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Using Open Data Initiatives to Enhance Police-Community Relations

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**A Leadership White Paper
Submitted in Partial Fulfillment
Required for Graduation from the
Leadership Command College**

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June 2019**

ABSTRACT

It comes as no surprise that there are sections of the population who do not trust the police in their community. This has played out on a large scale recently over high profile use of force incidents that resulted in the deaths of civilians during interactions with police officers. Communities that felt the most distrust of police experienced civil unrest over these incidents and perpetuated the cycle as police had to step in and maintain order. What those sections of the community want is a means to have their voices heard and an open and honest line of communication with police. One suggested means of achieving that end is open data initiatives. Open data initiatives will make police policy, data on use of force incidents, and arrest and search data readily available to the public.

Police agencies should participate in open data initiatives, as this is a first step to start to build trust within and positively impact relations between a department and their community. Building that trust and opening those lines of communication will allow a police agency to be more effective and enhance the safety of both the officers and the citizens. The recent push for open data initiatives has also come with resources agencies can use to get this process started. These range from funding to easy access to established data portals. Given the benefits that are possible and the resources that are available to make the process easier, police agencies must take advantage of the opportunity to become transparent organizations that meet the needs of all sections of their communities.

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INTRODUCTION

In recent years, there have been several high profile events that have highlighted a distrust between communities and the police departments that serve them. In 2014, in an effort to examine how police departments can effectively police a community and at the same time build trust within that community, President Barack Obama established the Task Force on 21st Century Policing (Department of Justice (DOJ), 2015). When the task force presented their executive summary, the first and most underlying theme they identified was a need to build trust and legitimacy on both sides of the police/citizen divide (DOJ, 2015).

One of the means they proposed by which this could be accomplished was through the use of open data initiatives to promote transparency and accountability. Open data initiatives could take many forms. The most common method to come out of this recent push are online information sharing sites, either hosted by a third party or on an agency maintained website. Through this medium, the public can examine police policy as well as information on use of force incidents, traffic stops, and arrest and search data. Transparency in these areas, as well as others, will lead to open and honest discussion between communities and their police forces. Police agencies should participate in open data initiatives, as this is a first step to start to build trust within and positively impact relations between, a department and their community. The previous lack of availability of information and answers to questions and concerns from some segments of the population has led to frustration within those segments.

In the recent deaths of Freddie Gray in Baltimore, Maryland, Michael Brown in Ferguson, Missouri, and Eric Garner in New York City, New York, during interactions

with police, this frustration manifested itself in the form of large protests, some portions of which became violent. In responding to these protests, police departments were forced into direct confrontations and conflict with the groups that trusted them the least. These incidents highlight the need to create channels of communication between police and the public, and the first step in that direction should be openness and transparency from police departments in the areas that cause the most concern within their communities.

POSITION

In examining this issue further, it is crucial that police agencies begin with a reminder of just what it is they do and why they do it. Police agencies must remember that they were formed, funded, and governed by the communities they serve. They truly answer to a mandate from the people for protection and service. In this vein, the police agency and the community are each part of a team that serves to further the greater good and ensure the safety of the community. In realizing this, certain dynamics of the team concept can be readily seen. One of the most important of which is trust. Lencioni (2002) talked about the absence of trust. He stated, "team members who are not genuinely open with one another about their mistakes and weaknesses make it impossible to build a foundation of trust" (Lencioni, 2002, p. 188). This coincides with the Task Force on 21st Century Policing in that finding trust and legitimacy must be a central theme in ongoing communication between these team members (Department of Justice, 2015). Police agencies must then be willing to share all relevant information, this may include that which paints them in a positive light and that which shows mistakes or deficiencies. This will allow a dialogue with the community based on

transparency and accurate information, a must if there is to be any legitimacy to the process.

The area of police interaction with the public that caused the unrest in Missouri, New York, and Maryland was use of force. While these are among the most recent protests, they are hardly a new occurrence in America. Attorney General Loretta Lynch commented on efforts the department will be taking to work with agencies to collect use of force data; she stated "Accurate and comprehensive data on the use of force by law enforcement is essential to an informed and productive discussion about community-police relations" (Office of Attorney General, 2016, para. 2). This data and the discussion it sparks will allow both police and community members to examine the causal factors in the uses of force and give insight into how the community views police in response to these uses of force.

