

**NEW
ERA
OF
PUBLIC
SAFETY**

AN ADVOCACY TOOLKIT FOR FAIR, SAFE,
AND EFFECTIVE COMMUNITY POLICING

New Era of Public Safety: An Advocacy Toolkit for Fair, Safe, and Effective Community Policing
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The Leadership Conference on Civil and Human Rights is a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States. Through advocacy and outreach to targeted constituencies, The Leadership Conference works toward the goal of a more open and just society – an America as good as its ideals.

The Leadership Conference is a 501 (c)(4) organization that engages in legislative advocacy. It was founded in 1950 and has coordinated national lobbying efforts on behalf of every major civil rights law since 1957.

The Leadership Education Fund is a 501 (c)(3) organization that builds public will for laws and policies that promote and protect civil and human rights of every person in the United States. The issues The Education Fund works on have deep roots in its organizational history and across the communities it represents.

Access the toolkit online at <https://policing.civilrights.org/toolkit> and the best practices report, *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing*, at <https://policing.civilrights.org/report/>.



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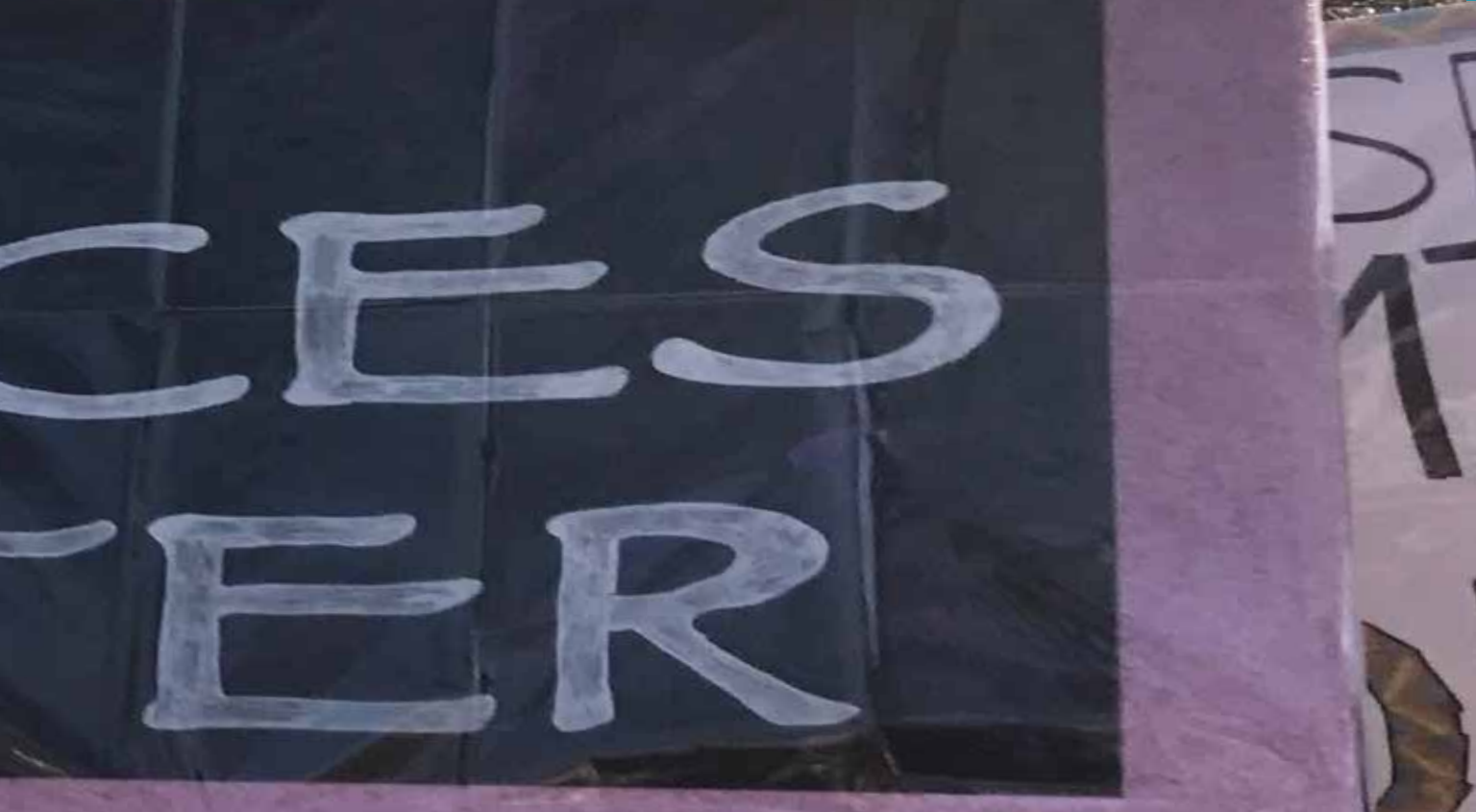
I. INTRODUCTION

Police officers across the country are involved in our everyday lives. They patrol our streets, our sidewalks, and our public spaces, and they are often first on the scene when crime breaks out and when disaster strikes. They support people in crisis — and they respond to national crises. They are — and have been for nearly two centuries — our nation’s first responders.

And yet, our country’s approach to public safety — and whom it protects and serves whether real or perceived — has undermined community trust.

This has long been so — from early slave patrols, to harassment and unlawful surveillance of civil rights activists, to criminalization of people of color. This history is alive today, borne out in disparities in policing practices — from stops and searches to arrests and use of force. From Ferguson, Baltimore, and Sacramento; to Watts, Detroit, and Los Angeles; to Chicago, Newark, and Selma. The places and the times are different, but the impact of the tragedies are the same.

In recent years, outrage over harassment and deaths of people of color, Black people specifically, at the hands of police officers has ignited the Movement for Black Lives and inspired national debate around systemic racial profiling and police violence. It has prompted collective calls to #SayHerName and to recognize the unique experiences of Black women, transgender people



and gender nonconforming people, people with disabilities, people who have experienced sexual violence or misconduct by police, and people who have been killed by police or died in police custody.

Local, state, and national organizations have long worked to reform policing and strengthen accountability — and are now redoubling their efforts to reimagine public safety and create a stronger, safer country for us all. We support and join this effort. Our entire country — and its many diverse communities, police officers included — will benefit if we succeed.

To make this vision a reality, we need a common language so we can work together to promote public safety while protecting civil rights. We need to work at the national, state, and local levels — in our communities — to realize a shared vision of public safety that respects and protects human life and lifts up those most affected by harmful police policies and practices. And we need innovative ideas — from all perspectives in our diverse society — to rethink public safety and renew community trust.

We can overcome the challenges facing us, and this toolkit shows us how. Individuals and communities have the power to shape policing and change our approach to public safety by organizing, harnessing data, and leveraging determination on all sides to improve our justice system.

We Have the Power to to Make Change

We all have a role to play in ensuring that policing practices respect and protect civil and human rights.

We must hold our leaders accountable to the communities they swear to serve and protect. Reorienting the way we think about public safety, and the roles of communities and police departments in promoting it, takes time, effort, and shared understanding. Each of us has the power, individually and collectively, to effect change through **grassroots organizing, policy advocacy, and civic engagement.**

Public Opinion, Organizing, and Advocacy	By shaping public opinion through organizing and advocacy, you can influence lawmakers and law enforcement officials to change the way policing happens in your community.	Voting	By voting, you can ensure that elected officials share your vision of public safety and are willing to take action to change policing.
Service Calls and Complaints	Through service calls and complaints, you can shape police priorities and document violations of rights and policies.	Advocacy and Community Oversight	Through advocacy and participation in community oversight, you can help hold departments accountable for individual and systemic problems and shape policy to prevent future violations.

Community members shape policing and public safety every day by making calls for service, attending community board and precinct council meetings, filing complaints, meeting with legislators and policymakers, serving on police advisory committees and civilian oversight boards, testifying at public hearings, advocating for changes to police policies and laws, monitoring police department budgets, speaking out in the media and at protests, and voting for political candidates who share their views on public safety and policing.

With more than 18,000 law enforcement agencies across the United States, ranging in size from one to nearly 40,000 officers and spanning urban, suburban, and rural areas, there is no one-size-fits-all solution to police reform. Yet there are universal guiding principles that should inform how police departments ensure public safety and build community trust – through policies and practices that deliver fairness, equity, procedural justice, transparency, and accountability. There are many ways to achieve social change. This toolkit is intended to help activists, organizations, and communities identify and act on solutions to change policing for the better in their own communities. It contains information and resources about:

- Key policing statistics
- Major policing challenges and how to advocate for change
- Police department structures, targets, pressure points, and opportunities for action
- How to find out about your department's policies and practices
- How to develop strategies for change
- How to organize strategic police reform campaigns that advance alternative visions of public safety

Whether you are one person concerned about a specific incident, a group of people who want to form a campaign in response to a pattern of policing in your community, or an organization looking for specific information, fresh perspectives, or different strategies, this toolkit has something for you. It is designed so you can easily find the issue you are concerned about and quickly access best practices, talking points, and strategies for overcoming opposition. It also offers guidance on how to pressure police departments to update their policies and how to organize a campaign to make the change you want.

How Can I Change Policing Practices?

Start a conversation:¹

Talk to family members, friends, and neighbors about policing and safety in your community. What does public safety look like? What needs to change? How can it be changed?

Get involved:

Attend a public forum on policing, a community board meeting, a precinct meeting, a public meeting of your local police commission or oversight agency, or go on a ride-along with a police officer. Find out what people are talking about and determine what changes you want to see.

Access more information:

Find out about your department's policies and accountability structures. What data are available about stops, searches, arrests, uses of force, and other issues? You can also research organizations in your local community that are already working on civil rights and policing reform.

Speak out:

Tell your story and share your opinion. Write a letter to the editor or an op-ed in your local newspaper, or testify at a public forum to share your views about policing and safety in your community. Join the conversation online through social media, and support online campaigns for increased police accountability.

Organize:

Join an existing organization, coalition, or campaign — or start a new one!

Information about local precinct or community board meetings can generally be found on the police department or city website. If not, call the city's general information line to find out when the next one will take place.



II. POLICING BY THE THE NUMBERS

**Facts are important in
your advocacy. Here are
some useful statistics
that can help inform your
organizing.**

Profiling:

- Officers stop Black drivers at higher rates than White drivers.²
- Officers ticket, search, and arrest Black and Latinx drivers more often than White drivers.³
- When searching Black and Latinx drivers, officers have less evidence than when searching White drivers and are less likely to find contraband.⁴
- Officers are almost three times more likely to search Black and Latinx drivers than White drivers.⁵
- Black people are four times more likely than White people to be arrested for marijuana.⁶
- According to a recent study, half of transgender people report feeling uncomfortable seeking police assistance. Approximately 6 percent of transgender people reported they experienced bias-based assault by an officer.⁷

Use of Force:

- Officers in the United States killed approximately 998 people in 2018.⁸
- Native Americans have the highest rates of fatal encounters with police, followed by Black people.⁹
- The overwhelming majority of people killed by officers from 2015-2018 died by gunshot (95 percent). The remaining deaths occurred as a result of other uses of force (e.g., Tasers, physical force).¹⁰
- Black people are three times more likely to be killed by officers than White people; between 2010 and 2012, Black men aged 15-19 were 21 times more likely to be killed by officers than their White male counterparts.¹¹
- Unarmed Black people (especially women) are more likely to be killed than unarmed people of other racial or ethnic backgrounds.¹²
- At least one-quarter (24 percent) of people killed by police from 2015-2018 involved people with signs of unmet mental health needs.¹³
- Black people are 2.5 times more likely than White people, and 1.7 times more likely than Latinx people, to experience the threat or use of nonlethal force during an encounter with police officers.¹⁴

Sexual Misconduct:

- A police officer is caught in an act of sexual misconduct about every five days.¹⁵
- Approximately 70 percent of sexual misconduct cases involve people subject to traffic stops, crime victims and witnesses, or minors.¹⁶
- One-quarter of known survivors of police sexual misconduct are minors.¹⁷

Accountability:

- As of 2015, all 50 states and the District of Columbia failed to comply with international standards of lethal force by law enforcement officers.¹⁸
- From 2006-2017, at least 1,881 police officers were fired from the nation's 37 largest police departments – 451 of those officers successfully appealed and won their jobs back.¹⁹
- Grand juries rarely return indictments in officer-involved shooting cases. For example, in Dallas, of the 81 officer-involved shootings reviewed by a grand jury between 2008 and 2012, there was only one indictment.²⁰
- A U.S. Department of Justice (DOJ) investigation of the Chicago Police Department found that the department sustained fewer than 2 percent of 30,000 misconduct complaints between 2010 and 2015.²¹
- The Baltimore Police Department sustained only 1 of 60 complaints of unlawful strip searches from 2012 to 2016.²²
- The Philadelphia Police Department sustained 138 of 8,555 misconduct complaints between 2013 and 2016, however none of the officers were penalized.²³





III. I AM CONCERNED ABOUT.. MY COMMUNITY'S APPROACH TO POLICING

**Our society's approach to
public safety is structured
so that law enforcement
is present in nearly every
aspect of American life.**



Police officers are in our schools, at scenes of mental health crises, and even in coffee shops arresting people. This type of “proactive policing” undermines public safety; when people do not feel safe, they are not safe. Making matters worse, proactive policing creates a culture that positions officers as “warriors” who enforce the law rather than as “guardians” of public safety.

Under this type of proactive approach to policing, departments formally or informally measure officers’ performance by the number of tickets they issue or arrests they make. It involves saturating communities of color, immigrant communities, and low-income communities with police officers. And it can result in adverse effects: residents of these communities are subject to disproportionate rates of traffic stops, stop-and-frisk tactics, and discriminatory enforcement of low-level offenses, such as disorderly conduct, drinking in public, loitering, and marijuana possession. In some cities, such as Ferguson, Missouri, police departments raise significant revenues through fines, fees, and seizure of property.²⁴ In other words, some departments finance their activities by over policing targeted communities.

Your advocacy can encourage departments to take a community centered approach that embraces a guardian mindset²⁵ — which is widely regarded as a more effective and lasting approach to building public safety.

Some departments promote “broken windows” policing as a form of community policing, but there are significant differences between the two:



Community Policing

- + Engages all community members in meaningful decision-making, implementation, and evaluation of departmental policies, practices, and priorities. Police leaders value community perspectives, especially of those most impacted by policing.
- + Emphasizes prevention and problem-solving over arrests and criminalization.
- + Promotes fair and equal treatment of all community members and judicious use of resources to promote public safety rather than to criminalize minor offenses.



Broken Windows Policing

- ✗ Does not involve community members in creating or implementing policies, in overseeing department practices, or in holding officers and departments accountable for systemic problems. Police leaders prioritize input from community members who support aggressive enforcement of minor offenses.
- Emphasizes quotas for stops and arrests over prevention and problem-solving.
- ✗ Targets youth of color, people experiencing homelessness, and people believed to be engaged in prostitution and street vending for aggressive enforcement of minor offenses.

Key Challenges

Lack of accountability:

A lack of accountability for police officers to the communities that they are meant to protect and serve prohibits trust-building. Law enforcement is accountable to all community members, including people of color, women, gender nonconforming people, LGBTQ people, youth, undocumented immigrants, people with limited English proficiency (LEP), people with disabilities, religious and ethnic groups, low-income people, people experiencing homelessness, as well as people suspected or accused of violating the law.

Lack of familiarity:

Some police officers are not familiar with the communities they work in. This can create problems if officers are not aware of community dynamics, culture, or social problems. Police officers should be familiar with and have an awareness of social problems, their underlying societal causes and consequences, and the community that they serve and protect.

Lack of community input:

Community policing is essential to improving public safety. Some departments develop policies and practices, mission statements, organizational structures, strategic plans, and priorities without community input.

Lack of trust:

High-profile police shootings of unarmed Black people and other incidents of police misconduct, coupled with heavy enforcement of low-level offenses, have eroded trust in law enforcement in many communities — and especially in communities of color. This lack of trust strains police-community relationships and undermines public safety.

Making Change

Adopt a community policing philosophy.

Police departments should adopt community policing as their key operational philosophy and embrace a guardian mindset to policing that is reflected in mission statements, strategic plans, and day-to-day operations.

End “broken-windows” policing.

Departments should end “broken windows” and other policing models that emphasize the quantity of tickets and arrests over the quality and effectiveness of policing.

Interact with communities.

Departments should work to form trusting relationships with communities by creating opportunities for officers to engage with community members to increase understanding of societal causes and consequences of social problems.

Reallocate resources.

Departments should divert resources from other budgetary areas and invest more in community policing.

Require trainings on community policing.

Departments should train officers in the goals and methods of community policing. Community members should be directly involved in the development and delivery of trainings.

Implement policies for engagement with specific groups.

Departments should implement policies for encounters with people who have limited English proficiency (LEP), who are Deaf or hard of hearing, or who have other disabilities that affect communication.

Collaborate with communities.

Departments should collaborate with communities to improve safety by:

- + Identifying strategies to make communities safer.
- + Increasing interactions between police officers and community members in nonenforcement settings.
- + Creating comprehensive community-outreach programs.
- + Involving community members in the development of policies and in the creation and delivery of trainings.

Value community input.

Departments should establish a formal role for community members to publicly evaluate departments. This process should include, but not be limited to:

- Neighborhood meetings and councils
- Complaint and compliment forms
- Online surveys

- Public fora on policy changes
- Advisory groups representing communities directly impacted by policing practices, including people of color, women, LGBTQ people, youth, undocumented immigrants and people with limited English proficiency (LEP), people with disabilities, religious and ethnic groups, low-income people, and people experiencing homelessness

Establish formal structures for community input.

Departments should establish formalized structures and resources to gain community members' feedback about:

- Decision-making around policies, priorities, and day-to-day operations
- Training
- Accountability for officers who violate departmental policies and practices
- Development, implementation, and oversight of specific policies and procedures governing policing of marginalized communities that emphasize effective communication and engagement

Reconcile with the community.

To rebuild trust, departments should acknowledge the long and complex history between communities of color and police officers. Restorative justice and reconciliation models open lines of communication and create opportunities for engagement.

Enforce procedural justice principles.

Every aspect of a department's work should incorporate the principles, goals, and objectives of procedural justice internally and externally.

Create staffs that reflect the community.

Departments should focus on recruiting, retaining, and promoting applicants from historically underrepresented groups in the policing profession, such as people of color, women, and people from other underrepresented backgrounds.

Develop performance measures that reflect community policing.

Departments should evaluate officers based on community policing principles and practices, such as engaging and collaborating with community members, solving problems with community input, and tracking satisfaction with policing services.

Provide incentives.

Departments should incentivize community policing by rewarding officers for solving problems with community input, resolving community concerns without resorting to use of force, and treating all community members — including those suspected or accused of violating the law — fairly and respectfully.

End the use of police in schools as a solution to student discipline:

Some school districts are increasingly turning disciplinary matters over to school police — sworn police officers who are deployed to schools to improve safety and prevent crime, often under the mantle of community policing. This model often relies on arrests to address student discipline, usually for minor age-appropriate behaviors and funnels youth, and especially students of color, into the school-to-prison pipeline.²⁶ There are better ways to manage student discipline and keep students safe. Instead of police, schools should have professionals who are trained to handle disruptive behavior in school, such as counselors, mental health professionals, community intervention workers, and restorative justice coordinators.

How to Advocate for Change

Advocate for community policing.

Pressure your mayor and city legislators to require your local police department to adopt community policing as its key operational philosophy. Pressure the chief of your local police department to implement community policing principles and practices throughout the department, and ensure that all officers — not just a designated few — apply these principles and practices to their work. Also, make sure your police department's decision-making processes include representatives from communities that are most directly impacted by policing.

Exercise your electoral power.

Make a commitment to community policing a central issue in every election season and a condition of your support for candidates for office on both the state and local level.

Get involved in the hiring process.

Pressure your mayor and city legislators to hire a police chief who has demonstrated a commitment to community policing principles and practices.

Talking Points

Community policing increases public safety.

When communities and police departments collaborate to co-produce and implement a vision of public safety for all members of a community, and when police officers treat people fairly and respectfully, community members and officers are safer.

Community policing reflects 21st-century policing principles and practices.

Community policing principles and practices have been endorsed and promoted by the Department of Justice's Office on Community Oriented Policing Services, the President's Task Force on 21st Century Policing, and many law enforcement associations, including the International Association of Chiefs of Police, the Major Cities Chiefs Association, and the Major County Sheriffs of America.

Overcoming Opposition

⚔ The Opposition:

"Community policing takes valuable resources away from fighting crime. Police officers are not social workers and should not be wasting their time at community meetings or taking orders from community members."

+ Overcoming the Opposition:

"Police officers are public servants and must be deeply engaged with all members of the communities they serve to ensure safety for all. That cannot be accomplished without strong relationships with, and accountability to, communities."



PROFILING AND

BIAS-BASED POLICING

**Profiling is presuming that
someone is involved in
criminal activity based on
who they are rather than
what they have done.**



Profiling is often based on race or ethnicity but can also be based on national origin, religion, gender, gender identity, sexual orientation, age, disability, familial status, immigration status, veteran status, health status, housing status, economic status, occupation, proficiency with the English language, or other personal characteristics. It can arise from explicit or implicit biases about people based on personal characteristics, such as beliefs that some groups of people are more dangerous than others and more prone to certain types of criminal activity. No matter the motivation behind it, the result is the same for people on the receiving end: discrimination. Profiling profoundly undermines civil and human rights, including equal protection of the law, freedom from discrimination, freedom of movement, and freedom from unreasonable searches and seizures.

Profiling and bias-based policing are well-documented and systemic problems across the country. Police departments' data demonstrate that officers stop, search, and arrest Black and Latinx people at higher rates than White people, even though these groups violate laws at equal rates. Profiling entire communities or groups of people based on stereotypes or beliefs perpetuates unconstitutional and discriminatory policing practices, including disparities in stops, searches, arrests, and uses of force.

Key Challenges

Racial and ethnic bias:

In the United States, Black, Latinx, South Asian, Asian, Arab, and Indigenous people are routinely racially, ethnically, and religiously profiled by police officers. In some communities, more than 80 percent of people subject to traffic and/or street stops are Black or Latinx,²⁷ even though these groups make up a much smaller percentage of the general population. Profiling of Muslim, Arab, South Asian, and Middle Eastern people has been documented in the “Global War on Terror.”

Criminalization of everyday activities:²⁸

In some jurisdictions, Black and Brown people, particularly Black and Latinx youth, are disproportionately ticketed and arrested²⁹ for “broken windows” offenses, such as riding a bicycle on the sidewalk, being in a park after dark, loitering (including “loitering for the purposes of prostitution”), eating or drinking in public, making “unreasonable noise” or engaging in “disorderly conduct,” and trespassing in their own homes.

