Economic Downturn Is Impacting Police Departments: PERF has been tracking the current economic downturn since it began. Our overall goal has been to document the extent of budget cuts in police departments and to tell the story of how police leaders are handling the new economic realities. We have taken that message to national policy-makers in Congress and the Administration, as well as the news media and the general public.

The Motorola Solutions Foundation has supported four separate projects on this topic in the Critical Issues series. PERF is currently finalizing our report on the fourth project and will be

sending it to you early next year. Each of the projects has included a survey of PERF members, and the first three surveys could be summarized as “grim.” However, the most recent survey, conducted earlier this year, offered some findings that could be considered hopeful. For example, “only” 40 percent of responding agencies said they were planning for cuts in their budgets for the next fiscal year. Two years ago, 61 percent of those very same agencies said they were preparing such cuts.

Our forthcoming report, Policing and the Economic Downturn: Striving for Efficiency Is the New Normal, will take an in-depth look at several police and sheriff’s departments that have experienced major budget cuts. We are finding that the process of scrutinizing every aspect of a police department for efficiency is becoming a key element of how police chiefs think about their jobs. We do not expect that to change, even among the agencies that are beginning to see an economic recovery.

Consent Decrees: In October we held a conference in Washington, DC regarding the role of the U.S. Justice Department in investigating local police departments for civil rights violations. To prepare for the meeting, our staff did an in-depth study of the cases that have been initiated since 1994, when Congress gave the Justice Department new authority to investigate when it believes there is a “pattern or practice” of civil rights violations in a local police department.

At least 16 local police departments have had consent decrees or memorandums of understanding with DOJ following such investigations, and another 13 have had investigative findings or technical assistance letters, or are negotiating settlements. In the last year, 11 agencies have had some form of DOJ involvement.

At our meeting, we identified the key issues that most often are at issue, including excessive use of force by police, racial bias in policing, and weaknesses in the management and supervision of officers. The police chiefs who participated had a frank discussion with the top DOJ Civil Rights Division officials in charge of such investigations, Jonathan Smith and Christy Lopez of the Special Litigation Section, who kindly accepted PERF’s invitation to participate in this meeting.

In our forthcoming Critical Issues report on this project, which we expect to release in February, we will recount the proceedings at this meeting—including our discussion about new ways of advancing the cause of civil rights in policing that may be faster, more efficient, and more cooperative in nature than litigation. We understand and support the Civil Rights Division’s role in using the authority of the law to push for reforms in local police agencies that are behaving unconstitutionally. But there may be additional models—including a model developed by the Justice Department’s COPS Office recently in Las Vegas—that can get the job done in less time, with a greater role for cities that wish to step up and adopt best practices.

IMMIGRATION ISSUES

Since 2007, PERF has worked with our members to find answers to the question: “To what extent should local police have a role in the enforcement of federal immigration laws?” In a series of projects, with early support from Motorola and more recently from the Carnegie Corporation of New York and the Ford Foundation, PERF has generally found that local police leaders are reluctant to become too involved in immigration enforcement, for many reasons.

One of these reasons is that decades of work by police to create closer relationships with all of their communities can be undermined if police are seen as de facto immigration agents. Thus, PERF concluded in a 2011 report that officers should be prohibited from arresting or detaining persons for the sole purpose of investigating their immigration status.

In March 2012, as the Supreme Court considered the Constitutionality of Arizona’s controversial SB 1070 immigration law, PERF as an organization joined a number of individual PERF members and other law enforcement organizations in filing an amicus brief before the court, summarizing our concerns about the Arizona law. And in June, PERF worked with several PERF chiefs and with University of Virginia Law Professor David Martin to prepare a response as soon as the decision was handed down.

On June 25, the Court issued a mixed opinion that struck down several provisions of SB 1070, but upheld language requiring police to attempt to determine the immigration status of any person during traffic stops and other routine encounters if there is “reasonable suspicion” to believe that the person is unlawfully present in the United States. The court acknowledged that even that language could be subject to further legal challenges, after a body of knowledge can be established about how the law is applied in practice and whether it is discriminatory.