A secondary result of this increased trust will be an increase in the safety of not only the officers, but citizens as well. Police agencies, by the nature of their work, depend largely on face to face interaction with citizens. This occurs not only when officers are called directly to assist community members, but also in enforcement efforts designed to protect the community as a whole. If contacts between police officers occur with members of the community who distrust and hold them in a negative view, the atmosphere is adversarial from the start. A positive outcome in these contacts, if they are at all possible, must overcome this significant hurdle first. However, an ongoing relationship between the two that is based on trust and open communication, and leaves all stakeholders informed and feeling respected, offers the greatest protection against future acts violence (Cunningham, 2016). In departments that have led the way

in these areas, such as the Dallas Police Department, the effort has not gone unnoticed (Koma, 2016). The City of Dallas released information on both police complaints by the public and officer involved shootings. They believe that the trust this information fostered is directly responsible for a decrease in both complaints and officer involved shootings in the last few years (Koma, 2016).

Open lines of communication and positive relationships between the police and the public will not only enhance the safety of all parties involved, but it will increase the effectiveness of the police entity as well. Police agencies rely on information from the community in all facets of law enforcement. With an average of 2.3 police officers per 1000 inhabitants nationally, it is clear that for a police agency to protect their community, there must be interaction and communication between the two (Federal Bureau of Investigation (FBI), 2014). For an agency to address the crime concerns and trends in a given area, they must first be aware that offenses have taken place. Even once they are aware of an offense, officers from the police agency likely did not directly observe the offense. This means a reliance on victim and witness cooperation is a necessity. In an area where the community does not trust the police, this cooperation and the resulting information with which the police may address the issue, will be restricted. Additionally, prosecution of cases filed by police agencies often relies on victim and witness testimony to be successful. If an agency is to be effective, they cannot perform their task alone. Active participation from all segments of the community, fostered by a trust in their police partners and an open attitude of communication, will lead to the most positive ability of an agency to impact crime in a manner consistent with the public's expectations (Cunningham, 2016).

In addition to feeling the positive benefits of open communication and trust within the community, a police agency that develops an open data initiative will be on the leading edge of an increased demand for transparency from governmental entities. In addition to the call for a voluntary police open data initiative from the President's Task Force on 21st Century Policing (DOJ, 2015), there have been several statutes introduced at the federal level which seek to make compliance in these types of data reporting compulsory. With the topic of police use of force on the forefront of the country's collective conscious, the quantity and quality of data that is collected and reported must be increased. This is the only way a true understanding of what occurs between police and the public as they attempt to confront those that break the law and ensure the public safety can be achieved (Alpert, 2015).

Recently passed was the Death in Custody Reporting Act of 2013 which requires certain information be reported to the attorney general on a quarterly basis related to deaths on subjects in the custody of law enforcement agencies. This statue applies to federal law enforcement agencies, in addition to states that receive funding from several federal law enforcement initiatives. Currently proposed is the National Statistics on Deadly Force Transparency Act of 2015. This statute would require the collection and reporting by police agencies of detailed information in all use of forces cases in which deadly force was used. The data that would be required to be collected would be in reference to the officer and target of the force, location information about the incident, the agency's policy in regards to deadly force, an explanation of why the force was used, and any nondeadly forced that may have been used prior to the application of the deadly force. As evidenced by this pending requirement, participation now will place the

police agency in a position to easily comply with this or any other requirements in relation to open data. With the evidence pointing to such a positive impact, a transition to sharing police data with the public would undoubtedly be well received by the community as a whole. In addition, it would open a dialogue with the groups that currently do not trust police and begin to heal the divide between the two.

COUNTER POSITION

As evidenced by the current shortfalls on police data sharing, the transition to a more open and transparent method of communicating with the public will be a wholesale change for most police agencies. The benefits of an agency participating in an open data initiative are numerous. In addition, there have been no instances that have shown an affirmative link between police open data initiatives and a negative result for the agency. Given these factors, the why as to the lack of participation in open data sharing by agencies across the country remains a mystery. The President's Task Force on 21st Century Policing annual report recommended implementing open data sharing through the police data initiative, but only 53 departments across the nation have voluntarily complied (Department of Justice, 2016). While 53 departments participating is a step in the right direction, when viewed against the total number of law enforcement agencies active in the United States, that number is but a fraction. According to the Federal Bureau of Investigation's UCR report for 2014, there were 12,656 law enforcement agencies that reported employing full time peace officers. This means less than 1% of agencies that report to the UCR have participated.