Gender and sexual orientation bias:

Police officers often deny protection to women, LGBTQ people, and gender nonconforming people who survive intimate partner violence, profiling them as perpetrators of violence rather than targets, or holding them responsible for abuse they and their children experience.³⁰ As a result, police officers sometimes fail to properly respond to allegations of sexual assault or intimate partner violence, arrest them under “mandatory arrest” laws, or criminalize them for exercising their right to self-defense.

Criminalization of people experiencing homelessness:

Police officers often discriminatorily ticket and arrest people based on their housing status, and profile people who are homeless for “broken windows” offenses like sleeping or urinating in public or loitering.³¹

Religious intolerance:

Freedom of religion is a cherished ideal in the United States, but this right is not always respected or protected. People who practice non-Christian religions are often profiled — and sometimes criminalized.³² This is especially true of Muslim and Sikh people, who can be suspected of terrorism — and treated as such.

Disability bias:

People with disabilities experience discriminatory policing practices, such as excessive use of force and failure to properly respond or provide necessary resources (e.g., independent nonlaw enforcement interpreters for people who are Deaf or hard of hearing or materials in braille for blind people) during police interactions. People experiencing mental health crises or who require accommodations so that officers can effectively communicate with them may be perceived as resisting, failing to immediately comply, or engaging in erratic or atypical behaviors. Officers may see them as being aggressive, threatening, or “noncompliant,” and may respond with disproportionate and sometimes lethal force.

Collaboration with immigration authorities:

While law enforcement agencies often collaborate with federal authorities regarding matters of public safety (e.g., terrorism, drug and human trafficking, etc.), few have interest in or resources to devote to civil immigration matters, such as deportation proceedings. The Final Report of the President’s Task Force on 21st Century Policing recommends that federal immigration enforcement be decoupled from routine local policing for civil enforcement and nonserious crime.³³

Making Change

Expand the definition of profiling.

Department policy should ban profiling of all members of targeted communities. Department leaders should, at a minimum, prohibit profiling and discriminatory policing based on the following categories,³⁴ as well as any others found to be relevant in a specific community: actual or perceived race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, familial status, immigration status, veteran status, health status, housing status, economic status, occupation, proficiency with the English language, or other personal characteristics.

Ban profiling in all law enforcement activities.

Profiling bans must apply to all discretionary decisions by law enforcement, including decisions to stop, investigate, question, search, arrest, respond to a call for service, seize property, initiate asset forfeiture, or charge an individual with a crime.

Profiling bans should include discriminatory impacts in policies.

Profiling bans should also prohibit law enforcement decisions that have a discriminatory impact on particular groups of people and communities, regardless of officers or departments' specific intent. Bias-free policies should include specific examples of prohibited conduct. It can be helpful to include specific examples of less commonly discussed types of prohibited profiling.

Ban reliance on perceived identity.

Department leaders should explicitly prohibit police officers from engaging in any form of profiling or discriminatory policing, including that based on who they think people are. For instance, many Sikhs wear turbans as a form of religious observance, but people often presume they are Muslim and profile them as such.³⁵ This is a form of discrimination, even though the victim does not identify with the targeted group. Similarly, an officer's belief that an Indigenous person is Latinx or that a straight man is gay constitutes profiling, even if the officer is not wrong. Profiling bans should prohibit officers from acting on actual or perceived race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, familial status, immigration status, veteran status, health status, housing status, economic status, occupation, proficiency with the English language, or other personal characteristics.

Ban reliance on prohibited categories.

Department leaders should prohibit officers from relying on identity to any degree, unless they are looking for someone based on a specific, reliable, and credible description of a person engaged in an activity at a specific time and location that includes information beyond the prohibited characteristics.

Some policies only prohibit use of these factors as the sole reason for law enforcement action, or as the determinative factor. These restrictions do not go far enough, as they allow an officer to come up with a pretext for a decision to initiate law enforcement activity that is motivated by race, gender, etc.

Require training for interacting with specific groups.

To reduce bias-based policing, department leaders should provide officers with specific guidance and training on how to respect the rights of particular groups of people — such as people of color, women, gender nonconforming people, LGBTQ people, youth, undocumented immigrants, people with limited English proficiency, people with disabilities, religious and ethnic groups, low-income people, people experiencing homelessness, and other groups as relevant to your community.

Ban questions about sexual orientation, gender identity or immigration status.

Department leaders should prohibit officers from asking people about their sexual orientation, gender identity, or immigration status. Only if a person voluntarily provides information regarding their sexual orientation, gender identity, or immigration status and it is related to the incident (e.g., a potential hate crime), may officers record the information.

Require supervisors' approval for discretionary enforcement activities.

Some enforcement activities, such as arresting people for disturbing the peace or resisting orders, involve a large degree of officer discretion. To ensure these actions are not influenced by bias, departments should require that supervisors be notified and approve the arrest before it takes place.

Ensure accountability.

Departments should train supervisors and officers to detect, manage, and report profiling and discriminatory policing. People, organizations, and oversight agencies must be able to hold officers and department

leaders accountable for violating profiling bans by filing a complaint or a lawsuit.

When complaints are filed, supervisors must investigate the matter in a thorough, impartial, and timely matter.

Collect and publish data.

Departments should collect, analyze, and regularly make public aggregate, anonymous data about the race, ethnicity, age, and gender of people who are stopped, searched, and arrested. Demographic data should be based on the officer's perception of people's demographic characteristics (e.g., race or age) before and after the encounter because it may change over the course of proceedings as information comes to light. Police officers should not ask a person about their sexual orientation, gender identity, or immigration status. Only if a person voluntarily provides information regarding their sexual orientation, gender identity, or immigration status, and it is related to the incident (e.g., a potential hate crime), may officers record the information.

Identify and investigate hate crimes and incidents.

Hate crimes and incidents have increased in recent years.³⁶ Police departments should encourage the reporting of hate crimes and incidents, and properly investigate them when they occur. This involves reaching out to potentially targeted communities to explain the reporting and investigation processes.

How to Advocate for Change

Change the law.

Pressure your legislators to pass a state or local law with an expansive ban against discriminatory policing that includes mechanisms — such as a private right of action — for individuals and organizations to hold officers and departments who violate the ban accountable.

Organize around a specific incident.

If profiling or discriminatory policing led to a critical incident of excessive or lethal force, pressure your legislators, your mayor and/or governor, and the chief of your local police department to pass or strengthen policies and laws on bias-based policing.

Build a campaign.

Build a campaign based on the profiling issue at hand. Make sure to reach out to a range of communities experiencing profiling and discriminatory policing who can create a coalition structure.

Build a coalition.

Be creative when building your coalition and include community members with diverse skill sets, interests, identities, and backgrounds. Coalition members that work on the campaign can include clergy, grassroots activists, academics, attorneys, students, artists, etc. - or anyone committed to the cause.

Encourage bias-free recruitment practices.

Communities should support and encourage departments in creating cultures of equity and inclusion that prohibit racial and gender bias, and in building diverse workforces.

Press for proper investigation and discipline.

Community members and organizations can advocate for change by pressuring civilian oversight boards to properly investigate complaints of discriminatory practices and by pressuring departments to mete out swift discipline when warranted.

Organize around the release of data.

The public release of data documenting police profiling and bias-based policing is a good time to press legislators, the mayor and/or governor, and the police chief to pass or strengthen a policy or law on bias-based policing. If your law enforcement agency does not collect or release data, demand that they do so, or start a community-based data collection project.

Talking Points

Police officers have a duty to uphold constitutional rights and federal laws.

Federal laws prohibit discrimination based on race, religion, national origin, and gender. Many federal, state and local laws, constitutions, and charters prohibit discrimination against these and other protected classes (e.g., sexual orientation, disability, and housing status). A ban on profiling is inconsistent with the oath police officers take when joining a police department.³⁷

Profiling bans make everyone safer.

Antidiscrimination and profiling bans make communities safer, because law enforcement activities based on stereotypes, beliefs, and biases (as opposed to actual evidence) do not prevent violence or increase public safety.³⁸

All people deserve protection.

Although racial and ethnic profiling is the most commonly discussed form of discriminatory policing, police officers also profile based on national origin, religion, gender, gender identity, sexual orientation, age, disability, familial status, immigration status, veteran status, health status, housing status, economic status, occupation, proficiency with the English language, and other personal characteristics.

Everyone is entitled to the equal protection of the law — and equal treatment by law enforcement officers!



Overcoming Opposition

🔗 The Opposition:

“Officers are just acting on data that show higher rates of crime in particular communities. Profiling bans keep police officers from going where crime is and focusing on the most likely suspects.”

+ Overcoming the Opposition:

“Arrest rates are often higher in communities of color and low-income communities because that is where enforcement is focused — not because crime rates are necessarily higher in those communities.³⁹ This creates a self-fulfilling prophecy: If officers enforce the law in some communities more than others, then data will indicate those communities have higher crime rates. However, all communities have crime. We cannot criminalize entire communities and then use high arrest data to justify overpolicing certain communities, profiling, and other forms of discriminatory policing. There is no evidence that profiling and overpolicing reduce crime. We do know that these activities violate civil and human rights, erode trust and confidence in police, and decrease public safety.”

🔗 The Opposition:

“Profiling bans get in the way of officers doing their jobs and fighting crime.”

+ Overcoming the Opposition:

“Profiling bans do not stop officers from responding to calls for help or from pursuing people based on specific descriptions. Instead, they make policing more effective because they require descriptions of individuals suspected of involvement in specific activities rather than generic characteristics like race or religion, which typically produce no evidence of crime.”⁴⁰



STOPS, SEARCHES, AND ARRESTS

**Racial and ethnic profiling
contributes to discriminatory
policing practices,
including unconstitutional
stops and searches that
disproportionately impact
people of color.**

In many communities across the country, police officers routinely stop Black and Latinx people walking in their community or driving in their cars without any legal basis and for no apparent reason other than the color of their skin.

The Supreme Court has authorized “pretextual” stops⁴¹ as long as the officer has an objectively reasonable basis to suspect the person has violated a traffic law (however minor) or other infraction. In practice, this means that officers can use any violation of the multitude of traffic regulations, such as performing an incomplete stop at a stop sign, having a broken taillight, or littering, as a pretext to stop someone. When misapplied, this power exacerbates disparities. Additionally, police officers can arrest people for breaking any law in the criminal code — even a minor infraction, such as failure to wear a seat belt — regardless of whether the arrest furthers public safety. Arrests based on profiling and pretextual stops can have serious consequences even when they are for minor offenses. These consequences include loss of employment, housing, and child custody; steep fees and fines; permanent arrest records; and incarceration, deportation, or other lifelong consequences.

You, however, have the power to limit unlawful stops, searches, and arrests.

Stop-and-Frisks:

Under the U.S. Supreme Court’s decision in *Terry v. Ohio*,⁴² a stop must be based on a reasonable, articulable suspicion that a person is committing, is about to commit, or has committed a crime. Stop-and-frisk practices and policies must comply with the Fourth Amendment of the U.S Constitution.

A frisk is a brief pat down of the outer clothing, and must be based on a reasonable articulable suspicion that the person is armed and presents a danger to an officer during a lawful investigatory stop. Unless an officer feels something that could be a weapon through the outer clothing, they cannot go inside a person’s pockets or under their hat or other clothing items during a frisk.

Searches:

To search people or cars, an officer must have probable cause to believe that they are concealing weapons, evidence, or contraband. Except in cases of emergency, an officer must have a search warrant to search a home or building. Strip searches and body cavity searches are allowed only when officers have probable cause to believe that someone is concealing weapons, evidence, or contraband in a way that cannot be detected using regular search methods. Strip searches and visual cavity searches must be conducted in private by an officer of the same gender identity as the person being searched. Intrusive cavity searches must be conducted by a medical professional in a private area.

Consent Searches:

A person is entitled to refuse or withdraw consent to a frisk or search where an officer does not have a reasonable suspicion that they are concealing a weapon, evidence, or contraband, or probable cause to believe they are committing or have committed a crime. Officers should inform people of their rights to refuse or revoke consent, and document an individual's informed, voluntary consent before proceeding with a consent search.

Arrests:

An arrest must be based on probable cause – a belief, based on specific facts, that would lead a reasonable officer to conclude that it is more likely than not that a person is breaking or has broken a criminal law. Before questioning a person who is, or reasonably believes they are, under arrest, an officer must read their Miranda rights and document an informed voluntary waiver of their right to remain silent and to speak to an attorney.⁴³

Key Challenges

Unlawful and discriminatory searches:

Police officers disproportionately conduct stops, frisks, and searches on pedestrians and motorists of color without legal justification; this is part of a larger pattern and practice of profiling in law enforcement. Police officers also conduct unnecessary and unlawful frisks and searches, including strip searches of people who are transgender and gender nonconforming for the impermissible purpose of assigning gender based on anatomy or to humiliate and punish them.

Lack of informed and voluntary consent:

Consent for searches is often presumed without advising the person that they have the right to refuse consent if there is no other legal justification for the search, and documenting the person's voluntary, informed consent to the search.

Arrests every three seconds:

Police officers make an arrest every three seconds in the United States, reflecting the increasing criminalization of our communities.⁴⁴ The vast majority of arrests are for minor or low-level offenses, including “broken windows” offenses, traffic offenses, and possession of small amounts of drugs like marijuana.

Incentives to arrest:

Many jurisdictions measure police officers’ performance by how many arrests they make and how many tickets they issue — not by how well they work with communities to solve problems, resolve conflict, and increase public safety. According to the Pew Research Center, more than one-third (34 percent) of police officers reported that their departments had informal arrest quotas.⁴⁵

Raising revenue through fines and fees:

In some communities, tickets, fines, fees, and asset forfeitures generated by arrests contribute to a significant portion of revenue and law enforcement budgets, thereby incentivizing overpolicing.⁴⁶

Sexual harassment and assault:

Sexual misconduct is a serious crime. Some police officers inappropriately touch, sexually harass, and sexually assault people during frisks and searches. A police officer is caught in an act of sexual misconduct about every five days.⁴⁷

Problematic search practices:

Public strip searches and gender searches are problematic.

- Public strip searches and cavity searches are sometimes conducted in public in the context of “stop-and-frisk” and drug enforcement.
- Officers conduct unnecessary and unlawful frisks and searches, including strip searches, of transgender and gender nonconforming people for the impermissible purpose of assigning gender based on anatomy, or to humiliate and punish them.

Making Change

Establish clear legal standards and practices.

Stop, search, and arrest policies and procedures should:

- + Clearly articulate applicable legal standards.
- + Explain the meaning of legal standards using specific examples.
- + Prohibit police officers from discriminating against any protected group in enforcement activities.
- + Clearly articulate the method police officers must use to frisk and search people of all genders, and specifically women.
- + Clearly prohibit any kind of search to assign a gender to or to harass, humiliate, or punish someone.
- + Collaborate with LGBTQ communities to develop and tailor stop-and-frisk policies
- + Prohibit pretextual stops.
- + Reinforce procedural justice in all enforcement actions.
- + Include comprehensive training on stops, searches, and arrests based on community policing principles and practices.

Ban and/or strictly regulate consent searches.

Police departments should ban — or, at minimum, strictly regulate — consent searches of people and their cars. Police officers should be required to tell the person they want to search, in a language or mode of communication that is effective, that (1) they have the right not to consent to a search, and (2) that refusing consent to a search will not be used against them. Officers should also obtain written or recorded proof of the person's informed, voluntary consent before conducting the search.

Require training.

Ensure all officers are trained to identify explicit bias and recognize patterns that indicate implicit bias in officer decision-making.

Collect and publish data.

Police departments should be required to:

- + Collect, analyze, and make data public in alternative and accessible formats:
 - The number of stops, frisks, searches, and consent searches conducted; who they were conducted on; and the basis and outcome of the searches.
 - Information about arrests, including specific information about the facts that led to an arrest.
- + Enable legislators, oversight bodies, and the public to evaluate whether searches are being performed effectively and lawfully.

CAUTION: Departments should never be required or permitted to collect or maintain information about individuals' immigration status, sexual orientation or experience as transgender or gender nonconforming.

Ban quotas and evaluation based on number of arrests.

Police departments should prohibit quotas, formal and informal, for tickets and arrests and focus instead on the quality of policing. Departments should also not evaluate officer performance or make decisions about promotion based on the number of

tickets or arrests an officer issues or makes.

Decouple revenue from arrests.

Prohibit municipal financial structures that incentivize officers to make more arrests, issue more tickets, and seize more assets as a way to fund law enforcement activities.

Require supervisors to review arrests.

Police departments should require supervisors to review and evaluate the legal basis and justification of officers' stops and arrests on a regular basis to detect any indication of bias and to evaluate officer performance. Leaders should discipline officers who conduct improper stops and should train them on alternatives to arrests:

- Officers can give verbal warnings rather than writing citations or making arrests.
- Officers should explore alternatives to enforcement, such as diversion or deflection programs.

Decriminalize and deprioritize minor offenses.

Police departments should decriminalize and deprioritize arrests for minor offenses such as loitering, drinking alcohol in public, disorderly conduct, public urination, etc., and establish preferences for a warning or a summons over an arrest.

How to Advocate for Change

Change the law.

Regulating stops, searches, and arrests is best achieved by passing legislation that:

- + Creates clear and lasting legal standards for conducting stops and searches.
- + Bans or strictly regulates consent searches.
- + Decriminalizes minor offenses.
- + Creates mechanisms for individuals and organizations to hold individual officers and departments accountable for violations of constitutional rights.
- + Requires departments to collect, analyze, and regularly publish data on stops, searches, and arrests in alternative and accessible formats.

Reallocate resources.

Advocate for the municipality to divert resources away from making arrests and toward programs that meet people's basic needs.

Organize around the release of data.

Use data demonstrating discriminatory use of frisks, searches, and arrests to argue for policy change and call on your police department to make such data public. Data should be published online and in alternative and accessible formats.

Strengthen policies.

Pressure the mayor, police chief or sheriff to adopt, strengthen, or effectively enforce existing police department policies on stops, searches, and arrests.

Talking Points

Officers need training and guidance on stops, searches, and arrests.

Officers are entitled to receive specific guidance and training on how and when to conduct a stop, search, or arrest.

Unlawful searches are inefficient and ineffective.

Unlawful searches are inefficient and ineffective because evidence recovered cannot be used in court.

Unlawful and discriminatory searches reduce public safety.

Unlawful and discriminatory stop-and-frisk practices make communities less safe. People subjected to frequent stop-and-frisk interactions with police officers experience high levels of anxiety, feel demeaned and humiliated, and are less likely to trust or cooperate with police officers. These practices also funnel people into the criminal legal system.

Transgender and gender nonconforming people must be protected.

Officers must not commit sexual harassment or assault during searches or violate the rights of transgender and gender nonconforming people.

Unlawful searches come at a public cost.

Baseless arrests, arrests for minor offenses, and discriminatory arrests come at a significant financial and human cost to our communities and decrease, rather than increase, public safety.

Deflection and diversion programs are effective.

Referring people to services that meet their needs has proven to be far more effective at increasing public safety than arresting people for minor offenses — particularly offenses related to poverty and drug possession or use.

Overcoming Opposition

🔗 **The Opposition:**

“Limiting officers’ ability to stop-and-frisk people and conduct consent searches ties their hands and prevents them from finding weapons and drugs.”

+ Overcoming the Opposition:

“Indiscriminate and discriminatory stops, frisks, and searches are an ineffective methods of finding weapons or contraband. Police officers search Black and Latinx people more often than White people, but data show that officers are more likely to find weapons and contraband on White people.⁴⁸ In New York City, officers engaged in widespread stops and frisks without legal justification — but they uncovered weapons in less than 2 percent of stops.⁴⁹ We would never accept such a low rate of return on a public investment in any other context, and we cannot allow it in law enforcement, either.”

🔗 **The Opposition:**

“Consent searches are essential; they enable officers to act on their instincts and hunches to find weapons and drugs.”

+ Overcoming the Opposition (1):

“Consent searches are not an effective law enforcement tactic and lead to discrimination. Dr. James Fyfe, former director of training for the NYPD, urges police departments to ban consent searches because they threaten our Fourth Amendment rights, and are not an efficient law enforcement tool.”⁵⁰

+ Overcoming the Opposition (2):

“Requiring that officers obtain proof of consent to search where no other legal basis for the search exists is good law enforcement practice. Waivers of Fourth Amendment rights are valid only when they are made voluntarily and intelligently, when people have the information they need to give their consent. If police officers find a firearm during a consent search, they need proof the search was legal and based on informed, voluntary consent for the charges to hold up in court.”

The Opposition:

“Officers should not be prohibited from arresting people who are breaking the law.”

+ Overcoming the Opposition:

“Police officers exercise considerable discretion when deciding whom to arrest, for what, and when. They can decide to issue a warning or look the other way when one person engages in unlawful conduct and to bring the full power of the law down on someone else who does the same thing. This is tremendous power — and should be carefully monitored and regulated to ensure that officers are acting with the necessary legal basis and not based on bias.”

The Opposition:

“Officers just make arrests; the courts sort out later whether people actually committed crime.”

+ Overcoming the Opposition:

“An arrest is a traumatic experience that can have a tremendous impact on a person’s life. It can cause them to miss work, school, and childcare responsibilities, and even lose housing, employment, and custody of their children, especially if they are held for long periods because they cannot afford bail (even when bail is low). An arrest should be a last resort, not an automatic response.”

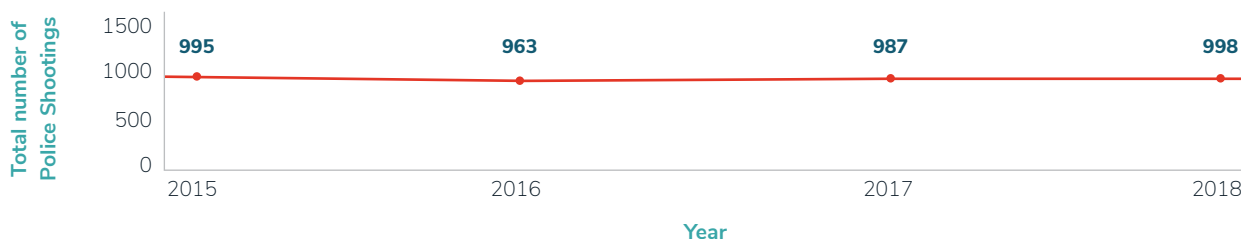


USE OF FORCE

Excessive force is consistently the number one complaint against police. And discriminatory, unnecessary, and unconstitutional use of force by officers is a primary concern for communities, particularly people of color, women, gender nonconforming people, LGBTQ people, youth, undocumented immigrants, people with limited English proficiency (LEP), people with disabilities, religious and ethnic groups, low-income people, and people experiencing homelessness.