4. Several PERF reports on immigration enforcement are available at: http://www.policeforum.org/library/?folderPath=/library/immigration/#documents
PERF’s press release, which expressed support for much of the Court’s opinion but also concern about the provision that was left standing, produced news media coverage as far away as the UK.6

PERF is continuing its work on immigration issues with support from the Carnegie Corporation and the Ford Foundation. This included organizing a December 2012 regional conference in Tucson to discuss new state immigration laws and other issues. Under the leadership of Chief Roberto Villasenor, PERF met with Arizona police chiefs as well as chiefs from other states that have recently passed laws similar to Arizona’s—Georgia, Alabama, and South Carolina.

PERF is planning to take a leadership role in the upcoming consideration of immigration reform in Congress, which appears to be on the agenda again, following a number of years when little progress was made. Our role will include ensuring that the views of police executives are included in framing the issues and developing a comprehensive reform package.

**EYEWITNESS IDENTIFICATION PROCEDURES**

With support from the National Institute of Justice, PERF has conducted research on the issue of eyewitness identification practices in local police departments. This issue has become critically important in light of the significant numbers of exonerations of persons who were convicted largely or entirely on the basis of eyewitness identification testimony.

PERF’s report will present the results of a major survey that we conducted about how police departments are making changes in eyewitness identification policies and procedures. PERF will be finalizing its report on this project early next year.

**PROGRESS IN THE USE OF BODY ARMOR**

In another NIJ-supported project, PERF conducted a national survey of law enforcement officers regarding the policies and practices at their agencies on the use of body armor.7 We found that more than 92 percent of officers reported that they are required to wear body armor, either at all times or at most times when on duty. By contrast, a similar PERF survey completed in 2009 found that only 59 percent of the responding law enforcement agencies required body armor at least some of the time. The new survey also found that 78 percent of officers reported that their agency has a written body armor policy, compared to 45 percent of the responding law enforcement agencies in 2009.

As it happened, the PERF survey was conducted shortly after Attorney General Eric Holder announced that the Bureau of Justice Assistance would begin requiring jurisdictions to have a written “mandatory wear” policy in effect to obtain federal funding for body armor through BJAs Bulletproof Vest Partnership (BVP) program. It is encouraging to note that fatal shootings of officers declined sharply in 2012, after the BJA rules took effect. According to the National Law Enforcement Officers Memorial Fund, which keeps detailed statistics on officers who are killed in the line of duty, there were 49 fatal shootings of officers in 2009, 59 fatal shootings in 2010, and 70 fatal shootings in 2011. But as of December 18, 2012, there were 46 fatal shootings in 2012, which is a 29-percent decrease compared to the 65 fatal shootings for the same January 1–December 18 period in 2011.

PERF’s findings were reported by USA Today.8

**CHICAGO**

For several years, PERF has been working with the Chicago Police Department (CPD) and the Chicago Public Schools system to help reduce violence in Chicago and increase community involvement in public safety initiatives. In 2012, we have been working with Superintendent Garry McCarthy to establish a Superintendent’s Advisory Committee of persons within the Police Department and outside it, who will develop a “Chicago Model” for the next generation of policing. Nine internal committees are addressing issues ranging from promotional testing and technology to community engagement and gun violence. These efforts are being supported by the MacArthur Foundation, Target, and the Chicago Community Trust. Importantly, Superintendent McCarthy has been a major proponent of procedural justice in policing, and PERF is working with the CPD to incorporate these principles into the next generation of policing in Chicago.

**OTHER PROJECTS**

Following are short descriptions of other PERF projects:

**ACTIVE SHOOTERS:** The next Critical Issues in Policing project will address issues regarding active shooter response by police. PERF was making initial preparations for a Summit on this issue when the mass shooting tragedy in Newtown, CT highlighted the fact that active shooter protocols can save scores of lives by shutting down an active shooting as quickly as possible.

**SOCIAL MEDIA FOR TACTICAL PURPOSES:** PERF is producing a report on the use of social media, such as Facebook and Twitter, for tactical, investigative, and intelligence purposes in policing. A final report is nearing completion.

**CIVILIANS IN POLICING AND TECHNOLOGY:** PERF is conducting a national survey for the National Institute of Justice regarding the use of civilian employees in policing, as well as a study of what is

---


required for police departments to fully realize the potential of new technologies in policing.

**POLICE TRAINING ACADEMIES:** PERF is conducting a national census of law enforcement training academies for the Bureau of Justice Statistics.