In examining why there has been so little participation, cost must certainly be considered. As an agency decides to participate in any new endeavor, there is bound

to be some cost associated with it. The case of contributing to an open data initiative must certainly be no exception. Whether the cost be in computer hardware and software, or time spent by employees to initiate the program, the agency must be able to justify it. However, given that there has been a large public outcry for an increase in communication between police and their respective communities, these agencies must first consider their primary purpose. If sections of the public demand service in the form of transparency and honesty from their law enforcement team members, then those team members must be willing to provide it. Police agencies are funded by the communities they serve, and, in this respect, they must be willing to use the funds they are provided in a manner consistent with the public's request.

One resource that is available to agencies that wish to participate in open data initiatives is the Police Foundation's Public Safety Open Data Portal (n.d.). The foundation assists agencies in collecting and reporting the data, as well as sharing tips and information from other contributing agencies. In addition to the police foundation, there has been another statute introduced at the Federal level that will offer grant funding to agencies. The proposed PRIDE of 2015 will provide grant funds to states that meet its requirements. It would have the agency's make their use of force policies readily available to the public in addition to information about police involved shootings that result in significant injuries or deaths.

Agencies should also consider that the product of their work has long been recognized as belonging to the public. Agencies are required to comply with open records requests and incur the costs of providing the information to the requestor. With an open data initiative, much of the data requested will already be readily available to

the public and no additional time need be spent to search for and provide it. This has been borne out by several agencies that currently participate in the program and have had a reduction in the costs of open record requests as well as an offset to any initial cost in the increase of support from their communities (Koma, 2016).

Another concern of agencies is that a large-scale release of data will increase the amount of complaints the department receives and the data will be misinterpreted. While the effect of transparency in police data across the nation has yet to be realized, in so much as it does not exist at this point, Lencioni's (2002) statements about building a foundation of trust among team members through openness must be considered. A daily function of law enforcement agencies is fielding complaints in response to their efforts to protect their communities. If portions of a community do not have a foundation of trust in their police agency, then their satisfaction with the service provided through the complaint process will not be adequate. Building the lines of communication and trust will allow for a mutually beneficial outlet for these complaints. As evidenced in Maryland, New York, and Missouri, the traditional complaint process, or lack of public support for it, resulted in violence by and toward the police, in addition to the monetary loss to the community as a result of the damage caused by these demonstrations. While public demonstrations are not a new phenomenon, the frequency with which they are happening in response to police/public relations show an all too real sense of urgency is needed on behalf of the police to address these concerns. Porter and Prenzler (2015) discussed the desired outcomes of those that file police complaints. A central theme to these complainants was that they did not desire punishment of the

officers involved, but rather sought an apology or to have the officers trained so their behavior would be improved.

A police data initiative will provide a means by which police agencies and the community can access and discuss data on a level playing field. This will allow police representatives and the community to not only discuss trends or markers in the data, but to truly begin to communicate about why those trends could be occurring.

RECOMMENDATION

Police agencies across the country are struggling to close an ever-widening divide between themselves and some segments of the population. These divides have highlighted a sense of distrust in the police and lack of confidence in communicating these concerns directly. A police agency must develop and implement strategies to restore the public's faith, as well as promote an environment of trust and transparency within their community. Failure to address these growing concerns will certainly result in an ever-widening divide between, and increasing confrontations with, those in the community who feel they are not receiving the protection and service they deserve. Addressing these concerns sooner rather than later will begin to build that trust that is needed. This increase in trust and communication will no doubt increase the effectiveness of the police agency in all facets of law enforcement, while at the same time positively impacting the safety of the officers and community.

Those who argue against sharing police data citing cost and an increase in complaints must take a harder look at the evidence and the expectations of their community. The resources already available and additional grant funding can

overcome these hurdles and open the lines of communication that will lead to a better working and living environment for all stake holders.

Utilizing the police data initiative that has been recommended by the President's Task Force on 21st Century Policing should be one of the first steps an agency takes in moving forward (DOJ, 2016). This action will show the community that an agency is a committed part of the solution to addressing trust and transparency in policing. In addition this action will show good faith in establishing open lines of communication through which a community can address their concerns. Getting this dialogue started will allow for understanding from both points of view and begin the process of moving forward with strategies and practices that are beneficial and acceptable to all parties involved.

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