Use of lethal force is the most serious and commonly discussed forms of force. Over the past several years, police killings of Black people have ignited — and reignited — mass movements across the country, prompting investigations of individual officers for discriminatory practices and of departments for systemic discrimination.

Police Shootings in the United States, 2015-2018



Source: The Washington Post. Police Shootings Database. Retrieved from <https://www.washingtonpost.com/graphics/national/police-shootings-2018/>

Force also includes deployment of less-lethal instruments, including Tasers, pepper spray, tear gas, batons, and canines, as well as the use of physical force, such as chokeholds, hogtying, and other forms of bodily restraint. Sexual violence or misconduct by police officers can involve the use or threat of force.

We must address police officers' use of excessive, discriminatory, and unconstitutional force when assessing law enforcement and public safety strategies.

Key Challenges

Discriminatory force:

Police officers are more likely to use force, including lethal force, against Black, Latinx, Indigenous, and Asian people than against White people.

Lethal force:

From 2014 to 2018, police officers killed approximately 1,000 people a year, committing 10 percent of the annual homicides in the United States.

Lethal responses to people in mental health crisis:

Roughly one-quarter (24 percent) of people killed by police from 2015-2018 involved people with signs of unmet mental health needs.⁵¹

Tasers and other less lethal instruments:

"Less lethal" instruments are intended to be safer substitutes for lethal force. But alternatives to lethal force, such as Tasers, are still deadly. Police officers killed more than 1,000 people with Tasers from 2000-2017.⁵² Police officers also use them inappropriately in situations where lethal force is not warranted, and against vulnerable populations, such as pregnant people, youth, older people, people with disabilities, people with unmet health needs, and people who are under the influence of drugs or alcohol.

Making Change

Prioritize respecting and protecting human life and ensuring safety for all.

Use-of-force policies and trainings must reflect a commitment to respect and protect human life, including the lives of people who are suspected or accused of violating the law, and must clearly limit the use of lethal force, with few exceptions. Force must be necessary and proportional to the threat.

Provide all officers with training to mitigate uses of force.

Departments should train all officers in mitigating the use of force, including, but not limited to, topics such as crisis response, de-escalation, implicit bias, cultural awareness, procedural justice, and leadership. Trainings should be ongoing and scenario-based.

Use the least amount of force.

Use-of-force policies and trainings should require officers to use force only when there is an imminent threat of death or serious injury (to themselves or others) and to use the least amount of force necessary. Policies should prioritize and describe in detail de-escalation techniques, including

disengaging, using verbal persuasion, waiting a situation out, and taking cover. Policies should also specifically prohibit officers from, and departments should discipline officers for, using force:

- + In retaliation or against people who verbally confront officers.
- + Against people who are handcuffed or otherwise restrained.
- + To subdue people who are not suspected of violating the law, unless necessary to protect public safety.

Limit the use of force against vulnerable populations.

Policies and trainings should include clear and specific limits on the use of force against pregnant people, youth, older people, people with disabilities, people with unmet mental health needs, and people who are under the influence of drugs and alcohol.

Place limitations on instruments and tactics.

Use-of-force policies and trainings should include clear and instrument-specific guidelines for proper use, especially for military-grade weapons. These guidelines should also detail restrictions and prohibitions.

Establish a duty to intervene and provide medical assistance.

Use-of-force policies and training should require officers to intervene and report when an officer uses excessive force and to render aid to injured people until medical assistance arrives.

Ensure accountability.

Departments should establish fair, thorough, objective, and transparent processes to review and evaluate all force incidents in a timely manner. The community should be involved in formulating use-of-force policies, and the department should release and make public information about serious and lethal uses of force when possible, and as quickly as possible. Disciplinary actions should be initiated whenever officers violate policy; and disciplinary policies and enforcement actions in use-of-force incidents should be made publicly available.

Establish reporting requirements.

Departments should require and train officers to report every use of force (except for handcuffing or escorting a person with no resistance, injury, or complaint of injury). Reports should explain the tactics the officer employed before using force and provide a detailed justification for each use of force. Officers who witness more serious uses of force (e.g., the use of a Taser, baton, or physical force that could cause serious injury) should write a force statement to be

submitted with the force report. Supervisors should formally investigate all use-of-force reports and analyze them for broader patterns.

Departments should regularly make public data in alternative and accessible formats on departmentwide uses of force, including: date, time, and geolocation of the incident; actual or perceived race, ethnicity, age, and gender of the people involved; reason for enforcement action; search conducted (if any) and if it was consensual; evidence located (if any); and name of officer(s) involved.

Firearms

Officers should not holster, draw, point, or show their firearms unless they have a reasonable, nondiscriminatory basis to believe that there is an imminent threat of death or serious injury (to themselves or others).

All uses of firearms, including pointing one at someone, should be immediately reported and investigated.



Car and Foot Pursuits

Policies should limit car and foot pursuits to situations in which an individual poses a serious threat to public safety.

Policies should explicitly prohibit officers from shooting at or shooting from moving vehicles.



Pregnant People

Police officers should not force pregnant people to the ground facedown or rear-handcuff them. Officers should not use Tasers on pregnant people.

Chokeholds



Departments should explicitly prohibit the use of chokeholds, hogtying, and other methods of restraint that cut off the supply of oxygen to the brain or contribute to suffocation, or positional asphyxia, including placing an officer's weight on a person's back while they are face down on the ground.

Canine Units



Police officers should not use canine units for force or intimidation, to subdue a suspect, for crowd control, or against pregnant people, youth, older people, people with disabilities, people with unmet mental health needs, or people who are under the influence of drugs and alcohol.

Dog handlers should get supervisor approval before deploying a canine for any purpose, give a verbal warning before using a canine that is trained to bite, and call off the canine as soon as possible.

Tasers



Use of tasers should be prohibited except in situations where lethal force would be authorized.

Departments should prohibit the use of Tasers against individuals who are suspected or accused of minor offenses, who pose no danger to the officer, or who are fleeing the scene of a minor offense.

Departments should strictly prohibit the use of Tasers against high-risk groups, such as pregnant people, older people, young children, or people who are visibly frail, have known heart conditions, are in a medical or behavioral crisis, are under the influence of drugs (prescription or illegal) or alcohol, or who have slight builds. Tasers also should not be used on vulnerable parts of the body (i.e., the head, neck, chest, or groin).

Departments should require officers to use verbal de-escalation techniques and provide a verbal warning before using a Taser. Officers should give the individual a reasonable amount of time to comply with their requests and report the justification for each use of a Taser.

SWAT Teams



Special Weapons and Tactics (SWAT) teams are highly militarized teams created to handle hostage situations, active shooter situations, and terrorism. Some police departments are now using them to execute drug warrants. Departments should use SWAT teams only when officers cannot otherwise safely execute a search warrant or negotiate a situation.

SWAT team members should be specialized and receive ongoing training to reduce the use of force.

How to Advocate for Change

Change the law.

Advocate for the passage of legislation that specifically states when the use of lethal force is prohibited and allowed, bans or regulates certain types of force, and creates mechanisms for individuals to hold officers and departments accountable for violations of the law.

Pressure civilian oversight boards.

Community members can call on a civilian oversight board to conduct proper and thorough investigations of critical incidents including police misconduct and use of excessive force.

Strengthen policies.

Pressure the mayor, police chief or sheriff to adopt or strengthen existing police department policies and oversight.

Talking Points

Keep everyone safe.

Respect and protect human life and ensure safety for all by requiring and training officers to use de-escalation practices and techniques that do not rely on force. These practices and techniques are safer for both community members and officers.

Reduce violence.

Public safety includes safety from police violence.

Promote trust.

Clear policies that protect people's constitutional and human rights increase community trust and confidence in the police department and reduce fear during police encounters.

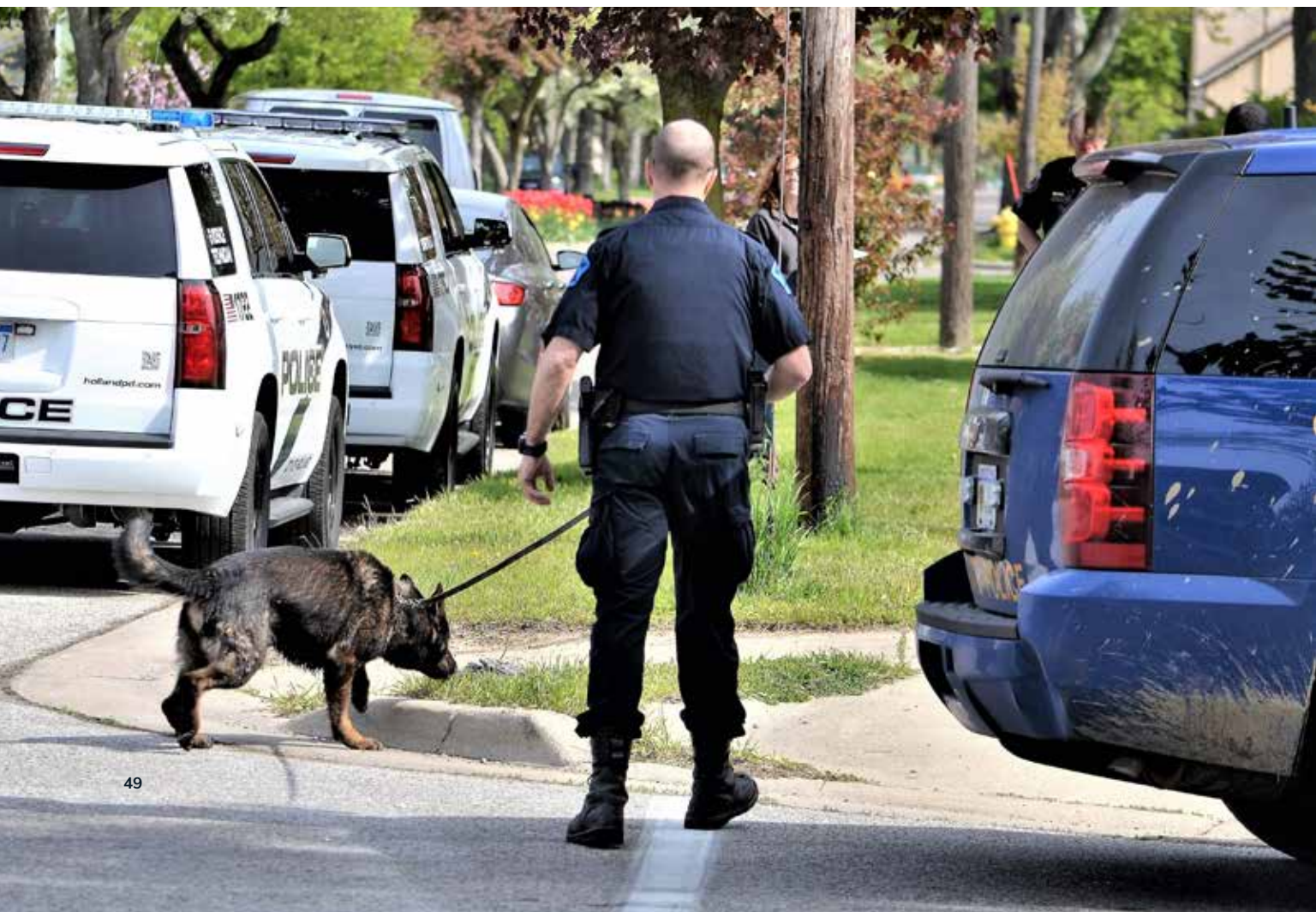
Overcoming Opposition

🔗 **The Opposition:**

“Policing is a dangerous job. Officers need to protect themselves when they feel threatened so they can stay safe and go home at night to their families.”

+ **Overcoming the Opposition:**

“Requiring officers to use de-escalation techniques, and training them to do so, increases everyone’s safety during police encounters, and actually makes both officers and bystanders safer. Escalating situations increases the likelihood of an instrument malfunctioning, retaliation, injury to bystanders, and force being used against officers. When officers de-escalate situations and defuse conflicts, everyone is safer.”





POLICE AND COMMUNITY RESPONSE TO CRISES

**Health professionals – not
police officers – should
respond when people
with mental health and
developmental disabilities
or with substance use
disorders are in crisis.**

Police officers are increasingly the primary or only response to people with unmet mental health needs or in crisis. Calls about people in mental health crises make up a significant percentage of calls for police service. Police encounters with people who are or are perceived to be in a mental health or other crises too often involve excessive or lethal force. It is therefore critical that society adopt a public health approach and prioritize meeting the mental health and other basic needs of community members to avoid conditions that can precipitate actual or perceived mental health crises.

Additionally, police officers can mistake some people's failure to respond as noncompliance when, in fact, it is the result of a mental health or developmental disability, or other disability that interferes with the officer's ability to communicate effectively with the person. This can lead to unnecessary, inappropriate, or excessive force.

Key Challenges

Escalation:

The presence of armed police officers issuing orders can escalate a crisis, such as those relating to unmet mental health needs, developmental disabilities, or substance use disorders.

Lack of services:

Inadequate mental health, disability services, and prevention programs have left police officers as the primary response to people in health crises — and the only response in some communities.

Lack of appropriate guidance:

Many departments do not provide or effectively enforce policies or guidance on interacting with people who are in crisis, whether due to a mental health or developmental disability, or substance use disorder. Officers also lack the skills and trainings to communicate effectively with people who are Deaf or hard of hearing, or who have a disability that interferes with communication. This, in turn, can lead to incidents of excessive and lethal force.

Making Change

Strengthen community-based services.

Communities should have more options than calling the police and should strive for widely available preventive mental health services and nonpolice responses to crises. Police officers are not trained to and should not be responsible for responding to people in a mental health crisis. State and local officials should create adequate community-based services, such as crisis hotlines, walk-in centers, mobile crisis teams, peer crisis support services, and crisis stabilization units to meet the needs of people in mental health, substance use, or other crises. Communities should also implement harm-reduction models for interactions with people with substance use disorders that support diversion programs rather than involvement in the criminal justice system.

Provide basic crisis response training to all officers.

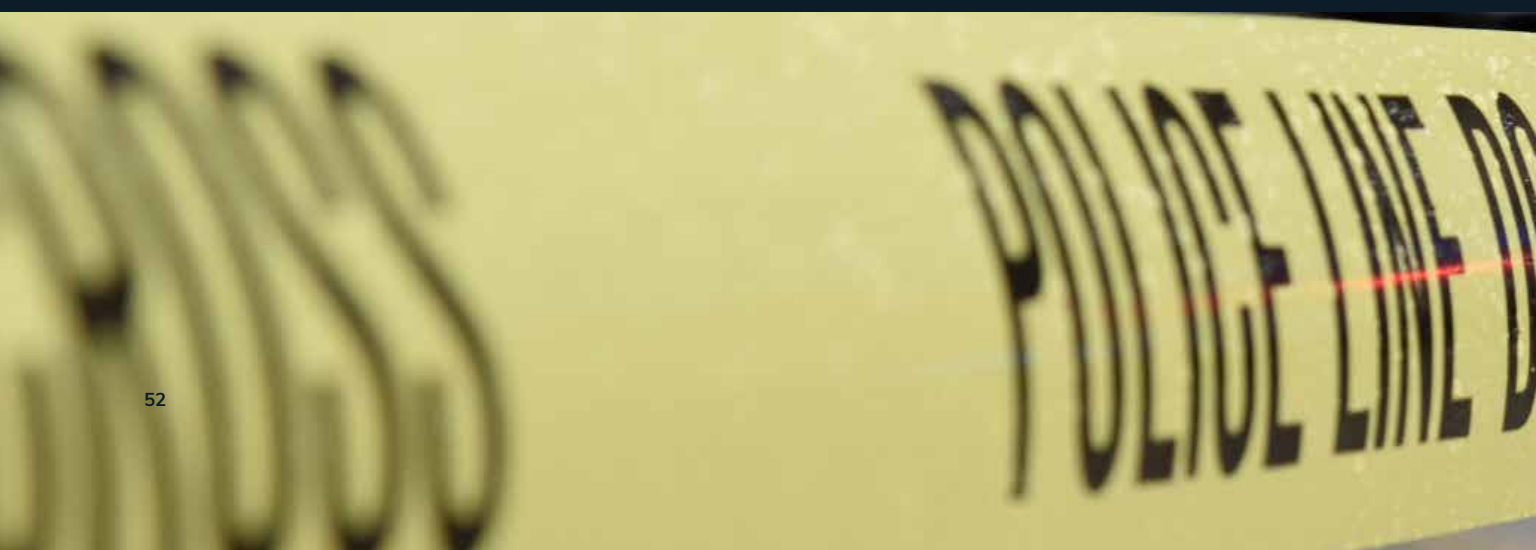
All officers should receive basic training in crisis response. Even where there are sufficient community-based services, they will encounter people in crisis at some point in their work and must be trained to respond properly.

Reallocate resources to preventive care.

Ideally resources currently devoted to police responses to people in mental health crisis should be reallocated to provision of accessible, comprehensive, and culturally sensitive community-based mental health care.

Activate trained mental health professionals.

Trained mental health professionals, social workers, and community members should be the first line of response when someone is in a mental health crisis. Emergency service dispatchers should be trained to identify calls involving people in crisis.



Provide 24-hour coverage.

Mental health professionals and officers trained in crisis response techniques and/or on crisis intervention teams (CITs) should be funded and available 24 hours a day.

Establish detailed policies and procedures.

Departments should implement and effectively enforce specific policies outlining procedures for how to interact with people with mental health or developmental disabilities. People from the disability community should participate in developing policies and delivering trainings.

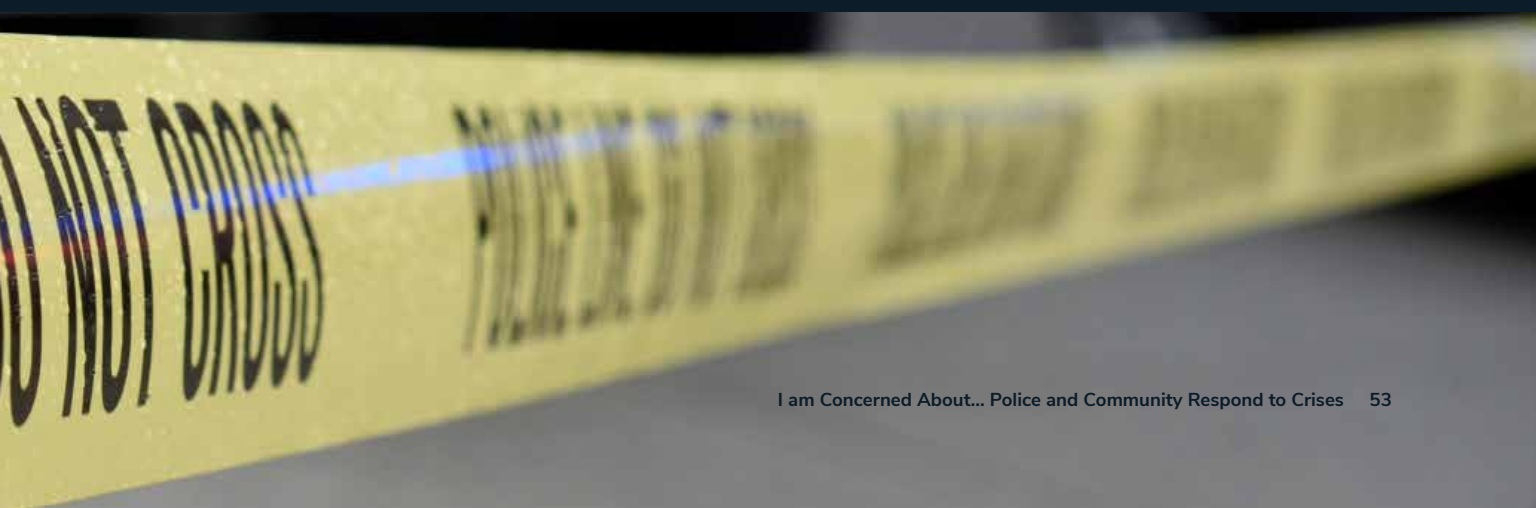
CAUTION: Policies should provide for independent, certified interpreters who speak the specific sign language a person who is Deaf or hard of hearing is fluent in. Law enforcement officers should never serve as interpreters for a person who is Deaf or hard of hearing during questioning or interrogations.

Pair officers with mental health and developmental disability experts to respond to crisis.

All departments should work in tandem with mental health and other professionals to develop crisis response approaches and a network of services to direct people in crisis to appropriate health services. Some departments may have specialized CITs staffed by officers who receive specialized, intensive training. Others use a “co-responder” model and officers are paired trained mental health professionals.

Collect and publish data.

Departments should track calls for service and department responses to people in crisis. They should conduct regular assessments to determine the effectiveness of response efforts and to advocate for more community-based services.



How to Advocate for Change

Pressure your local department.

Demand that your local police department adopt and effectively enforce clear policies for interacting with:

- People in mental health or other crises, disability rights advocates, and public health experts. These policies should prioritize responses by trained mental health professionals, emphasize de-escalation, and prioritize the wellbeing of people whose mental health needs are not being met.
- People with developmental or physical disabilities, or who are under the influence of drugs or alcohol, in consultation with disability rights advocates.

Reallocate Resources.

Insist that your legislators and policymakers allocate sufficient funds to support community-based services such as: 24-hour mental health crisis response teams, preventive mental health services, mobile crisis units, walk-in centers, mobile crisis teams, peer crisis support services, and crisis stabilization units.

Talking Points

Officers are not social workers.

Police officers are not equipped with the necessary skills or appropriate tools to respond to people in mental health, substance use, or related crises. Relying on officers to serve in this role sometimes has lethal consequences.

Alternative responses make everyone safer.

Relying exclusively on police officers to respond to people in crisis jeopardizes the safety of individuals, families, and communities — and police officers themselves. And alternate response models make everyone safer.

Departments must comply with the Americans with Disabilities Act.

To comply with the Americans with Disabilities Act, as well as state and local civil rights laws, departments must adopt policies that give officers clear guidance on how to interact with people with physical, mental, or developmental disabilities.

Overcoming Opposition

The Opposition:

“Police officers enforce the law. When people with mental health or developmental disabilities break the law or act dangerously and erratically, police officers must restore order and protect themselves and the community.”