**COMMUNITY POLICING:** With support from the COPS Office, PERF is partnering with Target Corporation and the Police Departments of Brooklyn Park, MN; Denver, CO; Arlington, TX; and Los Angeles to create a performance management system for first-line supervisors to implement community policing principles. The goal is to help sergeants and other first-line supervisors incorporate community policing in how they manage their officers, set specific goals for them, and evaluate their performance. In addition, we will be advancing the Emerging Issues series for the COPS Office.

**PREVENTING “HOMEGROWN” TERRORISM:** In 2013, PERF and Duke University will launch a project about engaging Muslim communities to counter radicalization and prevent acts of “homegrown” terrorism in the United States.

**COMPSTAT:** As part of BJA’s Smart Policing project, PERF is completing a report on Compstat programs. The report is based on findings from a national conference convened by PERF last year and on interviews of police executives who helped to invent or develop Compstat.

**LEADERSHIP AND LEGITIMACY IN POLICING:** PERF is producing a set of reports for BJA on issues of leadership and legitimacy in policing, working with New Orleans Police Superintendent Ron Serpas, Yale Law Prof. Tom R. Tyler (a leading expert on legitimacy in policing), and others.

PERF also is conducting a separate project for BJA aimed at improving community perceptions of police legitimacy by using problem-solving techniques to reduce violent crime. By designing, implementing and tracking crime reduction strategies in minority and/or immigrant communities, we hope to show that crime reduction is itself a method of increasing public support for the police. We are launching this project with the Minneapolis Police Department in the East Africa-American community of Cedar-Riverside, and again are working with Professor Tom Tyler and with Professor George Kelling, co-author of the “Broken Windows” theory of policing.

**SMART POLICING:** With support from BJA, PERF is undertaking a project that will assess the effectiveness of gun crime reduction programs in four jurisdictions: Camden, NJ; Prince George's County, MD; and Sacramento, CA.

**NEW CRIME STATISTICS SYSTEMS:** PERF is partnering with several other policing organizations on a BJS project to improve incident-based crime information. The goal is to produce the kind of detailed information that is useful to police by leveraging the capabilities of existing records management systems, rather than creating any new recordkeeping requirements.

**MENTAL ILLNESS:** PERF is working with the Council of State Governments, with support from BJA, to test innovative strategies for collecting and analyzing data regarding encounters between the police and persons with mental illness. We will be working with police in Denver, CO; Cambridge, MA; and Delaware, OH on this initiative.

Finally, I would like to make a special note of the valuable contributions made by several PERF departments:

**SENIOR MANAGEMENT INSTITUTE FOR POLICE**

Tony Narr deserves recognition for his astounding performance in managing the Senior Management Institute for Police (SMIP), PERF’s three-week educational program for up-and-coming police executives. SMIP was created in 1980, and it is a testament to the respect SMIP enjoys in the field that we broke our all-time record for attendance in 2012—accommodating 249 participants—despite the economic cutbacks in police agencies nationwide. Approximately 3,200 police leaders have graduated from SMIP over the years, including many of today’s leading chiefs. Tony is hoping to have another record graduating class at SMIP next summer.

**MANAGEMENT SERVICES**

PERF’s Management Services Department also has had a busy year, providing law enforcement agencies across the country with expert analysis of their policies, practices, systems, staffing levels, and other aspects of their operations. The jurisdictions in which Craig Fraser and his team of consultants have worked in 2012 include Cleveland, OH; Washington, DC; Austin, TX; Indianapolis; Lane County, OR; Memphis, TN; Gainesville, FL; Morris County, NJ; Las Cruces, NM; and Groton, CT.

**POLICE EXECUTIVE SEARCHES**

PERF’s Executive Search unit, led by Charlotte Lansinger with assistance from my Chief of Staff, Andrea Luna, helps many jurisdictions every year as they search for best candidates for police executive positions. In recent months, PERF conducted national searches and identified candidates for Baltimore; Fayetteville, NC; Sanford, FL; and the U.S. Capitol Police.

I want to take a minute to recognize the great PERF staff that is responsible for these projects and programs. They work tirelessly, often into the evening hours and on weekends. We are very fortunate to have such a great and dedicated staff. Special recognition goes to Andrea Luna, who goes far beyond the call of duty in ensuring that PERF projects keep moving forward. As you may have gathered from this article, PERF has a lot of projects, each one with a hundred details about budgets, deadlines, deliverables, and so on. Drea is the one who holds it all together. In addition to the staff members I already mentioned, thanks go to Ken Hartwick, our Finance Director who scrupulously maintains our systems that...
9-1-1 Centers Are Poised For Major Technological Advances, But Adequate Funding Is Not Being Provided

By George Rice
Executive Director
Industry Council for Emergency Response Technologies (iCERT)

Across the nation, in times of intense personal crisis and community-wide disasters, 9-1-1 is the first access point for those seeking emergency response. Communications personnel receive calls and expertly dispatch emergency service professionals and equipment to render life-saving assistance to those in need. We rely on this process and system to assure the public’s safety every day.