+ Overcoming the Opposition:

“Relying on police officers as the first — and often only — responders to a scene involving someone who is or is perceived to be in mental health or other crisis puts everyone in danger. It puts officers in a difficult position; they have limited tools and skills to respond but are sometimes required to do so, particularly in areas where no other social services exist. And it deprives people in crisis of care they need. Trained mental health professionals and crisis response specialists are ideal first responders; these professionals make everyone safer and help ensure that community members’ needs are effectively met.”



FIRST AMENDMENT PROTECTIONS

First Amendment rights to free speech, a free press, to peaceably assemble, to petition the government, and to practice religion lie at the heart of our democracy. Yet they can be a source of tension between police departments and the communities they serve.



In recent years, officers used force against protesters in cities like Ferguson, Missouri and Baltimore, Maryland; surveilled Black Lives Matter activists; targeted immigrants' rights activists for deportation; used social media profiles in gang prosecutions and border enforcement; and used drones, facial recognition software, and license plate recognition software. Activities such as these have raised concerns about the expression of free speech and protest, and the reach of surveillance in recent years.

Regulating surveillance and protecting the right to expression and protest are essential to the protection of civil and human rights. Furthermore, the money that law enforcement agencies spend on these technologies, and on acquiring and using military equipment (most notably against protesters in Ferguson), has raised concerns about protecting civil liberties and avoiding unnecessary expenditures of public resources by law enforcement agencies.

Furthermore, "predictive policing" technologies focus primarily on communities of color, the use of "big data" (i.e., drones, facial recognition software, cell-site simulators, license plate recognition software), and increased collaboration between police departments have had little to no demonstrable impact on public safety and are subject to the same racial and ethnic biases as other policing strategies.⁵³

Key Challenges

Inhibition of free speech and assembly:

Police surveillance and militarized police responses to demonstrations discourage people from exercising their constitutionally protected rights to free expression and assembly.

Discriminatory use of surveillance technologies:

Discriminatory surveillance of Black, Latinx, Muslim, and immigrant communities violates the U.S. Constitution and does not promote public safety. Technologies such as drones, facial recognition software, cell-site simulators, and license plate recognition software present significant risks to privacy and increase police power to surveil people and communities.

People should be able to exercise their rights without fear of retaliation.

Police should not interfere with, or retaliate against, individuals exercising their constitutional right to observe, document and film police activity.



Making Change

Establish guidance for demonstrations.

Clear guidance regarding protection of constitutional rights during demonstrations benefits members of the public, media, and law enforcement. Instead of blocking peaceful assemblies, police officers should engage in cooperative and strategic advance planning with community members to ensure public safety before, during, and after demonstrations.

Reallocate resources.

Communities should carefully consider whether acquisition of military weaponry and surveillance equipment is the best use of resources given other needs which, if met, would reduce law enforcement engagement.

Train officers to use less lethal force.

All officers policing a mass demonstration should understand department policies and procedures for engagement, use of force, and mass arrest. Departments should develop clear policies for managing disorderly members of a large, peaceful protest while limiting the use of force. Policies should strictly regulate the use of pepper spray, tear gas, and rubber bullets during protests.

Limit information gathering and surveillance.

Community members should collaborate with police departments to set clear limitations on the use of military and surveillance equipment and information gathering. This should include surveillance of individuals engaged in activities protected by the First Amendment, including filming police officers' activities, protesting, and practicing religion.

Prohibit use of canines and military equipment.

Department policy should prohibit the use of canines, water cannons, and acoustic instruments during demonstrations because they are dangerous and usually constitute excessive force.

How to Advocate for Change

Change the law.

Require police departments to obtain legislative approval for the acquisition of new equipment after conducting a thorough needs assessment and an assessment of the fiscal and social impacts of the proposed acquisition.

Strengthen policies.

Ensure that your department's policies clearly and strictly limit policing of protests; retaliation against people who record police officers' activities or who exercise free speech; and surveillance of activists, religious practices, and institutions.

Restrict data sharing and collaboration across police departments.

Ensure that policies and regulations limit the amount of data collected about people that departments can share with other agencies, including border patrol and U.S. Immigration and Customs Enforcement (ICE).

Challenge the purchase and use of military equipment.

Monitor police department budgets and requests for funds to acquire military or surveillance technology be reinvested.

Talking Points

First Amendment rights should be protected.

The right to protest, speak, observe public officials, and practice religion are cornerstones of democracy and must be protected.

Advanced technologies do not advance public safety.

Advanced technologies are expensive and do not represent the best use of our community's resources to advance public safety.

Surveillance hinders trust building.

Being surveilled by or being "under the watchful eye" of government does not foster a sense of public safety. Rather, it makes people feel like authorities are suspicious of them and believe they are untrustworthy.

Overcoming Opposition

🔗 The Opposition:

“Protesters need to be kept under control, and police should be able to do what they need to do.”

+ Overcoming the Opposition:

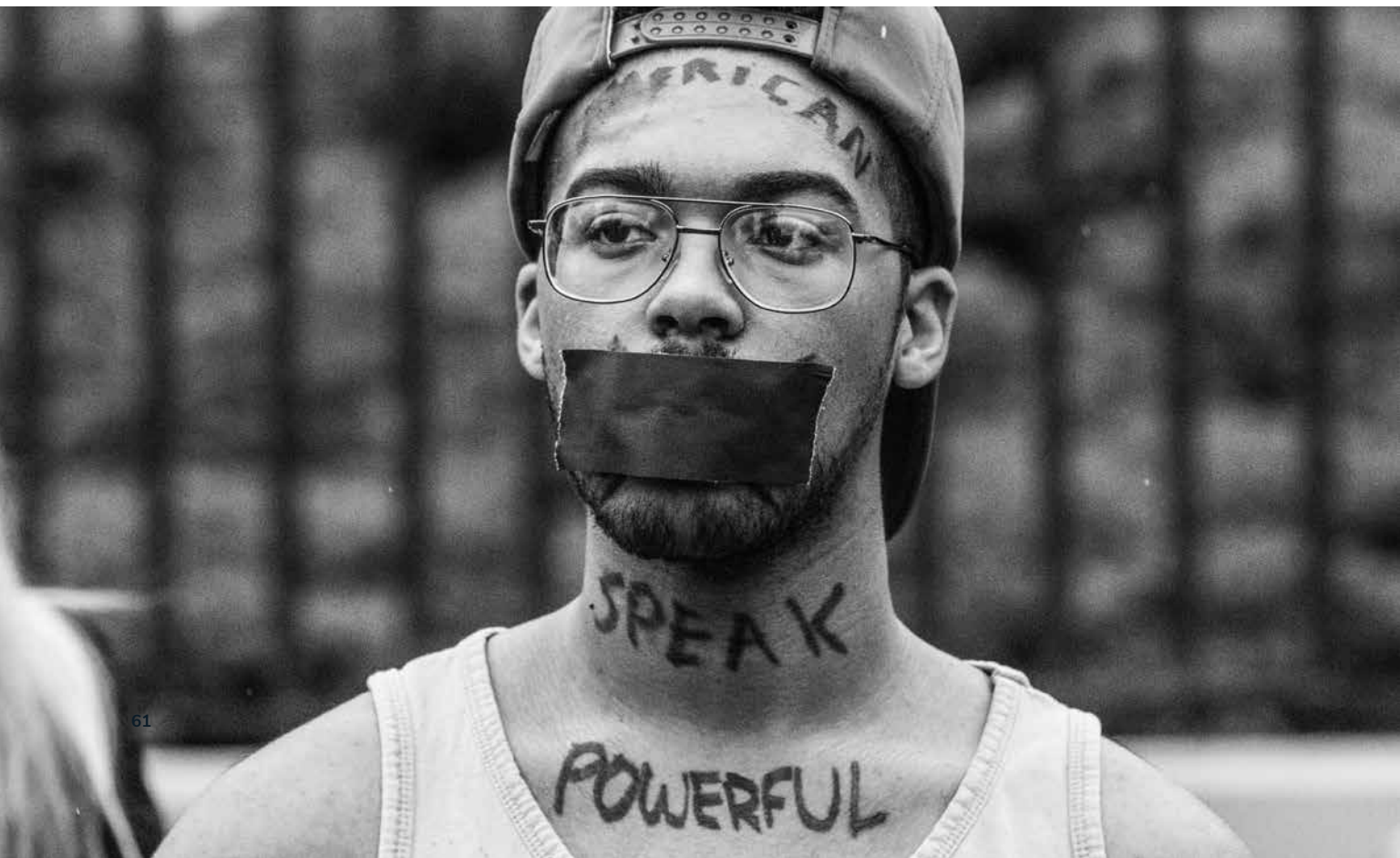
“Over-aggressive and militarized responses to public demonstrations increase the risk of public and officer injury, escalate conflict, and suppress speech. Working with communities to execute strategies and plans for peaceful demonstrations increases public and officer safety.”

🔗 The Opposition:

“If people are not doing anything illegal, they should not be worried about being surveilled.”

+ Overcoming the Opposition:

“Police surveillance and data collection, like all police strategies and practices, are subject to biases and target marginalized communities. Surveillance has been proven to be ineffective, used without proper limits or controls, and to have a negative impact on public life.”⁵⁴





ACCOUNTABILITY: OFFICER MISCONDUCT AND DISCIPLINE

Accountability is central to fair policing.

Police officers are given extraordinary powers and enormous discretion – the authority to conduct surveillance, to use force, and to deprive individuals of their liberties when justified. But with this power comes the expectation that officers will exercise their authority appropriately – and that misconduct and inappropriate or deficient performance will be identified and addressed. Robust accountability builds public trust, which, in turn, strengthens communities.

Key Challenges

Lack of transparency:

In many jurisdictions, complaints against police officers are private, subject only to internal investigation, and discipline is within the sole control of the department's chief or commander.

Lack of trust:

Lax accountability erodes trust and confidence in policing, weakens relationships between police departments and the communities they serve, and undermines legitimacy of law enforcement and the criminal justice system.

Lack of accountability:

A lack of accountability for police officers related to the use of lethal or excessive force, racial and ethnic profiling, discriminatory policing practices, and sexual violence and misconduct violates civil and human rights.

Lack of oversight:

Not every police department is overseen by the community. Where community oversight of police does exist, oversight bodies' authority and power vary. They can: have access to information about internal police department investigations, independently investigate and prosecute complaints, impose or recommend discipline, address systemic issues, and set policing policy and priorities.

Unchecked power of police unions:

Police unions have a great deal of power in providing protections to officers that limit accountability or discipline.

Making Change

Establish clear policies and procedures.

Departments and communities should work together to create clear policies and procedures for investigating officer misconduct. These policies should address how and by whom misconduct complaints are investigated; and they should specify that investigations must be based on the nature of the complaint and involve an independent prosecutor when necessary.

Review training programs.

Department leaders should periodically review data to identify potential problems in policing practices and audit training programs to update curricula and improve effectiveness.

Create multiple mechanisms of accountability.

Complaint forms should be available in multiple languages and in alternative and accessible formats, and in locations outside of police department facilities, such as community organizations and institutions. Departments should also accept complaints by phone and online.

Require oversight.

Oversight of police departments should include independent investigators, monitors, and civilian oversight boards with full investigatory, prosecutorial, and disciplinary powers, as well as the power to set or recommend changes to policing policy based on complaint patterns.

Oversight bodies should represent all sectors of a community, including those disproportionately impacted by policing.

Make it easy to file complaints.

Departments should accept anonymous and third-party complaints and should not require cooperation or a signed affidavit from complainants to investigate a complaint. Complaints where the complainant has stopped cooperating in the investigation should be investigated, nonetheless.

Establish clear discipline policies.

Departmental policies should delineate disciplinary actions by type and severity of violation. Departments should use nondisciplinary early intervention systems to track unlawful officer behavior and address officer needs or deficiencies.

Ensure effective and impartial investigations.

Departments should swiftly, thoroughly, and fairly investigate complaints, using nonlaw enforcement personnel with investigatory authority when possible. Clear protocols should be established for determining who investigates and prosecutes officer misconduct, including officer-involved crimes and shootings.

Collect and publish data.

Police departments should regularly publish information about complaints filed against police officers in alternative and accessible formats. This information should include the race, gender, age of complainants, location, and context of the complaints

How to Advocate for Change

Establish a community oversight board.

Join or create a civilian oversight board that monitors police departments and holds them accountable. Expand the powers of existing oversight boards or create one if one does not exist. Depending on state law, this may require a change in a city charter or state law.

Establish strong community oversight of police collective bargaining process.

Oppose provisions in collective bargaining agreements with police unions that undermine or weaken accountability systems.

Demand an independent investigator.

An independent investigator is an individual or agency outside of the department that is authorized to oversee or participate in the investigations of individual officers. Communities should advocate for independent investigators to strengthen accountability and transparency.

Require an independent monitor/auditor.

Demand independent monitors or auditors review your local police department's overall performance across uses of force, stops, misconduct investigations, and discipline.

Demand publication of data.

Demand that your local department and civilian oversight board publish data publicly and in alternative and accessible formats.

Talking Points

Police accountability mechanisms ensure public safety.

Public safety depends on effective, transparent, and timely investigation of complaints against police officers, and swift and effective discipline.

Accountability improves police-community relations.

Department legitimacy is improved when departments hold officers accountable and address community concerns. This, in turn, improves police-community relationships and cooperation.

Police departments are accountable to the communities they serve.

Community members should be active participants in holding their police departments accountable for undermining public safety.

Overcoming Opposition

⚡ The Opposition:

“Community oversight lowers morale and impedes officers from fighting crime by forcing them to waste time responding to baseless complaints and investigations by unqualified investigators. Police departments are best qualified to investigate misconduct internally.”

+ Overcoming the Opposition:

“Community oversight provides a necessary check on departments and increases public confidence in the integrity of investigations and disciplinary proceedings. Review boards lend credibility to police departments, thereby strengthening community trust.”



DATA AND

TRANSPARENCY

Public safety requires public access to police data and information.

Data about police officers' interactions allow communities to identify problems and pinpoint areas in need of policy reform. Public release of information about critical incidents is essential to building relationships with communities and collective problem-solving to prevent future incidents.

The use of body-worn cameras (BWC) is not a cure-all for accountability and, in fact, raises concerns about profiling and other discriminatory practices, especially in communities of color. But, with the right policies and safeguards in place, they can help communities hold departments and officers accountable.

Key Challenges

Lack of data:

Some departments do not collect or publish data related to complaints, stops, searches, arrests, use of force incidents, hate crimes or incidents, or calls for service. Similarly, data that is collected is not always disaggregated by demographic information.

Lack of transparency:

Publicly available information about department policies and data on stops, searches, uses of force, arrests, and calls for service are critical. This information is necessary for assessing the effectiveness of policing practices and priorities, and for community involvement and accountability.

Improper use of technology:

The collection and storage of large amounts of data about members of the public runs the risk of infringing on privacy rights. Use of predictive policing technologies, “big data,” and BWCs can have negative consequences on communities of color and religious communities.

Making Change

Organize around the release of data.

Police departments should collect, analyze, and publish data — including date, time, and geolocation of the incident; actual or perceived race, ethnicity, age, and gender of the people involved; reason for enforcement action; search conducted (if any) and if it was consensual; evidence located (if any); and name of officer(s) involved. This will help communities and departments better understand whether enforcement decisions and strategies disproportionately affect specific groups. Departments should collect, analyze, and publish the following data in alternative and accessible formats:

- Critical incidents
- Uses of force
- Complaints of sexual violence and misconduct by police officers
- Stops, searches, and arrests
- Profiling or discriminatory policing policies
- Hate crimes and hate incidents

Make policies publicly available.

Police department policies should be searchable and publicly available online, including in alternative and accessible formats.

Properly handle critical incidents.

Departments should have clear policies regarding public release of information regarding critical incidents, including deaths in police custody. Such policies should also ensure that public statements respect the gender identity of crime victims and people believed to have violated the law. Information related to critical incidents should be released to the public in a timely manner.

Create adequate databases.

Departments should procure adequate systems for collecting and storing data that can aggregate and analyze all data sets.

Exclude discriminatory information.

Departments should not ask people about their sexual orientation, gender identity or immigration status. Only if a person voluntarily provides information regarding their sexual orientation, gender identity, or immigration status, and it is related to the incident (e.g., a potential hate crime), may officers record the information.

Require training.

Police departments should train all officers on the proper use and maintenance of BWCs, including when they must activate them. Officers should also be trained on data collection protocols to ensure all data are collected and recorded.

Community input on BWCs.

Communities and police departments should work together when adopting BWCs or changing BWC policies and discuss concerns about data collected through

BWCs, including their effectiveness, consistent recording, and privacy concerns. Together they should create policies regarding recording, storage of data, access, and public disclosure.

Establish clear policies for BWCs.

Clear and enforceable policies governing the use of BWCs and access to BWC footage should be developed in consultation with communities and after public notice and comment. Policies should:

- + Clearly state when officers must activate BWCs.
- + Require officers to advise people they come into contact with that they are being recorded, and record consent to recording.
- + Clearly state exceptions to recording requirements, including exceptions when interacting with or observing people engaged in political and religious activity and during interviews with crime victims or when in contact with a child.
- + Require training of officers on how to use and maintain BWCs.
- + Clearly articulate standards for the release of video footage.
- + Prohibit officers from watching video footage before filing reports.
- + Establish clear discipline for officers who turn off cameras or tamper with footage.
- + Avoid using facial recognition software with video footage.
- + Require supervisory review of video footage.
- + Require the implementation of storage practices and systems for video footage, and the preservation of the integrity of video footage.

How to Advocate for Change

Change the law.

Data collection can be mandated by local, state, or federal law or an administrative official, such as a mayor, or it can be requested by local legislators exercising oversight functions.

Strengthen policies.

If your department uses BWCs, ensure there are clear policies around training and the use, release, and preservation of footage.

Talking Points

The community has the right to know.

Police departments serve communities, and they use community resources to do so. Communities have a right to know how departments are doing in their work and whether community resources are being used efficiently and effectively.

Transparency is essential to community policing.

Informed community members are better positioned to make positive and productive contributions to co-producing public safety.

Communities deserve privacy, transparency, and accountability.

To the extent that a department has decided to adopt BWCs, communities are entitled to have a say in how footage of community members will be collected, stored, and released.

Overcoming Opposition

⌘ **The Opposition:**

“Data collection is burdensome and time-consuming, and it takes time and resources away from legitimate law enforcement activities. It turns officers into bureaucrats instead of crime fighters. Data do not tell the whole story. Officers should be able to act on their instincts without worrying about what the numbers will show.”

+ **Overcoming the Opposition:**

“Communities are entitled to information about how law enforcement officers carry out their duties and the impact and effectiveness of policing policies and practices. Data collection helps communities make wise investments in public safety and ensures that all community members’ rights are being respected in police interactions.”





POLICE TRAINING

Adequate and ongoing training for police officers is essential. To serve communities well and to maintain public safety, officers must stay up-to-date on best practices and continue to develop their skills.



Key Challenges

Lack of uniformity:

There are no universal standards for police trainings; each state and jurisdiction set its own requirements for officer training.

Minimal instruction:

Some departments only offer baseline trainings to officers. And some trainings only have a one-time completion requirement.

Lack of community involvement:

Effective training, especially related to marginalized communities (such as cultural competency, gender bias, hate crimes, procedural justice, bias-free policing, sexual violence and misconduct, leadership training, and issues related to LGBTQ communities and people with disabilities), requires input of people from communities most affected by the practices. Many departments develop and deliver these trainings without involving the community.

Making Change

Require training.

All officers should be required to complete training on procedural justice, bias-free policing, crisis response, de-escalation, cultural competency, sexual misconduct, and leadership.

Consult the community.

Departments should seek input from community members in the development and implementation of all trainings.

Ensure transparency and accountability.

Departments should maintain complete, accurate, and up-to-date records of training curricula, materials, and attendance. Department leaders should periodically review, audit, and assess training programs to ensure they discuss contemporary topics and use adult education techniques.

How to Advocate for Change

Change the law.

Urge your state and local legislators to pass laws mandating trainings related to community policing, including procedural justice, bias-free policing, basic crisis response, de-escalation, cultural competency, and leadership.

Activate your civilian oversight board.

If your community has a civilian oversight board, encourage it to review data and policies to ensure training is effective. The oversight board can also recommend that departments involve community members in the development of training initiatives and curricula, and the public release of training materials.

Demand a policy.

Demand that your local police department immediately pass and effectively enforce policies that mandate training in community policing for all officers.

Talking Points

Effective training support community policing.

Training serves as the foundation by which departments teach officers practices and tactics to police in a fair, safe, and effective manner, and reflects and affirms a commitment to community policing.

Overcoming Opposition

🔗 The Opposition:

“Trainings are time-consuming and costly. Police officers should spend their time patrolling the streets, not taking classes in a classroom.”

+ Overcoming the Opposition (1):

“Officers who receive trainings in de-escalation and minimizing force, crisis intervention, procedural justice, implicit bias, cultural awareness, and sexual misconduct, perform better in the field and will resort to force less often, which reduces the department’s exposure to legal liability.”

+ Overcoming the Opposition (2):

“Training makes for better officers and improves relationships with the community. When communities have stronger relationships with police departments, they are more likely to cooperate in solving serious crime.”



SEXUAL HARASSMENT

AND ASSAULT BY LAW

ENFORCEMENT OFFICERS

**Sexual assault and
intimate partner violence
are problems that
demand our attention.**



Movements against sexual harassment and violence against women are gaining visibility in the news media through hashtags like #MeToo, #WhyIDidntReport, and #BelieveSurvivors. Sexual violence and misconduct by officers, however, have not received enough attention. Incidents involving officers can go unreported because survivors fear retaliation or that the case will not be properly investigated.

Sexual violence and misconduct by police officers are an abuse of power and authority. Police officers frequently target: women of color, gender nonconforming people, LGBTQ people, youth, survivors of and witnesses to violence, undocumented immigrants, people with mental and developmental disabilities, religious and ethnic groups, low-income people, people experiencing homelessness, and people who are or are believed to be part of the drug or sex trades or other criminalized or informal economies for sexual harassment and assault.⁵⁵ Beyond holding individual officers accountable, we need to develop and implement effective methods to prevent and detect misconduct and support survivors.

The President's Task Force on 21st Century Policing, the Department of Justice, and the International Association of Chiefs of Police recommend that law enforcement agencies adopt policies to effectively prevent, detect, and ensure accountability for sexual harassment and assault by law enforcement officers.⁵⁶

Key Challenges

Prevalence of the problem:

Sexual harassment and assault by police officers are pervasive and systemic problems, yet they are underreported and under-investigated.

Lack of policies:

Many police departments' policies do not specifically prohibit officers from sexually harassing members of the public or engaging in sexual conduct while on duty. Departments generally do not address these issues in training. All departments have policies governing sexual harassment among employees, as required by federal law, but these policies do not apply to the public. This is the case even though officers exercise tremendous power over the people with whom they interact in their official capacity (e.g., community members, people suspected of criminal activity, survivors of sexual or intimate partner violence, witnesses, and youth involved in community engagement programs).

Lack of accountability:

Internal investigations of complaints of sexual harassment and assault by officers can be intimidating for accusers and are incomplete when investigators do not take accusations seriously.

Making Change

Comprehensive policies.

Police departments should be required by law to adopt and enforce policies to effectively prevent, detect, and hold officers accountable for sexual harassment and assault. Policies and laws should contain clear disciplinary measures for officers who violate policy, up to and including termination and revocation of a law enforcement license. Such policies should be made public and easily accessible.

Training and processes.

Specially trained investigators and trauma specialists should interview survivors of intimate partner violence and sexual assault by police officers. Departments must take steps to protect survivors — whether they are community members, family members of police officers, or police officers who report colleagues — from retaliation.

Supervision.

Departments should closely monitor officers who make disproportionate numbers of stops of people of color, women, transgender people, gender nonconforming people, and people experiencing homelessness. They should also monitor unauthorized detours when transporting detainees; unnecessary callbacks and communications with survivors and witnesses; and inappropriate

contact with youth in schools and engagement programs.

Collect and publish data.

Police departments should analyze and make public information, including in alternative and accessible formats, about community members' complaints of sexual harassment and assault by officers. This information should include the race and ethnicity, age, and gender of complainants, as well as the context and location in which the conduct allegedly occurred, name of the officers involved, and the steps the department is taking to prevent future sexual violence and misconduct by police officers.

Comply with the Prison Rape Elimination Act (PREA).⁵⁷

Police departments that operate holding facilities — even if they just temporarily hold people before being transferred to a jail — must comply with the standards established by the PREA for police lockups.⁵⁸

The Prison Rape Elimination Act, or PREA, was passed in 2003 and is the first United States federal law intended to deter the sexual assault of prisoners. More information can be found at www.prearesourcecenter.org/

How to Advocate for Change

Change the law.

Urge your state and local legislators to pass laws that:

- + Prohibit officers from abusing their authority to commit sexual harassment or assault when acting under color of law.
- + Mandate officers to forfeit their employment upon a criminal conviction or administrative finding of sexual violence or misconduct.
- + Require police departments to pass and effectively enforce policies to prevent, detect, and ensure accountability for sexual harassment and assault of members of the public by law enforcement agents.
- + Require police departments to annually report how many complaints of sexual harassment and assault by officers they received, investigated, and that have resulted in discipline.

Demand policy change.

Demand that your local police department immediately pass and effectively enforce policies to prevent, detect, and ensure accountability for sexual harassment and assault of community members by officers.

Demand community oversight.

If your jurisdiction has a community oversight agency, urge it to take over investigations of sexual harassment and assault. Survivors of sexual assault by police officers should have the right to have their complaints investigated and adjudicated by an agency other than the one that employs the person who assaulted them, and to pursue accountability through an administrative mechanism that is not controlled by the police.

Organize around the release of data.

Demand that your local department and community oversight board report annually on the number of complaints of sexual violence and misconduct by officers received, investigated, and that have resulted in discipline.

Talking Points

Safety from sexual harassment and assault requires strong policies preventing police sexual violence or misconduct.

Public safety depends on a strong statement in policy and practice that sexual harassment, extortion, or violence by police officers against community members is not tolerated.

Proactive prevention is essential.

It is not enough to have a written policy and to discipline officers if they are caught. Department leaders must take proactive steps to prevent sexual violence and misconduct by police officers through close supervision and monitoring of how officers:

- Conduct traffic stops
- Respond to intimate partner violence and sexual assault
- Address offenses related to prostitution
- Address “broken windows” offenses
- Behave as school resource officers
- Interact with the community in community engagement programs (including “Explorer” programs)
- Interact with immigrant communities
- Act in other contexts in which sexual violence or misconduct by police officers is prevalent

Explorer programs are community engagement programs placing youth with law enforcement agencies in “shadowing” roles.

Prosecution is not enough.

It is not enough for police departments to rely on criminal prosecutions of officers when survivors of sexual assault come forward. Many survivors never come forward; this is especially true of survivors of sexual assault by police officers, who are particularly unlikely to come forward out of fear of not being believed, retaliation, or lack of protection. In many cases, survivors have no evidence — it is their word against the officer’s. This is because sexual harassment and assault takes place out of public view, and because threats of force, including lethal force, and threats of law enforcement action can be used to secure compliance. Prevention and detection are key to advancing public safety.

Overcoming Opposition

The Opposition:

“Sexual harassment and assault are against the law. We do not need to tell police officers not to commit these crimes.”

+ Overcoming the Opposition (1):

“This is true of many things addressed in police department policy — like use of excessive or lethal force. Department policies provide specific guidance on the application of the law to particular situations and make a clear statement of the department’s values and intention to hold violators accountable.”

+ Overcoming the Opposition (2):

“Sexual violence and misconduct are already against the law, so there is no harm in police department policy reiterating this fact to ensure everyone’s safety.”

+ Overcoming the Opposition (3):

“Police officers and the public are entitled to receive clear guidance about what constitutes sexual violence or misconduct by police officers, and what actions police departments are taking to prevent, detect, and hold officers and supervisors accountable for violations of individuals’ rights and the public trust.”



III. STRUCTURE OF POLICE

DEPARTMENTS, PRESSURE POINTS, AND OPPORTUNITIES FOR ACTION

Over the past 50 years, several federal, state, and local investigations have looked into individual cases of police violence and systemic patterns of discrimination and the use of force by police officers.

Additionally, the U.S. Department of Justice (DOJ) has investigated police departments across the country for patterns or practices of civil rights violations and has entered into court-ordered agreements (“consent decrees”) outlining the changes departments must make to comply with the U.S. Constitution and best practices. Implementation of reforms can be overseen by independent monitors, who (1) ensure that departments are changing their practices and (2) report to the courts on the departments’ progress. Some DOJ settlements are out-of-court agreements intended to reform unconstitutional practices.

In 2014, responding to the police killings of Michael Brown and Eric Garner, and subsequent widespread protests, President Barack Obama convened the President’s Task Force on 21st Century Policing, which issued a report containing over 100 recommendations for police reform.⁵⁹ In response to recommendations that police departments collect and publicize data, the Obama administration launched the Police Open Data initiative to promote the use of data to increase transparency and build community trust. Since then, dozens of departments have made available information about stops, searches, and uses of force through the initiative.⁶⁰

Legislators and policymakers have responded with several measures to reduce discriminatory policing practices, limit the use of force, and increase police department accountability, including:

- Collecting data on stops, searches, and uses of force
- Banning profiling and discriminatory policing
- Creating laws and policies that regulate searches and use of force
- Creating laws that prevent officers charged with sexually assaulting someone in their custody from asserting a defense of consent.

Conversely, state and federal legislators have also passed several measures to limit police officers’ accountability. More than a dozen states have passed a Law Enforcement Officers’ Bill of Rights that limits and sets conditions for investigations into police officers’ misconduct and discipline, including limiting the public release of information. More recently, several states and the federal government have considered or passed “Blue Lives Matter” bills that increase penalties for individuals accused of assaulting or threatening police officers.⁶¹

It is important to understand the structures of police departments in order to identify pressure points and opportunities for reform action.

The Federal Government

The three branches of the federal government are responsible for ensuring that policing meets constitutional standards:

The Judicial Branch (Courts):

- District courts handle civil and criminal trials within the federal court system.
- Circuit courts take appeals from the federal district courts.
- The U.S. Supreme Court is the highest court in the American judicial system. It interprets how the U.S. Constitution applies to law enforcement.

The Legislative Branch (Congress):

- Members of the U.S. Congress (the U.S. Senate and House of Representatives) introduce and pass legislation regulating law enforcement agencies.
- Members of the U.S. Congress place conditions or priorities on federal funding for state and local law enforcement agencies.

The Executive Branch (President):

- The president serves as the chief executive and is responsible for executing and enforcing laws set by Congress.
- The U.S. Department of Justice (DOJ):
 - Investigates and sues police departments in court for systemic constitutional violations and to reform policies and practices.
 - Prosecutes government actors, including police officers, for criminal conduct.⁶²
 - Issues regulations or policies for federal law enforcement agencies, such as the Federal Bureau of Investigation (FBI), the Drug Enforcement Agency (DEA), U.S. Immigration and Customs Enforcement (ICE), and U.S. Customs and Border Protection (Border Patrol).
 - Places conditions or priorities on federal funding for state and local law enforcement agencies.

Accountable to:

- Voters and members of the public
- The U.S. Constitution
- Party leadership

Pressure points:

- The president
- U.S. attorney general
- Members of the U.S. Congress
- The U.S. Department of Justice Civil Rights Division
- The U.S. Department of Justice Bureau of Justice Assistance

State Governments

- Have primary responsibility for policing and safety.
 - Are responsible for protecting the rights guaranteed by state constitutions.
 - Pass laws setting general standards for law enforcement agencies including certification of police officers; stops, searches, and uses of force; and investigations of officer misconduct.
 - Can mandate or incentivize policy change through conditions on state funding.
 - Can require that police departments collect data and establish task forces to oversee compliance with legislative standards.
 - Pass criminal laws, including laws criminalizing officer misconduct.
 - Fund and oversee state police departments.
 - Through state attorney generals, can independently investigate officer misconduct and intervene in local law enforcement issues that violate state constitutions.
-

Accountable to:

- Voters and members of the public
- State and federal constitutions
- Party leadership

Pressure points:

- Governors
- State attorney generals
- State legislators
- State budget offices
- State law enforcement oversight and licensing agencies

Local Governments

- In most cities and towns, mayors appoint and oversee the heads of police departments, (i.e., chiefs of police).
- At the county level, and particularly in rural and unincorporated areas, police departments are typically run by elected law enforcement officials (i.e., sheriffs)

Chief of police

- Appointed by the mayor
- Serves as the chief administrative officer
- Jurisdiction over a municipal (city or town) police department

Sheriff

- Elected by community members
- Appoints deputies
- Oversees the county jail
- Jurisdiction over county (unincorporated areas outside of municipal jurisdiction) police department

- **City, town, or county legislatures have authorities including:**
 - Regulate policing in ways that do not conflict with state laws and do not infringe on the mayor's or police chief's powers.
 - Control the budget and other resources allocated to the police department, including approving purchases of large items and equipment.
 - Mandate data collection and reporting and conduct oversight hearings regarding a law enforcement agency's activity.
 - Create and fund police department oversight mechanisms, such as short-term commissions and task forces, or permanent offices, such as an inspector general, independent monitor, or civilian oversight board.
 - Empower existing city officials, like an ombudsperson or public advocate, to monitor the police department's activities and receive complaints.

Accountable to:

- Voters and members of the public
- City and county charters and ordinances
- The mayor or city manager (if applicable)
- (The leader of the local legislature council president or speaker)
- Party leadership

Pressure points:

- The mayor
- City managers (if applicable)
- County executives
- Agency heads
- The sheriff
- Local legislators
 - City council
 - Board of supervisors
- Independent oversight bodies

Law Enforcement Agencies

- The sheriff, police chief (sometimes called the commissioner or superintendent of police):
 - Creates and enforces departmental policies.
 - Typically determines disciplinary action and accountability for violations of policies.
 - Sets operational and enforcement priorities.
- Commanders are law enforcement officials who are responsible for a particular geographical area or department and set priorities for that area or department.
- Supervisors, such as sergeants, oversee individual officers in their day-to-day activities.

Accountable to:

- The mayor
- Local legislators
- State and federal constitutions
- City and county charters and ordinances
- Departmental policies
- Independent oversight bodies
- Members of the public

Pressure points:

- The police chief
- Sheriff

District Attorney's Office

The District Attorney (DA) is responsible for prosecuting state and local criminal offenses. The DA can:

- Prosecute or decline to prosecute criminal conduct by officers.

Accountable to:

- Voters and members of the public
- State and federal constitutions
- City and county charters and ordinances

Pressure points:

- District Attorney

Independent Oversight Bodies

Oversight bodies include:

- **Commissions and task forces:** These are established by the mayor or local legislature, typically for a limited period of time, and have a narrow mandate to investigate a particular issue (such as profiling or use of force) or department practices more broadly. These bodies can recommend changes to policing but have no power to ensure implementation.
- **Independent oversight offices and agencies:** These may be established by mayors or local legislatures as a permanent office that can:
 - Independently investigate individual complaints and recommend discipline.
 - Review the results of internal police department investigations of individual complaints and recommend discipline.
 - Review department policies and practices and recommend changes.
 - Review investigation procedures, analyze patterns of complaints and discipline, and investigate.⁶³

Accountable to:

- Appointing body (mayor or local legislature)
- Local legislature for funds expended
- Complainants
- Police department
- Members of the public

Pressure points:

- Head of the agency
- Board members (if applicable)
- Head of investigations
- Director of policy (if applicable)

Police Unions

Police unions advocate for and represent their members in:

- Negotiating union contracts, including provisions on discipline and accountability.
- Protecting officer rights.
- Offering services and benefits to member officers (*i.e.*, life insurance, disability benefits, counseling services, legal representation).

Accountable to:

- Union members

Pressure points:

- Union president and officers

Opportunities for Action

Sometimes, events create opportunities to pressure different decision-makers in the system. These include:

The appointment of a new head of a law enforcement agency

Whenever a new police chief is being selected, community members have the opportunity to educate the mayor and advocate for candidates who have a particular vision or approach to policing, relevant experience, and a strong track record.

Budget season

Every year, state and local legislators approve budgets, including budgets for law enforcement. This creates an important opportunity to advocate for changes to the structure, function, and resources of a police department and against allocation of funds to buy military equipment.

Critical incidents

Individual incidents of excessive or lethal force, or of other officer misconduct, are important opportunities to pressure officials to make necessary changes to policing policies and practices, as well as to increase accountability and oversight.

Release of data

If the police department regularly releases information about stops, searches, and arrests, it can create opportunities to call for changes to the department's practices and priorities based on what the data show.

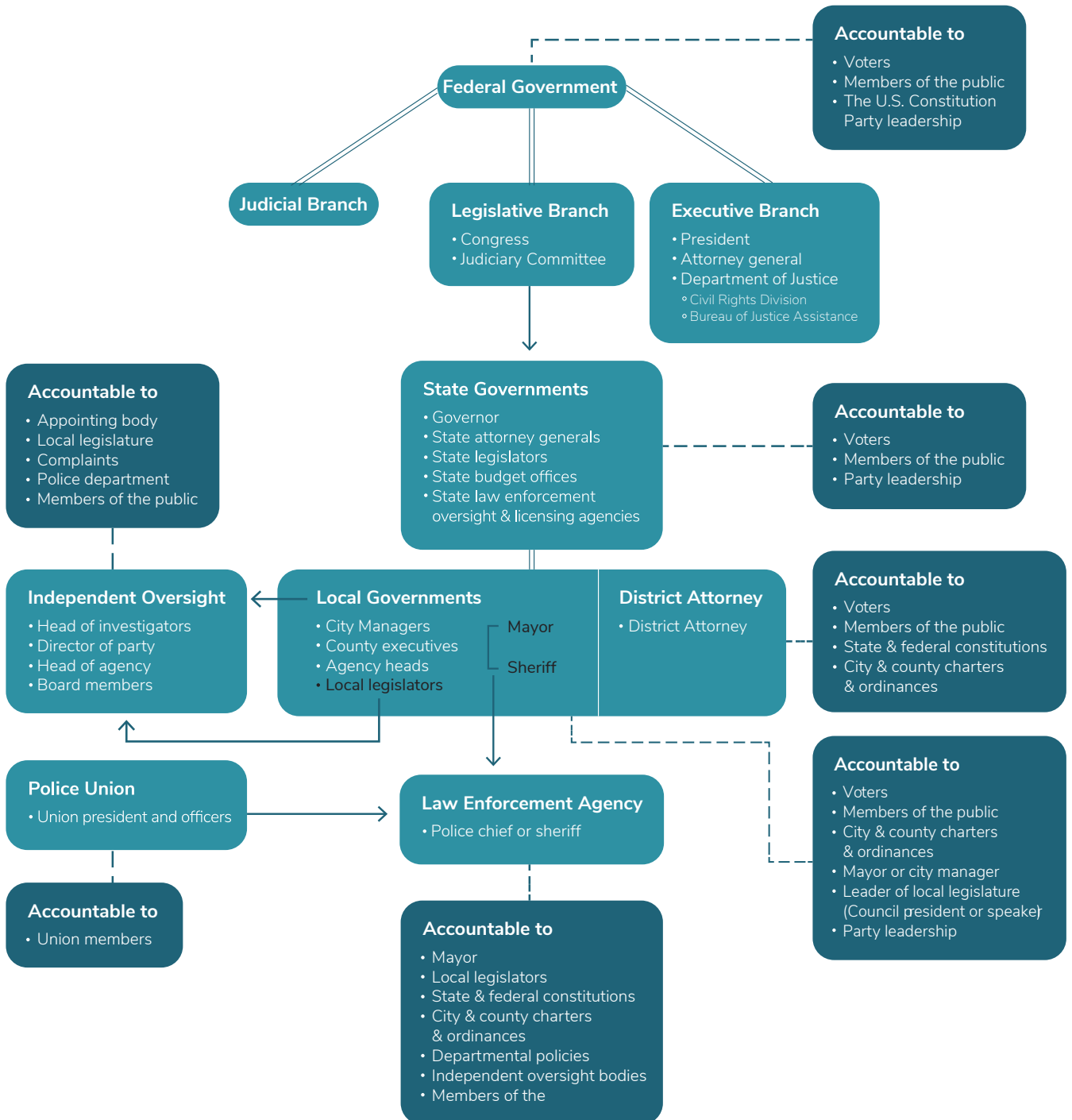
Elections

Elections for key positions, such as mayor, sheriff, and district attorney, present critical opportunities to raise issues about the impact of policing policies and to press candidates for their position on policing and public safety during public fora, one-on-one interactions, campaign rallies, in the press, and on social media.

Oversight hearings

Local legislators can call oversight hearings and ask questions of agencies they fund. Typically, the public safety committee conducts hearings about how police departments operate, but hearings can also be called on topics such as race relations, health, and safety. Hearings offer opportunities to testify about policing practices, to pressure legislators, and to ask the department specific questions.

Mechanisms of Change



Change training

Change policing practices by advocating for more or better training. This is often the first response to a policing problem.

Pros:

- + Training is an effective way to reeducate officers on department policies and practices.
- + Chiefs of police can require officers to attend training.

Cons:

- × Training can be expensive and cost money that could be invested in other services.
- × Not all trainings are equal, and outdated curricula or low-quality instructors do not improve officer performance.
- × Training alone cannot shift systemic policing practices; policies, accountability, and culture change are needed to ensure they take hold.

Change oversight

Change policing practices by advocating for the creation or expansion of police department oversight.

Pros:

- + Oversight agencies give complainants a place to voice their concerns outside of law enforcement agencies.
- + Oversight agencies strengthen community relations by fostering trust between the community and police department.
- + Oversight agencies can improve the quality of internal investigations.

Cons:

- × Oversight agencies can be difficult to implement, particularly when police unions lobby against them.
- × Some oversight agencies lack the authority to change policies and hold officers accountable.

For examples of effective oversight agencies, visit:

Denver Office of the Independent Monitor:

<https://www.denvergov.org/content/denvergov/en/office-of-the-independent-monitor.html>

Austin Police Monitor:

<http://www.austintexas.gov/department/police-monitor>

Change policy

Change policing practices by advocating for changes to departmental policies.

Pros:

- + Changing policy is easier than passing new laws. The sheriff or police chief can change a department policy with a written or verbal statement.

Cons:

- × Policies can be changed or repealed.
- × Individuals, organizations, and communities generally cannot directly enforce policies or hold police officers accountable for violating policies, though they can pressure department leaders to impose discipline and ensure accountability.

Change the law

Change policing practices by passing, repealing, or changing a law. States and cities have passed laws banning profiling, regulating the use of force, banning consent searches, regulating the purchase of military equipment, and mandating transparent police department records.

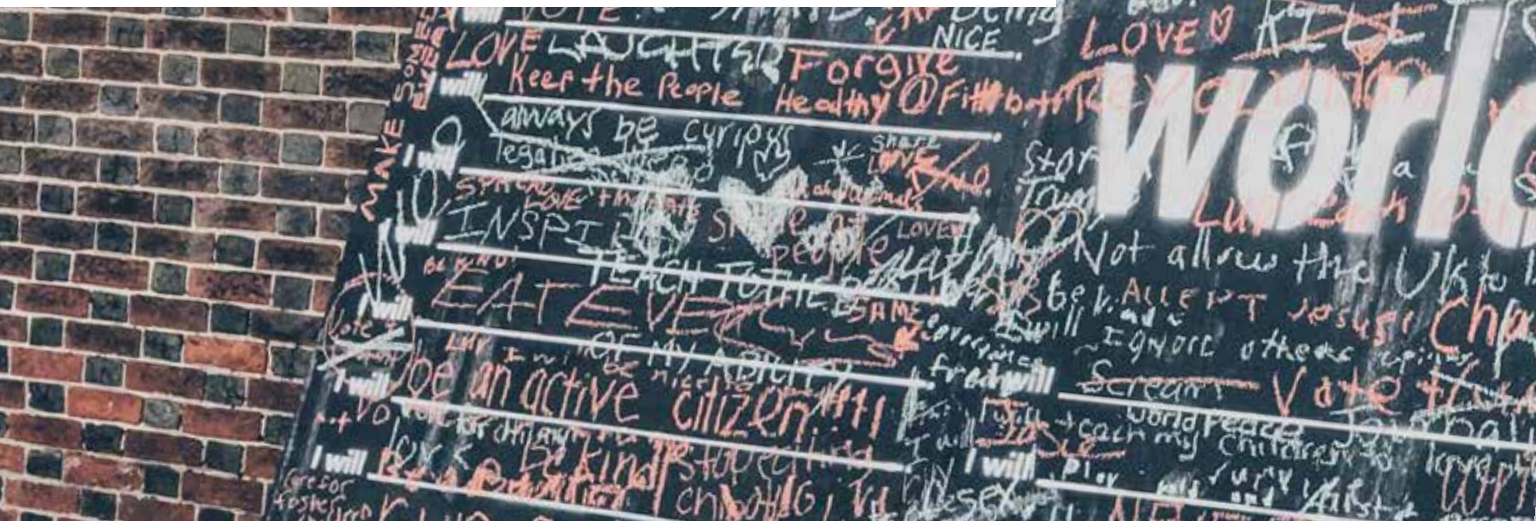
Pros:

- + Once passed, laws cannot be easily changed; another law must be passed to change or repeal it.
- + Laws create opportunities for enforcement by community members through a private right of action.
- + Laws can establish oversight through task forces, annual audits, or data reporting requirements.