The resources needed to construct, maintain, staff and update 9-1-1 communications centers and field operations are significant, particularly given the need to move to Next Generation 9-1-1, which includes Internet-based emergency calling.

Put simply, Next Generation 9-1-1 is an Internet-based “system-of-systems” designed to provide the public with access to emergency services from all communication sources. Using public and private IP networks will allow authorized users to share text, video, and images. As the FirstNet Next Generation 9-1-1 public safety broadband network is built out with the “D Block” spectrum newly allocated to public safety agencies by Congress, public safety agencies will have increased access to detailed information, which will improve interoperability. Data from license plate readers, video surveillance, GPS, gunshot detection and other sensors, and automatic crash notification systems, which can “ride” on the network, can be transmitted to and from law enforcement, fire, and EMS responders, providing near real-time information and a common operating picture.

The Funding Challenge

However, due to funding cuts, 9-1-1 centers face inadequate staffing levels and outdated equipment, at times leaving callers to face dangerous delays. As public sector budgets are now stretched in ways not seen in recent history, advancements in emergency calling — and even baseline maintenance — seem a daunting task.

Just recently, the Nebraska Public Service Commission cut the monthly per-customer wireless surcharge for 9-1-1 from 50 cents to 45 cents, reducing the funding level for 911 equipment and infrastructure improvements by $1.56 million over the Commission’s two-year budget cycle. This is just one example of a state acting to reduce 9-1-1 funding.

Our nation’s public safety professionals make technology investment decisions every day. Available funding resources help guide these decisions as agencies look to improve their systems and ensure effective deployment of emergency services. Absent the requisite resources, no emergency communications agency, center, program, or plan can reach its potential or position itself effectively for the future. If the transition to NG911 is funded, multiple jurisdictions will collectively benefit from the ability to share common public safety equipment and applications, greatly reducing individual departmental costs.

The progression of spending by states from fiscal year 2011 through fiscal year 2013 in the areas of 9-1-1 and emergency communications is depicted in the graph.

Expenditures were comparatively modest in both categories during 2011, with substantial increases during 2012, particularly

Calls to 9-1-1 increased by 26% in the last decade. Budgets have not kept pace.

Graph: 911 and Emergency Communications Spending Trends

George Rice, Executive Director, Industry Council for Emergency Response Technologies (iCERT)
with respect to emergency communications, which includes such items as radios, communications network equipment, and mobile data terminals.

While communications spending greatly outpaced 9-1-1 expenditures by states during 2011 and 2012, far greater parity is in place regarding these same categories for 2013.

However, as a percentage of overall Information Technology-related spending by states for justice, public safety, and homeland security functions from 2011 through 2013, 9-1-1 and emergency communications spending as a combined category has been reduced for each of these fiscal cycles.

### Four Causes of the Problem

1. With the advent of mobile phones, more callers report the same incident, overloading communications centers with redundant calls.

2. Public education programs for 9-1-1 are losing telephone company and government funding, resulting in public expectations that rise above the capabilities of 9-1-1 systems based on existing resources.

3. Increasingly, the public calls 9-1-1 when facing non-emergency personal situations, placing an increased demand on the system.

4. Funding collected and intended for 9-1-1 infrastructure and operations has been delayed, diverted or denied in states across the country.

### Four Solutions to the Problem

1. Ensure that elected and appointed officials in your jurisdiction know of the critical need for properly resourced emergency calling.

2. Ensure that your communications center is fully staffed.

3. Fund 9-1-1 public education programs.

4. Ensure that funding collected from carriers specifically intended to fund 9-1-1 actually reaches local communications centers.

For more information, please visit [www.theindustrycouncil.org](http://www.theindustrycouncil.org).
In Case You Were Wondering
What PERF Has Been Up To…

PAGE 1

Janeé Harteau Joins PERF Board  PAGE 1

9-1-1 Centers Are Poised for Major Technological Advances, But Adequate Funding Is Not Being Provided  PAGE 6