Cons:

- × Enacting laws is harder than changing a policy. You need to:
 - Draft a bill
 - Find a legislator willing to introduce it
 - Persuade enough legislators to vote it out of committee
 - Persuade a majority of legislators to vote for it
 - Persuade the president, governor, or mayor to sign it
- × Legislation about policing issues can be controversial and hard to build support around, particularly when police unions lobby against it.

V. BE THE CHANGE



With dedication and
support, you too can
change policing in your
community!

Sample Values/Vision/Principles

We believe:

- Every member of our community, including community members who are suspected or accused of violating the law, are entitled to feel safe.
- Our work must center the voices, vision, experiences, and needs of all communities directly affected by current policing policies and practices, regardless of race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, familial status, immigration status, veteran status, health status, housing status, economic status, occupation, proficiency with the English language, or other personal characteristics.
- Our work should change how people experience policing daily in our community.
- Transparency and accountability are critical for our police department, communities, campaign, and relationships with each other.
- We should respect the expertise of the people closest to and most impacted by the problem, make accommodations for people who do not have the same resources to engage in the process, and respond flexibly but deliberately to changes in circumstance.
- We should aim high and demand what we think will best preserve safety in our communities, while remaining grounded in current realities and our collective capacity.
- Our work should build community power and define public safety in our community.

Checklist for Policing Reforms

Not all reforms are created equal. Communities can start with this simple checklist when measuring the impact of proposed solutions.

☑ Does this reform increase community input around public safety, including the safety of people most often targeted by policing?

Does the proposed change give community members more power to shape public safety? Does it protect communities experiencing profiling and discriminatory or abusive policing practices?

☑ Does this reform make the police department more accountable to the community?

Measures that allow greater community oversight or participation in informing policing policy can be effective in ensuring sustainable reforms.

☑ Will the proposed reform impact communities in similar ways?

Be careful about reforms that give police officers greater flexibility or discretion in ways that could lead to some communities being disproportionately targeted.

☑ Does this reform divert resources from efforts to address root problems? What are the root problems? Are there other strategies that can be taken to address root problems?

Consider alternatives to police, such as nonpolice responses to crises, eliminating police in schools, and investing in social programs and services.

☑ Is the recommended policy change feasible?

Think about the cost of the policy change, the potential opposition to it, and the challenges associated with it.

VI. MAKING CHANGE



You have the power to create change. How you choose to influence policing in your community may depend on your purpose, resources, skills, and recent events. Each event below can create opportunities to pressure the stakeholders and institutions that shape policing and public safety.

Opportunities for reform include:

- An incident of officer misconduct or violence
- Release of data about traffic stops or other activities
- Release of other information about policing in your community
- The establishment of a commission or task force to study policing in your community
- The appointment of a new police chief or election of a new sheriff
- Approval of an annual legislative budget
- Negotiation of a police union contract
- Local or state elections

The methods you choose to effect change depend on where you are in the cycle of change.



Cycle of Change



Step 1: Identify the Problem

Change begins with identifying the problem you want to solve.

What are you most concerned about? Racial profiling? Use of force? Sexual violence or misconduct by police officers? Use of military equipment?

Step 2: Build Your Coalition

Before developing your coalition, identify who is already doing work around the issue(s) you are concerned about. Decide what voices need to be at the table in a coalition.

A **coalition** is a group of individuals or organizations who share an interest in a particular issue and come together to address that issue. A coalition may lead several projects or campaigns, and these may change over time as conditions change. Typically, one or two individuals represent their organization's interests at coalition meetings and events.

Who Came Before Us?

- *Do any organizations have experience working on this issue?*
- *Are there elders in the community or informal groups that have important historical information to share?*
- *Do any other community members have direct experience with the police department?*

Remember to defer to the expertise of those who have been doing this work for a while, even if they have been doing so with little to no funding or visibility. Having these groups and individuals at the table as you plan and launch your campaign can be critical to your success.

Engage Directly with Impacted Communities

Key players in any campaign include representatives from communities who are experiencing the brunt of the problem you are trying to solve. For instance, if you are concerned with how police officers interact with people experiencing homelessness in your community, be sure to engage not only agencies that provide services to homeless people but also groups that are led by homeless people.

Whether you form a small group or a very large one, decide on your group's structure before launching a campaign together. The group can be a coalition, a new organization, or something else.

Considerations for deciding which structure to use depend on:

- The number of organizations or individuals involved.
- How long you plan to work together.
- Whether you want to work on a general issue or toward a specific set of goals.
- Whether you can raise money to start and operate a new organization or will trust an organization to hold your collective work as a campaign.

Establishing a clear decision-making structure upfront can help the group navigate difficult decisions in the future. Consider existing power dynamics in your group as you determine what makes the most sense for your decision-making structure.

A Note on Supporting Survivors in Sharing Their Stories

Sharing personal experiences of profiling or violence by police officers can be traumatic, particularly in cases of near-lethal force or sexual violence and misconduct; it can be just as traumatic if a person is humiliated or abused during a brief stop or search. Police representatives must be mindful of such experiences when asking community members to share their stories, whether for a community-led research project, a public forum, or a meeting with a legislator. It is important to:

Ask people who have experienced violence or abuse what they need.

Do they feel comfortable sharing their experience? What would make them more comfortable?

- *Having a support person with them?*
- *Submitting testimony in writing instead of delivering it in person?*
- *Having someone else read their testimony?*
- *Sharing their experience privately?*
- *Including it in an anonymous report?*

Have support on hand.

People often do not know how they will react to sharing their experiences, so make sure that someone who has experience supporting people who have experienced trauma (a healer, social worker, therapist, community member with skills and experience) is available to speak with survivors before, during, and after they share their stories. Also, have a list of resources ready for survivors, including ongoing community support services, crisis lines, and attorneys experienced in officer misconduct cases who are known to the community.

Do not pigeonhole people.

Often, policymakers and the media categorize people as “victims” (people with direct experiences of policing) and “experts” (usually lawyers or other professionals who do not have direct experience with policing). They want to hear from survivors about the problem and from experts about the solution. Survivors are experts in their own experiences and can also be experts in the proposed solutions. Work with survivors who share their stories to develop campaign goals so that they can make connections between their experiences and the solutions in their testimony. Organize press conferences, meetings, and events in ways that prioritize both survivors’ voices and the solutions called for. Such an approach can also mean asking people seen as “experts” on policing issues to step back to make way for people who have more direct experience with harmful policing practices to speak out and articulate campaign demands.

Decision-making options include:

- Going with the consensus or modified consensus.
- Implementing majority rule.
- Creating a steering committee or advisory council that makes decisions with input from the larger group or from subcommittees.
- Creating committees that make decisions about their particular issue areas and then report to the larger group.

Also, consider how the group will be accountable to the larger community. For example, prioritize the voices and perspectives of people in communities that are directly impacted by the issues you are working to address. And be mindful that some groups are well resourced with funds, staff, and legal and policy expertise, whereas others may have no paid staff or budget to support travel or participation in meetings during work hours.

Often members' ability to participate in meetings and do work determines whose ideas take priority and who makes decisions. You can also:

- Schedule meetings for late afternoons, evenings, or weekends, so people with full-time jobs or young children in school can attend.
- Provide transportation, childcare, and food for attendees.
- Set up structures to equitably share resources to help less-resourced groups participate, such as by holding teach-ins around issues that require specialized knowledge (e.g., search and seizure, accountability mechanisms), so that everyone has the same basic information.
- Create opportunities for members of directly impacted communities to share their expertise on the problem with groups that may not have direct experience.
- Create working groups or committees to make decisions in particular areas or develop proposals to bring back to the larger group for discussion.

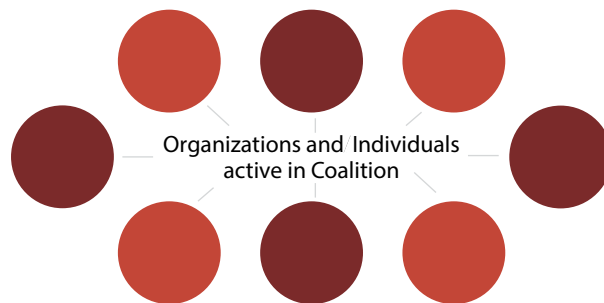
Examples of campaign structures:

Communities United for Policing Reform is a campaign governed by a steering committee made up of member organizations. The campaign is an independent organization, with a director and staff. Decisions about the campaign are based on the recommendations of its working groups and its voting members.⁶⁴

Community Safety Act Coalition (formerly run by the STEP UP Network) is a broad-based coalition that successfully passed the Community Safety Act in Providence, Rhode Island.⁶⁵

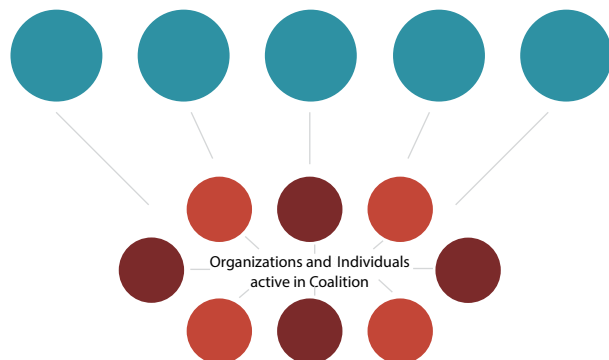
Coalition Structures

Coalition



Coalition with Advisory or Steering Committee

Individuals or Organizations on Steering or Advisory Committee



Coalition with Host Organization



Campaign Structure

Campaign Hosted within Organization



Step 3: Set Goals

Next, decide how you want to make change and set specific, short-term goals: Do you want to change policy? Pass a new law? Change the structure and oversight of a local police department?

Consider breaking long-term goals into several shorter-term goals. For example, if your goal is to end profiling in your community, the best way to achieve that goal may be to advocate that your police department adopt policies that address bias-free policing, including racial profiling and police officer interactions with people of color, women, gender nonconforming people, LGBTQ people, youth, undocumented immigrants, people with limited English proficiency (LEP), people with disabilities, religious and ethnic groups, low-income people, and people experiencing homelessness.

You may also want to advocate for specific policies regarding stops, searches, and arrests; changes to police training; and establishing or expanding oversight mechanisms for reporting. Each can be its own separate, shorter-term goal.

Use the SMART approach to choose an effective goal, improve your chances of achieving your goals, and build on the momentum of a campaign toward community power.⁶⁶ This acronym stands for **S**pecific, **M**easurable, **A**chievable, **R**ealistic, and **T**imed goals. Goals that are too broad, too vague, unrealistic, unmeasurable, or constantly changing will likely result in a campaign that leaves community members confused, hopeless, or unaware of the progress they are making toward building true community power.





Step 4: Gather Information

After you have identified the problem, built a coalition, and set goals, gather all available information. *Is the department already collecting data that would help make your case? What policies and laws are already in place?*

Policing Data.

Police departments are increasingly making public information about stops, searches, and arrests. So, a good place to start is the department's website; search for an annual or quarterly report. Another resource is a local legal organization like the American Civil Liberties Union (ACLU), which analyzes and publishes policing data. The Police Data Initiative, which houses data from dozens of police departments, is also a good source of information. If no one in your group has the skills to analyze raw data, consider partnering with researchers at a local university or college. The Stanford Open Policing Project, the Federal Bureau of Justice Statistics, and the Mapping Police Violence Project are good sources of national data.

Community-Led Research.

Community-led research or participatory action research is another important way to gather information and data. This can include surveying community members, conducting a poll, and gathering community members' quotes and experiences through a story bank. This type of qualitative data and research can complement data gathered from official sources or be used in place of official data that have not been collected or made public. It can also be useful if local officials are swayed more by local data than national data or by stories rather than numbers.

Online resources can help you refine your methodology and conduct research in a way that is accountable to, empowers, and uplifts directly impacted community members. Your research findings may result in a one-pager presented to the city council or a report released to the media or shared at a press conference, protest, or rally.

For information on participatory research, visit the Public Science Project at: <http://publicscienceproject.org/principles-and-values/>

Public Information.

Some information about your police department may already be publicly available. Many departments post their policies (standard operating procedures [SOPs] or patrol guides) on their websites. These data may also be available through an organization that has made a Freedom of Information Act (FOIA) request for them.⁶⁷ In some jurisdictions, data are available for purchase. Start with an online search for *[X police department]* standard operating procedures/patrol guide/policies.

Individuals or groups can issue a FOIA request for information about policies, data, or the structure of a police department. Read more about FOIA at <https://www.foia.gov>

FOIA Requests.

If the information you need is not publicly available, you may want to file a FOIA request. The federal government and all 50 states have laws mandating that information kept by public agencies and officials be made available on request to members of the public. Some exceptions limit what the government is obligated to provide. Exceptions include information protected by privacy concerns, law enforcement privilege, and deliberative process privilege. If your request for information is denied on any of these bases, you can appeal the decision to the agency and in court.

The Freedom of Information Act requires the full or partial disclosure of information and documents controlled by the government upon request. The federal government and all 50 states have laws mandating that information kept by public agencies and officials be made available on request to members of the public. A freedom of information request may ask for information about policies, data, or the structure of your department. Read more about FOIA at <https://www.foia.gov>

Requests for information from your local law enforcement agency must be made in writing but can be sent by email, fax, or letter. Use the form on the next page as a template to create a request.

Sample FOIA Request

TITLE

i.e., "John Doe Arrest Report," "Use of Force Policy," or "2017 Organizational Chart"

AGENCIES

Agency's name

Location

Address

i.e., Police Department, Austin, Texas, or Office of the Governor, Arkansas

To Whom It May Concern:

Pursuant to the *[insert the name and number of your state's law]*, I hereby request the following records:

"[Briefly describe the documents you are looking for. The more specific you can be, the better. For instance:

Any and all Austin, Texas, police department policies and training materials currently in effect governing the use of force and sexual misconduct by police officers employed by the department." or

"Any and all organizational charts or descriptions of the organizational structure of the Austin, Texas, police department, including reporting relationships and the name and rank of commanders for each unit or department." or

"Any and all data or information collected by the department concerning the number of stops, frisks, and arrests of pedestrians in the city of Omaha, Nebraska, over the past five years (2013-2018)."]

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges before fulfilling my request. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of *[describe the issue you are concerned about here]*. I would prefer that the request be filled electronically, by email attachment if available or CD-ROM if not.

The *[insert the name of your state FOIA law here]* requires a response within *[insert the number of days the agency has to respond to your request, as outlined in your state FOIA law]* business days. If access to the requested records will take longer, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within *[insert the number of days the agency has to respond to your request, as outlined in your state FOIA law]*.

Sincerely,

{your name and signature}

Step 5: Build a Campaign

Often, reforms are achieved through strategies and tactics that involve a broad-based and diverse group of people working on a campaign together in coalitions or informal partnerships. You may choose to come together with other community members and organizations to launch a grassroots campaign in your community to make changes to your police department.

A campaign involves setting clear goals for change and agreeing on a set of strategies and tactics that will operate cohesively to achieve your common goals. A campaign also brings together a group of individuals and organizations around a singular set of goals, strategies, and tactics. Once the goal is achieved, the campaign ends because the group has no other purpose. A campaign can be housed at an organization where it will become a component of the larger body of work or mission, or it can operate through an independent organization created for the sole purpose of implementing the campaign.

Choosing the Correct Target and Pressure Points.

It is important to understand your target and pressure points. A target could be an agency, institution, or decision-maker who has the power to give you what you want. A pressure point may be a relationship you leverage or someone/something you use strategically throughout a campaign. There could be multiple pressure points, whereas there is normally only one target. Your pressure point may shift throughout the campaign, but be clear about who or what you are targeting, and limit it to one individual or institution, if possible.

If multiple law enforcement agencies operate in your area, identify the specific agency you are targeting for reform. Some larger cities may have state police, city police, county sheriffs, private patrols, or campus police all working within the same area. In addition, federal law enforcement agencies (e.g., Immigration and Customs Enforcement; the Bureau of Alcohol, Tobacco, Firearms, and Explosives; the Federal Bureau of Investigation) may operate in your area. Many constitutionally protected rights are the same when interacting with these agencies, but they all operate under their own policies and are governed differently.

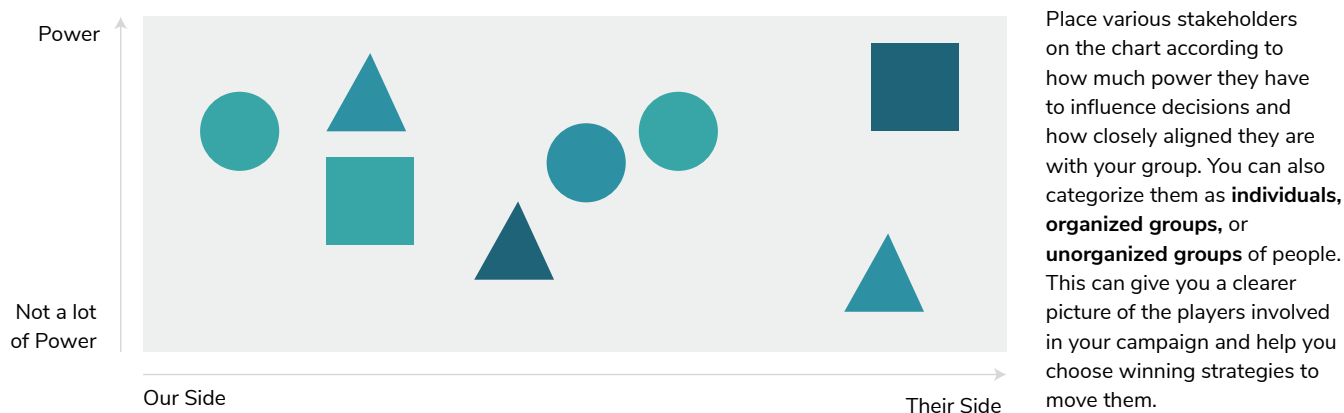
When you have determined which agency, institution, or decision-maker you are targeting, educate yourself on the structure of that agency. If it is your local police department, determine:

- *Who sets the policies for the police department — an elected or appointed position?*
- *Who controls the budget?*
- *Which other stakeholders have influence on public safety, and what is their role?*

Sometimes, you can find answers to these questions on city, county, or police department websites. It might also help to draw a map of who controls or governs these important areas.

Power Mapping.

To determine pressure points and tactics, try a power-mapping exercise. Place stakeholders on a chart according to how much control they have over a decision or your goal. Categorize them as individuals, organized groups, or unorganized groups. Power mapping yields a clearer picture of the players involved in your campaign and the strategies to influence and move them.



Consider the following questions:

- *What moves the target? What motivates them?*
- *Can you move groups or individuals closer to your side and make them allies?*
- *What relationships already exist among the stakeholders? Do any new relationships need to be developed or cultivated?*
- *Can you use relationships with particular groups or individuals to influence your target or pressure points?*
- *Do unorganized groups exist that you can mobilize?*
- *Where do the media fall on your power map?*
- *What additional information do you need? Who can help you access that information?*
- *With which people or groups do you need to meet to learn more about their position or how they can help your campaign?*

Choosing Your Strategy and Tactics.⁶⁸

Next, discuss your strategy — your detailed plan about how to achieve your goals. Your strategy is, in other words, your plan for winning.

When deciding on a strategy, consider your group's strengths and weaknesses, your allies and opponents, your targets and your tactics. Your strategy should incorporate ways to move your targets and refine your media messaging as well.

WHAT: *What are you trying to achieve?*

WHO: *What staffing needs will the campaign have? Consider capacity of each individual and organization involved in the campaign. Establish clear roles and responsibilities. Establish effective channels of communication and data sharing among coalition members.*

WHEN: Establish a timeline.

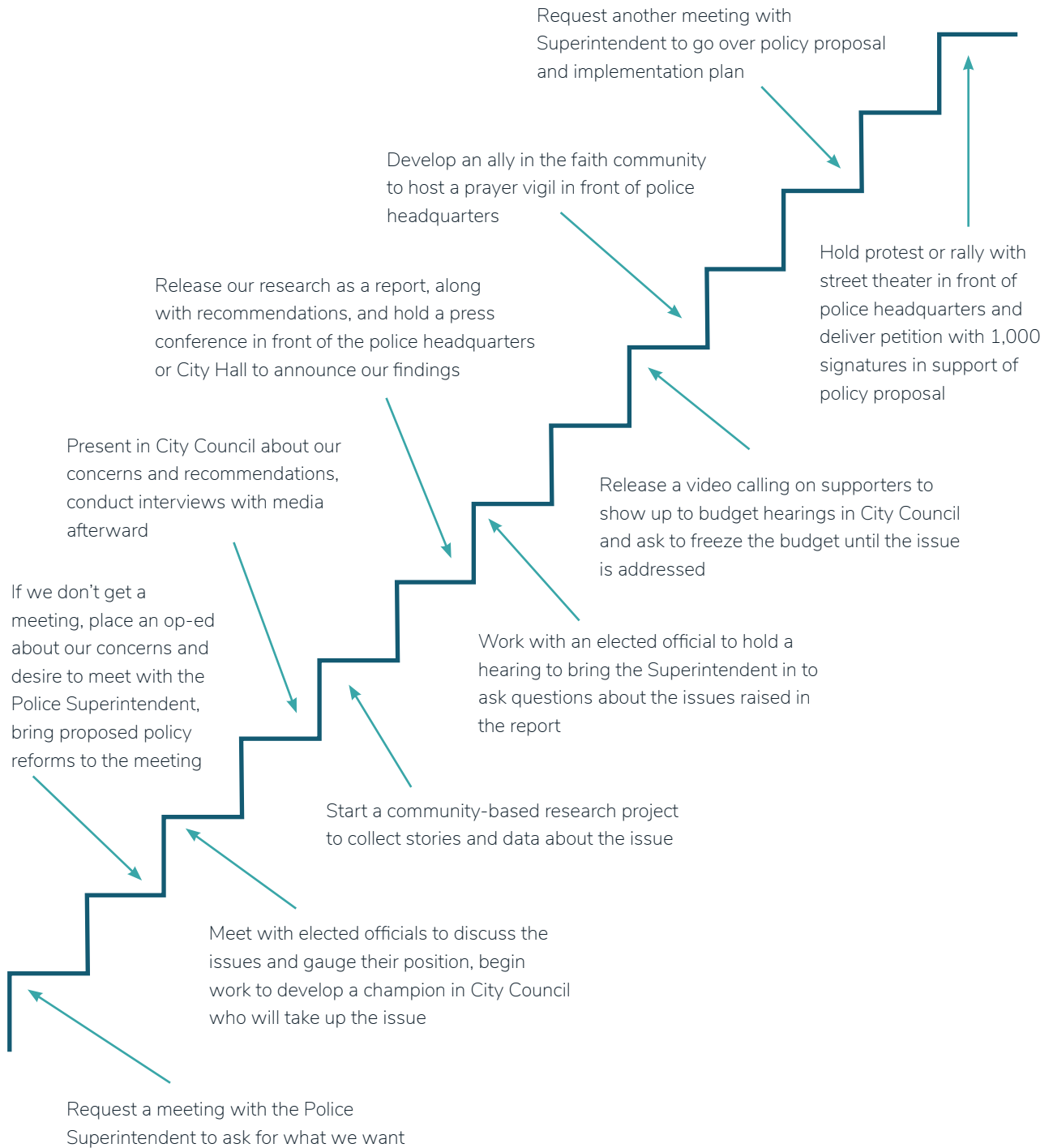
HOW: Conduct a needs assessment to determine what resources you need to successfully complete the campaign.

Identify the tactics you will use to execute your strategy. The tactics you choose depend on your group's preferences, your capacity and resources, the political climate in your area, and how you motivate your target points to action.

The first tactic in a campaign is usually to simply ask for what you want. You can make your request in a meeting with an elected official or the police chief.

If a direct approach is ineffective, an escalating tactics chart can help you determine your next tactic.⁶⁹ An escalating tactics chart is a visual representation of how the campaign can turn up the pressure on each target point over time, depending on the target's reaction to that pressure. The chart ensures that the tactics build on one another in a cohesive way. To make a chart, write down all the possible tactics on paper, and then arrange them according to the order in which you should execute them.

Escalating Tactics Chart



For more information on escalating tactics, see: http://www.bolderadvocacy.org/wp-content/uploads/2013/04/escalating_tactics_chart.pdf.
 Also see: <https://s3.amazonaws.com/s3.350.org/images/EscalationGuide.pdf>

Tactics should respond to current conditions. Ordinarily, it may not make sense to organize a large, unannounced protest in front of the police department and then request a meeting the next day to discuss policy reforms. But that may be the right choice if a police-involved killing or other high-profile incident has occurred in the community.

There are a number of ways to engage with the stakeholders to gain visibility for your campaign, including:

Community Forums.

Community forums spread awareness about your campaign and hold decision-makers accountable for implementing reforms. These fora are effective at disseminating information to many people at once, particularly those within a specific community. As with any action or event, it is important to identify your goal before hosting a community forum. Note that if elected or public officials are invited to your forum, the media may cover the event, but it may also be more difficult to get firm answers from decision-makers.

Direct Engagement.

Once you have built your campaign with consensus around the policy changes you most want to see, directly engage the department chief and police leaders. Ask for a meeting with the police chief to discuss the policy topics you are most concerned about — and get a seat at the table.

Open the dialogue by discussing the issues and then “make asks.” To make your argument for why change is needed, present the information you have gathered, including stories of people who have been impacted. Be sure to ask for data that is not publicly available. Aim to educate the chief and police leaders you meet with. Be attentive during the meeting and be open to their perspectives. They may have insights on different topics that could inform future engagement.

Rallies, Protests, and other Creative Actions.

Rallies, protests, and creative actions, such as street theater and cultural performances, can effectively share information about your campaign. Actions with a lot of visuals help attract attention from your target, pressure points and the media. Some actions, such as marches, may require significant attendance to be effective; others can be effective with a small group of people. Whatever you are planning, be sure that your message and goal are clear to your audience and supporters. As you plan, prioritize everyone's safety, and consider appointing *legal observers*, *police liaisons*, and a *safety team*. Also, obtain any permits required for rallies and protests on public property.

Tactics can be creative, such as:

- Street theater outside city council chambers to call attention to pending legislation.
- Photo campaigns in which people take pictures with signs describing how they would spend the police department budget to advance public safety. Post the images on social media and tag decision-makers.

Creative tactics engage people in the campaign, make it fun, and attract media attention.

Legal observers work to make sure everyone's rights are protected while they engage in free speech and other actions. These observers can serve as important documenters when people's rights are being violated and help advocate on defense teams if someone is arrested. More information about legal observers is available at:

<https://www.nlg.org/legalobservers>

In a protest context, **police liaisons** are people organizers choose to serve as the main points of contact and communication between protesters and the police. They can convey information from the police to the protesters, help facilitate constructive dialogue, and de-escalate situations if needed.

In a police context, police liaison may be a position within the police department designed to facilitate relationships between the broader community or specific segments of the community, such as the LGBTQ community, and the police.

The role of your **safety team** members depends on the type of action or event you are hosting. It could include ensuring that everyone is well hydrated, serving as a marshal for a march, or making sure that a de-escalation plan is in place.

For more information on direct action, see: <https://organizingforpower.org/action-2/>

Litigation.

Litigation is a go-to tactic when trying to change police department policy or practice. Lawsuits may allege that a particular incident violated the constitution or law or point to a larger systemic issue through a class action lawsuit with multiple plaintiffs.⁷⁰ Lawsuits can be part of larger grassroots or organizing strategy — or complements to them.

If a lawsuit is being filed by one individual alleging harm against one individual, the goal is usually to get damages or monetary compensation for the person who suffered harm, but remedies may also include training or policy changes.

Collaborating across sectors and fields is sometimes challenging, so lawyers, clients, and organizers should meet regularly to develop trusting relationships, learn about the issues important to those involved, and share information about strategies. It is also important to establish to whom each party is accountable; for example, lawyers may be accountable only to their clients, who may have a different goal different than you do. Social justice lawyers familiar with community organizing strategies might see the benefit of close collaboration and may be accountable to their client, as well as to the larger community.

Advancing one cohesive strategy in the courts with local legislators, police chiefs, and mayors, and using similar talking points and messages with all audiences, will help achieve meaningful and sustainable reform.

Department of Justice Interventions.

The DOJ Civil Rights Division is responsible for upholding the civil and constitutional rights of all people and enforcing federal statutes that prohibit discrimination.⁷¹ Within the Civil Rights Division are two sections that focus on policing issues: The Special Litigation Section and the Criminal Section.

The Special Litigation Section investigates law enforcement agencies to determine whether patterns or practices of constitutional violations exist. The Criminal Section brings federal criminal charges against individual officers for violating constitutional rights during incidents of police violence.⁷²

The difference between these two types of investigation is important. Because a criminal investigation typically focuses on an incident and the individuals involved, the result of a successful prosecution is prison time for the responsible officers. In a pattern or practice investigation, the DOJ will publish the findings of its investigation and usually enter into a court-ordered settlement, or “consent decree,” with the local police department. Rather than going to trial, the parties will agree to a set of remedies, such as policy reforms, community advisory boards, new training, and making other changes to the police department.

The Civil Rights Division offers opportunity for community involvement. Community members can inform the investigation, propose language for consent decrees, and meet regularly with representatives from the DOJ to update them on the progress of reforms. In addition, even if the Civil Rights Division does not launch a full investigation and pursue a consent decree, the COPS Office may enter a collaborative process with local agencies to support reform efforts, issue recommendations, and offer technical assistance. Community members can file complaints or alert issues in the community to the DOJ online at <https://www.justice.gov/>.

Choosing Your Communications Strategies, Messaging, & Tactics

A strong communications strategy is key to a strong campaign because it helps drive the public conversation and shift public opinion toward your analysis of the problem and your proposed solution. Your communications strategy has the power to influence other community members, voters, decision-makers, and even the identified target. It can help amplify the campaign, build support for its goals, recruit people for events, and attract new allies to the cause.

You will repeat your message and message frame throughout the course of the campaign. Therefore, you should always deliver a consistent message when discussing your issue, whether during one-on-one conversations in communities, in interviews with the media, or in print materials.

A strong message and frame for your campaign is critical to your campaign’s success. To develop a winning message, appeal to values shared by the community members as well as decision-makers and stakeholders. A strong message often builds on the shared values of community and public safety.

Shared values include:

- Safety
- Community
- Accountability
- Transparency
- Fairness
- Respect
- Families and youth
- Civil and human rights
- Ending violence (including violence by police officers)
- Commonsense solutions (or being “smart” when responding to social problems)
- Leadership in adopting best practices or models (particularly those that rely on data or research).

You can adapt your message to your audience, but the core of your message should remain the same. Therefore, it is important to develop a message that has broad public appeal. A strong message and frame also help your campaign “control the narrative” by encouraging media outlets to repeat your talking points and spread your message. Examples of good overall messaging frames include “Safe Streets, Strong Communities” and “We Deserve Better.”

🗨️ Develop your **talking points** — a few short reasons or factors in bullet form that support your message and cause — from your message. These talking points can include examples to better explain your message.

🗣️ **Sound bites** are short, memorable ways of communicating your talking points in the media.

Positioning the members of your group as experts on the issue at hand lends credibility to your campaign or cause. The clearer it is that your group has researched the problem and is providing solutions, the more that media outlets and the general public will seek out your group for expertise and guidance. Therefore, your group should include people who have direct experience with the police department. Their experiences should not only inform the campaign’s strategies and goals but also provide expertise on the issue. You can bolster this expertise with data that support your cause, research, and best practice models.

Use your communications strategy to generate coverage in various media outlets. This will bolster your outreach and inform your tactics. For example:

Do you need more community support from young people at events?

Develop a social media strategy, shoot videos, or create shareable memes to attract the attention of younger community members.

Do you want to attract the attention of voters in a specific neighborhood or community?

Place letters to the editor of the local newspaper, develop flyers to post in places community members frequent, or even fundraise for a small billboard.

Do you want to communicate directly to a decision-maker or your campaign target?

Create a sign-on letter or policy brief or generate talking points for use at an in-person meeting.

These communication strategies are quite different, but with a strong, unifying message, they can work together toward one cohesive and winning communications strategy.

Common Communications Tactics

Two common communications tools are letters to the editor and op-eds, which appear in the opinion section — the most widely read section of the newspaper after the front page.

Letters to the editor are typically written in direct response to a current issue or event or in response to a previous article the newspaper printed. These letters are 150 words or less and summarize one or two key points. They are extremely time sensitive: generally, a newspaper will not publish a letter to the editor more than a few days after the original event or article.

Sample Letter to the Editor

Yesterday, [this paper published an article stating that...]. As a community member working to reform the police department, I [agree/disagree, insert position].

Evidence shows that [insert data, research, or stories demonstrating the impact of the issue on communities and public safety].

[Describe best practices and where they have been successfully implemented.]. Adopting policies that address [issue] would [positive impact of proposed solution.].

It is time [city or locality] began adopting commonsense solutions to the issue of [issue or problem], which will result in a more transparent and accountable police department and a safer place for all [city's or locality's] residents.

[Insert Call to Action.]

Sincerely,

[Name, contact information]

An op-ed (which stands for opposite the editorial) is typically much longer — 500 to 750 words — and takes a position. It is a good idea to peg an op-ed to a recent issue, incident, article, or story, but op-eds are not as time sensitive as letters to the editor. The usual authors of op-eds are experts or otherwise credible community members who have direct experience and expertise with the issue at hand. Both a letter to the editor and an op-ed can include a call to target, pressure points, other decision-makers, or the community at large.

Depending on your city and news source, you can submit letters to the editor and op-eds online or by mail. Instructions for submission typically appear at the beginning of the editorial section, on the first or last page of the newspaper, or online. Be sure to follow these instructions carefully to improve your chances of publication.

An OP-ED should include the following components:

- A compelling first sentence to draw the reader in.
- Established credibility and expertise on the issue.
- Discussion of the problem.
- Discussion of dangers and risks associated with the problem.
- Discussion of the solution.
- Compelling “kicker” last sentence or paragraph.

A sign-on letter is an example of a communications strategy that goes directly to your target. You typically use a sign-on letter to show widespread and diverse support for a solution to an issue. Therefore, it is important to reach out to different types of organizations and communities to ask them to sign on to your letter. You can mail sign-on letters to your campaign target or deliver them in person as part of a meeting creative action, or press conference.

You can also write a form letter and have each supporter send it individually to the campaign's target. Alternately, you can write a call script that individuals can use when they target and you can create an online or hard-copy petition and circulate it for signatures.

Sample Sign-On Letter

We, the undersigned organizations and individuals made up of more than [number] diverse grassroots organizers, policy advocates, lawyers, lobbyists, policing reform experts, and family members who have direct experience with the [police department], call on the [campaign's targeted pressure point] to [campaign goal].

National studies and local data community members have gathered show that [insert relevant data about the problem.]. In fact, in [city or locality], [insert local story about the problem].

We know that [insert problem] does not make our communities safer. In fact, it can have an adverse effect on public safety. Therefore, to create true public safety in our communities, we must create policy solutions that are informed by directly affected community members and strengthen relationships between the community and the [police department].

A policy that [insert policy solution and any positive impacts] will not only improve the lives of our community members who encounter police officers but have a positive impact on our [city/town/county] overall.

The [police department] has an opportunity to create a transparent and accountable organization that values public safety, mutual respect, and the human rights of all our residents. It can position itself as a national model, built on best practices and commonsense approaches.

We urge you to [insert campaign goal].

Sincerely,

[The undersigned]

Press Conferences and Press Releases.

Press conferences are another important means of distributing your campaign's message and highlighting important updates or milestones in the campaign's progress. You can use press conferences to garner mainstream media attention or independently create and distribute media.

Press releases attract media attention: They should answer “who,” “what,” “where,” “when,” “why,” and “how” and be written in the third person. News outlets — particularly ethnic media outlets — may use the press release as a primary source of information and even reprint it without following up with your group for additional quotes or information. Make sure to write the press release in a style that easily lends itself to transformation into an article and include everything you want your readers to know. Consider including one or two quotes from community members or representatives from local organizations, as well. Be concise, clear, and timely.

Online Activism and Social Media.

Much of your campaign's success will come from effective communication strategies, including use of the internet and social media. From email blasts to online petitions to trending hashtags, the internet can be an effective tool for mass mobilization, helping you get your message out broadly and quickly.⁷³

Amplifying your message across social platforms is an important part of getting your campaign message out to your target audience. Creating social media posts from your talking points and condensing them into the appropriate character count — and including a call to action — help your audience and those interested in your campaign get involved. Including a hashtag to house your creative information and take the campaign viral spreads your message farther.

Color of Change

Color of Change is a digital petition and training platform that allows people to organize and mobilize individuals around a variety of racial justice topics.

For more information visit: <https://www.organizefor.org/>

The average person's attention span is decreasing rapidly; at the same time, our news feeds and inboxes are becoming increasingly cluttered with media competing for our attention. Therefore, it is more important than ever to be able to communicate your message in a compelling and succinct way. Hashtags help by giving you a way to describe the core of your issue in just a few characters while also framing your issue and reaching a wider audience. Images and videos are a visual representation of your message, so it is important to keep all social elements cohesive and clear.

Social media is critical for getting the word out about your issue and building broad support for your campaign. Make sure your outreach does not stop there. Through various online platforms, you can create petitions, conduct phone and text banking to turn people out to events, email targets directly with prefilled or custom letters, send emails to supporters in specific ZIP codes to encourage them to contact their representatives, and more.

Social media algorithms that determine your online experience are always evolving, and new online organizing tools are created every day. Check the internet for up-to-date guides on how to use these strategies effectively.

Know Your Rights Trainings

Know Your Rights training is an important part of police reform. These training sessions can get more people involved in your campaign and are an important community education tool. They can also be helpful in explaining new reforms to community members who should understand how police officers are expected to treat them during police stops and encounters. One key to successful Know Your Rights training, however, is understanding the difference between “rights” and “reality” because often what police officers are supposed to do varies from what may occur during an encounter.

Step 6: Engaging your Target and Pressure Points, and Meeting with Other Stakeholders

Organizing a meeting with the police chief, a community liaison, or a representative from the police department is a critical strategy when the campaign goal is policy reform in the police department. Because the police chief is the decision-maker for police department policy, that person tends to be your campaign's target pressure point.

Many campaigns begin with a direct request for what your community wants. This initial request can set the tone for the campaign, give you important information that informs your strategy and tactics, gauge how long it may take for you to win your campaign, and identify obstacles you may encounter along the way. Other times, you may meet with the police chief or others in the police department when drafting policies, designing training on policies, or providing updates from the community about policy implementation.

Meeting with decision-makers such as elected officials and representatives is important for getting legislation, ordinances, or resolutions passed at any level of government. Even if legislators do not have direct power to make the change you want, they can have relationships with those who do. They are also generally willing to meet with the people they represent, directly or indirectly.

Set goals.

Regardless of the reason for your meeting or whom you are meeting, set a clear goal for the meeting.

Before scheduling your meeting, be sure that you are prepared. You will likely have limited time with the representative, so setting a clear goal (why you want to meet) before you step into the room is essential. Your goal may be:

- To get a commitment from an elected official to introduce legislation or vote a certain way.
- To educate an official on an important issue to prime them for future action or to support your efforts to move a different pressure point.
- To gather information about where the official stands on an issue or any reforms the official is contemplating.

Knowing your goal beforehand helps ensure that you and your group know whether the meeting was successful — which is especially important if members of your group have never met with an elected official before. Be prepared for the official to be in a rush, ask difficult questions as they attempt to understand the issue from all sides, or already have a firm position on the issue.

A clear goal also helps set the tone for your meeting. If you asked for the meeting, then the official will likely expect you to take the lead and set the agenda, especially if you do not have a prior relationship with the official. The meeting's attendees and your talking points help set the meeting's tone as well.

Decide who should attend.

When you know why you want a meeting, decide who should attend. An official may be more likely to share information — especially sensitive information — and answer your questions in a smaller meeting. In contrast, if you prefer a larger meeting without much back and forth or want to draw attention to the support your cause has garnered, opt for a community forum.

If you decide to bring a larger group to the meeting, be sure that everyone is clear on and unified in the message and goals of the meeting. You should also notify the official's office beforehand, so that staff can book a conference room to accommodate everyone. If your meeting is in a government building, check beforehand whether identification is required, and advise the people who will be attending accordingly.

When meeting with police department leaders, keep in mind that they frequently bring additional people to meetings with the community. It is unlikely that you will be alone in the room with the police chief or other leaders within the department unless it is a small or rural jurisdiction.

Similarly, elected officials and police leaders will sometimes have you meet with someone else in their office or use a stand-in at a meeting. If this happens, do not be discouraged. True, it is best to get a face-to-face meeting, but policymakers have busy schedules; they rely on their staff to be their “eyes and ears” and often defer to their proposals and recommendations. Never underestimate the power of the person you are meeting with, even if they are an intern. Treat the surrogate with as much respect as you would the person they are representing.

Many people in positions of power, whether elected or appointed, meet with their constituents or other concerned advocates regularly, but it can be more difficult to get a meeting in a large jurisdiction or during a busy legislative session. If you do not receive a response to your meeting request, it may be time to escalate or use a different tactic, such as a letter-writing or call-in campaign, or a creative action like a sing-a-thon outside the official's office.

Develop clear talking points.

Whether you have a few or many attendees in your meeting, **clear talking points** are critical to your success. If you are still trying to determine who will attend your meeting, your talking points can help drive this strategic decision. Consider whether some points will be better received if they come from a particular member of your group based on that person's direct experience with the issue or level of expertise. If you are meeting with an elected official, consider whether the meeting's attendees live or vote in their district.

Your group may choose one spokesperson or divide the meeting into portions, each with a clear speaking role for a participant to discuss one talking point. Not everyone in your group needs to speak, but everyone should be prepared to speak if asked or to fill in if someone forgets an important talking point. If language interpretation is needed, be sure that your group has a designated interpreter.

Practicing your talking points and even conducting role-plays of the meeting beforehand can help prepare your group, particularly if group members have never met with a person in power before or are nervous. It is also important to consider what your bottom line is if you are requesting something from the person with whom you are meeting. Ask yourself:

- *What concessions will your group make and under what circumstances?*
- *What will you not decide on or agree to until you have a chance to talk about it again as a group?*

Make sure everyone attending the meeting is clear on and committed to upholding these bottom lines.

When developing your talking points, be sure to consider what moves or motivates the person you are targeting:

- *Are they concerned with fiscal responsibility and how reforms may affect the budgets?*
- *Are they motivated by the possibility of becoming a national leader in police reform?*
- *Are they vying for a seat in an upcoming election?*

Speak directly about community concerns.

Regardless of the pressure point's motivations and interests, be sure to **speak to concerns of the public officials you are meeting with**, showing how your solutions will have a positive impact on the issues the official cares about most. Bring data and personal stories to grab their attention.

Similarly, focus on solutions and what the official can do to affect change. Positioning your group as an expert may mean that that official is more likely to turn to your group for its perspective

during critical moments, such as drafting legislation, developing counterarguments to an opponent's position, or seeking feedback on policy language.

Bring your talking points with you to the meeting; in this way, no matter what the official says, your group will not be derailed and will hit your most important points.

Checklist for Questions to Ask Decision-Makers at Meetings

Direct questions, such as:

- ☑ [For elected representatives] “Can we count on your support for Resolution XX?” or “What will it take to get your support on XX?”
- ☑ [For police departments] “Is your department willing to adopt a policy on XX through a community-led process?”

Follow-up or recap questions, such as:

- ☑ “When can we expect to hear back from you about XX?”
- ☑ “Just to confirm, our next steps will be to XX . . .”

Give them information to take away.

Finally, **get something in the pressure point's hands that they can look at later.** This may be a one-pager that reiterates your talking points or draft legislation you want the official to consider. Include your group's contact information on the document so that the official's staff members can contact you with any follow-up questions or updates.

Sample One-Pager or Fact Sheet

Background *[Provide important information about the history or background of the issue. Include compelling statements on why this issue is urgent in the community, including any relevant data.]*

Solutions *[Focus the majority of your document on the solutions to solve the problem. All talking points should align with the solution.]*

Talking Point 1:

Talking Point 2:

Talking Point 3:

Addressing the opposition: If opposition exists to the solution you are proposing, address it here — for instance, “Although Tasers are often promoted as an alternative to lethal force, they can be lethal, especially under certain circumstances, and they are often used in situations where lethal force would not be warranted. This is why strong limitations/a ban on their use except when the only other option would be lethal force are/is critical.”

Closing statement

Special considerations when meeting with the police department.

Meeting with police leaders can be difficult for people who have had negative experiences with police officers. If planned appropriately and with care for the people who have had direct experience with policing, the meeting can be an empowering or even a potentially healing experience for community members. If not done properly, the meeting can result in further emotional and psychological harm. Also consider whether anyone in your group has open warrants, is an undocumented immigrant, or may otherwise face risks by meeting with police leaders.

Special considerations when meeting with elected officials.

When choosing whom to meet with, be sure you **understand the official's role in the government** and their ability to impact change on the issue at hand. You may be requesting a meeting with your campaign's targeted pressure point or those who can influence your target.

Learn as much as you can about the official and their position on the issue prior to the meeting. What motivates the official and what is their relationship to other decision-makers? Questions your research should answer include:

- *To which organizations does the official belong to?*
- *On which committees does the official sit?*
- *What kinds of legislation has the official introduced or championed?*
- *What policy changes has the official spoken in favor of?*

Officials typically provide much of this information on their official or campaign websites and social media accounts. Alternatively, your group can talk to other organizations with which the official has a relationship. Power mapping will help ensure that you meet with the appropriate official and give you a visual understanding of where they stand politically relative to your cause.

Remember, if your group is a registered nonprofit organization, you can still meet with public and elected officials.

Notes for registered nonprofit organizations: Is it lobbying?

→ If I... ask a legislator to pass specific pending legislation?

This is direct lobbying. If your group is a registered charitable organization, the amount of time and money you spend on lobbying is restricted. Check Internal Revenue Service (IRS) regulations and grant agreements before moving forward.

→ If I... ask others to contact a legislator to ask them to support specific pending legislation?

This is called grassroots lobbying, or indirect lobbying. Your charitable status still restricts such lobbying, but the regulations are not as strict. Check IRS regulations and grant agreements before moving forward.

→ If I... Ask a legislator to take general action on an issue without referring to specific legislation or educating the legislator on an issue more broadly?

This is not lobbying: It is considered educating lawmakers.

Disclaimer:

Check your state and federal regulations for restrictions on lobbying and be sure to check any grant agreements you may have that restrict this activity.

No matter whom you meet with, it is important to send an email or letter to thank them afterward and clarify any next steps that you discussed. This contact can also serve as a way to document in writing any commitments made.

Sample Thank-You Letter

Dear _____,

Thank you for meeting with _[name of group]_____ on _[date]_____.

At the meeting, we discussed _[summary of meeting]_____. We look forward to _[any next steps from meeting]_____.

Please do not hesitate to reach out to us should you have any additional questions. We can be reached at _[contact information]_____.

In appreciation,

_[name of group]_____

Step 7: Evaluate the Impact of your Campaign

Once a change has been made, monitor how it is being implemented. For instance, *are all officers being trained on a new policy? Is the department evaluating its understanding and compliance with the new policy? Are community members seeing improvements? Are new or different problems arising?*

For policing reforms to be sustainable over the long term, the community at large must understand what changes have been made and hold police officers and departments accountable to them. Ways to do this include continuing to document encounters with the police department so that the campaign can report on the progress of reforms, encouraging people to file complaints against the police department when it is safe and necessary to do so, continuing to engage with decision-makers and stakeholders by attending city council meetings and other public forums, and participating in a civilian oversight board.

Change is a long-term undertaking. It is important to celebrate victories and improvements along the way and to recognize that it is a continuing process in which new problems will be identified and the cycle will be repeated until we can overhaul policing systems for true systemic change that guarantees fair, safe, and effective policing.

A photograph showing a person from behind, holding a large black sign with the words 'BLACK LIVES MATTER' written in white, hand-painted letters. The person is wearing a dark t-shirt and a backpack. Other people are visible in the background, some wearing blue jackets, suggesting a public gathering or protest.

BLACK LIVES MATTER

VII. ADDITIONAL RESOURCES

Model Legislation & Policies

Colorado State Legislation on Consent Searches

<https://law.justia.com/codes/colorado/2016/title-16/code-of-criminal-procedure/article-3/part-3/section-16-3-310/>

General Order on Deaf or Hearing-Impaired Persons (Frederick Police Department)

<https://www.cityoffrederick.com/DocumentCenter/View/6500/550---Deaf-or-Hearing-Impaired-Persons?bidId=>

Interacting with People with Limited English Proficiency (Center City Police Department)

https://ojp.gov/about/ocr/pdfs/lep_sample.pdf

Model Policy on Recording Police Activity (International Association of Chiefs of Police)

<https://www.theiacp.org/resources/policy-center-resource/recording-police-activity>

Model State Legislation for Body-Worn Cameras (Harvard Black Law Students Association)

<http://charleshamiltonhouston.org/wp-content/uploads/2015/05/Independent-Lens-Cvr-Guts.pdf>

Model Use of Force Policy (Campaign Zero)

<https://static1.squarespace.com/static/55ad38b1e4b0185f0285195f/t/5ad8f29d562fa73d36816cd5/1524167325792/Campaign+Zero+Model+Use+of+Force+Policy.pdf>

Note: This model policy does not include provisions on use of force against pregnant people – please amend to include provisions consistent with the elements of change described in this section to ensure protection for pregnant people in your community.

New Jersey Legislation Mandating Approval of Acquisition of Military Equipment

https://www.njleg.state.nj.us/2014/Bills/PL15/23_.PDF

New York Police Statistics and Transparency (STAT) Act:

<https://changethenypd.org/PoliceSTATAct>

Open Data and Policing (Police Data Initiative)

<https://www.policedatainitiative.org/resources/open-data-and-policing/>

Proposed California Legislation Limiting Use of Force

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB931

Racial Profiling (Seattle Police Department)

<http://www.seattle.gov/police-manual/title-5---employee-conduct/5140---bias-free-policing>

Use of Force Policy (Chicago Police Department)

https://home.chicagopolice.org/wp-content/uploads/2017/05/G03-02_Use-of-Force_TBD.pdf

Washington State Ballot Initiative Limiting Use of Lethal Force and Mandating De-Escalation Training

https://d3n8a8pro7vhmx.cloudfront.net/deescalatewashington/pages/15/attachments/original/1499284651/l-940_Final_-_De-escalate_Washington.pdf?1499284651

Reports & Toolkits

2017 Police Violence Report by Mapping Police Violence

<https://policeviolencereport.org/>

Born Suspect: Stop-and-Frisk Abuses & the Continued Fight to End Racial Profiling in America by NAACP

https://www.naacp.org/wp-content/uploads/2018/07/Born_Suspect_Report_final_web.pdf

Centering Black Women, Girls, Gender nonconforming people and fem(me)s in Campaigns for Expanded Sanctuary and Freedom Cities

<https://forwomen.org/resources/sanctuary-city-report/>

Civil Rights Investigations of Local Police: Lessons Learned

https://www.policeforum.org/assets/docs/Critical_Issues_Series/civil%20rights%20investigations%20of%20local%20police%20-%20lessons%20learned%202013.pdf

Deadly Force: Police Use of Lethal Force In The United States by Amnesty International

https://www.amnestyusa.org/files/aiusa_deadlyforcereportjune2015.pdf

Expanding Sanctuary: What Makes a City a Sanctuary Now?

<https://drive.google.com/file/d/0B1xgl8UTis-QQm9hSnNnNV9FNUE/view>

Expansive and Focused Surveillance: New Findings on Chicago's Gang Database

http://erasethe database.com/wp-content/uploads/2018/07/Expansive-and-Focused-Surveillance-June-2018_final.pdf

Freedom to Thrive Reimagining Safety & Security In Our Communities by Law for Black Lives

<https://static1.squarespace.com/static/5500a55ae4b05a69b3350e23/t/595cf69b1b631b031e0542a5/1499264677929/Freedom+to+Thrive+Web.pdf>

Free Our Future: An Immigration Policy Platform For Beyond The Trump Era by Mijente

https://mijente.net/wp-content/uploads/2018/06/Mijente-Immigration-Policy-Platform_0628.pdf

Get Yr Rights: A Toolkit for LGBTQTS Youth And LGBTQTS Youth Serving Organizations

<http://www.veronicabayettiflores.com/wp-content/uploads/2016/06/GYR-Toolkit-FINAL-02-05-2015.pdf>

The Impact of the Trump Administration’s Federal Criminal Justice Initiatives on LGBTQ People & Communities and Opportunities for Local Resistance (Lambda Legal)

<https://www.lambdalegal.org/criminal-justice-initiatives>

Invisible No More: Police Violence Against Black Women and Women Of Color

<http://www.invisiblenomorebook.com>

Invisible No More Study and Discussion Guide

<http://invisiblenomorebook.com/study-guide/>

Law Enforcement Violence Against Women of Color and Trans People of Color: A Critical Intersection of Gender Violence and State Violence – An Organizer’s Toolkit

<https://incite-national.org/wp-content/uploads/2018/08/TOOLKIT-FINAL.pdf>

Map of Collaboration Between Local Law Enforcement and ICE (Immigration Legal Resource Center)

<https://www.ilrc.org/local-enforcement-map>

The Most Dangerous Thing Out Here Is the Police: Trans Voices on Police Abuse and Profiling in Atlanta by the Solutions Not Punishment Coalition (SNaP Co)

<http://rjactioncenter.org/sites/default/files/files/DangerPolice-16pg-4web.pdf>

No Cop Academy: The Report

<https://nocopacademy.com/report/>

No Justice, No Deal: Accountability Through Police Contract Negotiations

<https://www.youtube.com/watch?v=s0BRHCt-Utk&feature=youtu.be>

Policing Scorecard | Campaign Zero

<https://policingscorecard.org/>

Policing Race, Policing Gender, Policing Sex: A Review of Law Enforcement Policies

<http://andreaJRitchie.com/wp-content/uploads/2017/05/Policing-Race-Gender-and-Sex-A-Review-of-Law-Enforcement-Policies.pdf>

PREA and Police Lockups: A Blueprint for Implementation (Just Detention International)

<https://www.prearesourcecenter.org/sites/default/files/library/lapdblueprint.pdf>

The Prosecutor's Role in Addressing Officer-Involved Fatalities and Critical Incidents: A Toolkit for Prosecutors and Communities, by Prosecutors and Communities

<http://johnjay.jjay.cuny.edu/documents/Officer-Involved-Fatalities-Toolkit.PDF>

Randomized Controlled Trial of The Metropolitan Police Department Body-Worn Camera Program

<https://bwc.thelab.dc.gov/>

Re-Engineering Training on Police Use of Force

<https://www.policeforum.org/assets/reengineeringtraining1.pdf>

The Rise of Sanctuary: Getting Local Officers Out of the Business of Deportations in the Trump Era

https://www.ilrc.org/sites/default/files/resources/rise_of_sanctuary-lg-20180201.pdf

#SayHerName: Resisting Police Brutality Against Black Women (AAPF)

<http://www.aapf.org/sayhernamereport/>

Searching for Sanctuary: An Analysis of America's Counties & Their Voluntary Assistance with Deportations (Immigrant Legal Resource Center)

https://www.ilrc.org/sites/default/files/resources/sanctuary_report_final_1-min.pdf

To Protect and Serve: New Trends in State-Level Policing Reform, 2015-2016 by Vera Institute

https://storage.googleapis.com/vera-web-assets/downloads/Publications/protect-and-serve-policing-trends-2015-2016/legacy_downloads/041417-PolicingTrendsReport-web.pdf

#TrayvonTaughtMe: Toolkit for Black and Non-Black POC Organizers and Activists on the Fifth Anniversary of Trayvon's Death

<https://blacklivesmatter.com/resource/trayvon-taught-me-toolkit-for-black-and-non-black-poc-organizers/>

War Comes Home: The Excessive Militarization of American Policing

<https://www.aclu.org/sites/default/files/assets/jus14-warcomeshome-report-web-rel1.pdf>

We Can't Breathe: The Deaf & Disabled Margin of Police Brutality Toolkit

<https://www.ncil.org/wp-content/uploads/2016/11/11-18-16-We-Cant-Breathe-Toolkit1.pdf>

We Deserve Better: A Report on Policing In New Orleans By And For Queer And Trans Youth Of Color by BreakOUT!

<http://www.equityproject.org/wp-content/uploads/2014/12/WE-DESERVE-BETTER-REPORT.pdf>

When Mental-Health Experts, Not Police, Are the First Responders

<https://www.wsj.com/articles/when-mental-health-experts-not-police-are-the-first-responders-1543071600?fbclid=IwAR1H5rawtIOcDIA8H3bNIqDgwwRrhtsSN1WWRyXodEGsFOkoDBYnIfFN8>

Youth Engagement Guidebook: Bringing Youth and Police Together to Better Their Community by The Policing Project

https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/5c11679bb8a04513e4632def/1544644515393/Youth_Engagement_Guidebook.pdf

Resource Websites & Organizations

ACLU

<https://www.aclu.org/issues/criminal-law-reform/reforming-police-practices>

<https://www.aclu.org/know-your-rights/deaf-rights-what-do-when-dealing-police>

Black Lives Matter Syllabus

<http://www.blacklivesmattersyllabus.com/>

Campaign Zero

<https://www.joincampaignzero.org/>

Center for Constitutional Rights

<https://ccrjustice.org/home/what-we-do/issues/discriminatory-policing>

Center for Immigration Studies

<https://cis.org/Map-Sanctuary-Cities-Counties-and-States>

Center for Policing Equity

<http://policingequity.org/>

Communities United for Police Reform

www.changethenypd.org

Creating Law Enforcement Accountability & Responsibility (CLEAR)

<http://www.cunyclear.org/>

Erase the Database

<http://erasethedatabase.com/>

Fair and Impartial Policing

<https://fipolicing.com/>

Film the Police & Know Your Rights: A Pocket 'Zine

<http://www.indigenoussaction.org/wp-content/uploads/Film-the-Police-zine-know-your-rights-SMALL.pdf>

Gun Violence and Police Militarization Policy Brief & Fact Sheet by Million Hoodies

<https://www.millionhoodies.net/gun-violence/>

Helping Educate to Advance the Rights of Deaf Communities (HEARD)

<http://behearddc.org/>

The Institute for Criminal Justice Training Reform

<https://www.trainingreform.org/>

Immigrant Law Resource Center

<https://www.ilrc.org>

In Our Names: Resisting Police Violence Against Black Women (Trans & Non-Trans), Gender Non-Conforming Folks, and Fem(me)s

<https://www.inournamesnetwork.com/>

Know Your Rights for Women, Girls, and Gender Nonconforming People

https://docs.wixstatic.com/ugd/04cb5a_a2476bd3799642deb5ab70e524c74ca6.pdf

Mapping Police Violence

<https://mappingpoliceviolence.org/>

The Marshall Project

<https://www.themarshallproject.org/records/110-police-reform>

NAACP LDF

<https://www.naacpldf.org/case-issue/policing-reform-campaign/>

National Association for Civilian Oversight of Law Enforcement

<https://www.nacole.org/>

National Center for Transgender Equality

<https://transequality.org/issues/police-jails-prisons>

National Council on Independent Living

<https://www.ncil.org/we-cant-breathe-the-deaf-disabled-margin-of-police-brutality-project/>

Police Assessment Resource Center

<http://www.parc.info/>

Police Executive Research Forum

<https://www.policeforum.org/>

Police Body-Worn Camera Legislation Tracker

<https://apps-staging.urban.org/features/body-camera-update/>

Police Data Initiative

<https://www.policedatainitiative.org/>

The Policing Project by NYU

<https://www.policingproject.org/>

The Stanford Open Policing Project

<https://openpolicing.stanford.edu/>

Strategies for Youth

<https://strategiesforyouth.org/>

Vera Institute of Justice

<https://www.vera.org/publications/arrest-trends-every-three-seconds-landing>

Federal & Government Resources

Community Policing in Action by COPS, Department of Justice

<https://ric-zai-inc.com/ric.php?page=detail&id=COPS-C001>

Guidance for Federal Law Enforcement Agencies Regarding the Use Of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, Or Gender Identity by Department of Justice

<https://www.justice.gov/sites/default/files/ag/pages/attachments/2014/12/08/use-of-race-policy.pdf>

Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence by Department of Justice

<https://www.justice.gov/opa/file/799366/download>

Implementing a Body-Worn Camera Program Recommendations and Lessons Learned by Police Executive Research Forum and Community Oriented Policing, Department of Justice

<https://www.justice.gov/iso/opa/resources/472014912134715246869.pdf>

Final Report of The President's Task Force on 21st Century Policing

https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

Uniform Crime Reporting (UCR) Program by Department of Justice and FBI

<https://www.ucrdatatool.gov/>

Glossary

Arrest

The act of seizing a person to take into custody. An arrest must be based on probable cause.

Asset Forfeiture

A civil proceeding to permanently seize property that has been used for criminal activity.

Bias-Based Policing

Any action a police officer takes that is influenced by bias (explicit or implicit), prejudice, or discrimination.

Body Cavity Search

A search that involves inspection of a body cavity (*i.e.*, rectum, vagina).

Broken Windows Policing

An approach to law enforcement that assumes that enforcement of minor offenses will prevent future crime.

Campaign

A planned activity, or set of activities, carried out over a period of time with the purpose of achieving social or political change.

Chokehold

A physical, hands-on maneuver that cuts off the supply of oxygen to the brain.

Civilian Oversight Board

A formal collection of community members that aim to hold police officers and police departments accountable for their actions and policies. Oversight bodies should represent all sectors of a community, including those disproportionately targeted by policing.

Class Action Lawsuit

A lawsuit that seeks to establish a pattern or practice of an ongoing problem within a police department by showing multiple examples of the issue at hand. Typically, the goal of a class action lawsuit is to prompt change in policy or training at a department.

Coalition

A group of several individuals or organizations who share an interest in a particular issue and come together to work on that issue.

Community Policing

A holistic approach to law enforcement in which police departments actively build meaningful relationships with community members to improve public safety and advance community goals.

Consensus (or Modified Consensus)

A decision-making process wherein everyone in the group agrees to allow a decision to be made before the group moves forward. In contrast to majority rules decision-making processes, consensus ensures that all voices and opinions in the room are heard. In modified consensus, a group strives for consensus whenever possible but may resort to majority rules if consensus cannot be achieved.

Consent Decree

A court-ordered agreement that outlines changes that police departments must make to comply with the U.S. Constitution. Often, independent monitors oversee consent decrees.

Color of Law

Conduct both on and off duty that is facilitated by the authority vested in police officers, including through official vehicles, equipment, or information.

Crisis Response

An approach to policing that diverts individuals experiencing mental health crisis or substance use disorders from standard criminal justice processing at the front end and directing them instead to appropriate treatment settings.

Critical Incident

An individual incident of excessive or lethal force or police misconduct. Individuals and organizations promoting police reform often use critical incidents to put pressure on officials to make necessary changes to policing policies and practices as well as to increase accountability and oversight.

Decriminalization

The process of removing or reducing a criminal classification, usually by establishing a preference for issuing a warning or summons rather than making an arrest.

Deliberative Process Privilege

Privilege that protects information about internal decision-making processes in an agency to enable decision-makers to express themselves candidly and explore different solutions before settling on a final policy or decision.

Diversion

A program that implements rehabilitative strategies and services instead of traditional criminal punishment.

Explicit Bias

Conscious prejudices, attitudes, or stereotypes held against a person or group of people.

External Procedural Justice

Practices and relationships that demonstrate fairness and respect outside a police department (i.e., between the police department and the community).

Force

The application of physical strength for coercive purposes. Police use of force can range from the use of hands, legs, batons, or other equipment, including vehicles, handcuffs, restraints, pepper spray, tear gas, water cannons, canines, Tasers, and firearms.

Freedom of Information Act (FOIA) Request

A formal request for full or partial disclosure on request of information and documents the government controls. The federal government and all 50 states and the District of Columbia have laws mandating that information that public agencies and officials keep be made available on request to members of the public. Individuals or groups can issue a FOIA request for information about policies, data, or the structure of a police department. Read more about FOIA at <https://www.foia.gov>.

Frisk

A pat-down or search of a person's outer clothing. A frisk must be based on a reasonable, articulable suspicion that the person being frisked of the frisk is armed and presents a danger to a police officer during a lawful investigatory stop. Unless the police officer feels something that could be a weapon through the outer clothing, they cannot go inside a person's pockets or under the person's hat or other clothing during a frisk (See "Stop-and-Frisk").

Gender

The socially constructed set of characteristics typically associated with a "gender binary" in Western-dominant culture or two dominantly accepted gender expressions of masculinity and femininity. Many cultures, including cultures indigenous to the United States, recognize more than two genders. Gender is not defined by biological sex characteristics.

Gender Expression

An external manifestation of gender, expressed through a person's name, personal pronouns, clothing, haircut, behavior, voice, or body characteristics. Western-dominant culture identifies these cues as masculine or feminine, although they vary by culture.

Gender Identity

A person's internal, deeply held sense of their gender. Unlike gender expression, gender identity is not visible to others. Gender identity is not immutable; it may shift over time.

Gender Nonconforming

A term used to describe people whose gender expression is different from conventional expectations of masculinity and femininity.

Hogtying

Restraining a person in a prone position by tying their wrists and ankles together behind them.

Implicit Bias

Subconscious biases that have been imparted to each of us by our received culture and the experiences, images, and media we consume, which influence and affect our daily actions and interactions.

Internal Procedural Justice

Practices and policies that demonstrate fairness and respect within a police department.

Latinx

A gender-neutral and inclusive term used to refer to people of Central or South American descent.

Law Enforcement Bill of Rights

State laws that limit and set conditions on investigations of police misconduct and discipline, including limitations on public release of information.

Law Enforcement Privilege

Privilege that allows law enforcement agencies to withhold information about current investigations or information that, if released, would interfere with legitimate law enforcement interests.

LGBTQ

Acronym for lesbian, gay, bisexual, transgender, and queer/questioning.

Loitering

Standing, hanging out, or lingering in a public place. Many jurisdictions have statutes or ordinances against loitering that give police the power to arrest someone who refuses to vacate the space.

Mandatory Arrest Laws

The legal duty of police to make an arrest when responding to intimate partner violence calls if they find probable cause to believe an offense has been committed.

Plaintiff

The person who initiates a lawsuit or makes a legal complaint.

Police Union

Like other workforce unions, police unions represent individual police officers and negotiate union contracts with police departments, including provisions on discipline and accountability. Police unions often take an active role in advocating for legislation and policies favorable to police officers.

Political Education

A collective study process to bring greater clarity to historical factors that have affected marginalized or oppressed people and led to current societal or political conditions. Such education incorporates and builds on people's lived experiences to draw larger connections to the world around them. It often includes the study of popular movements for social change and may lend greater clarity, for example, to questions about the role of racism and other oppressions in present-day policing.

Positional Asphyxia

Death that results from being placed in a position that interferes with the ability to breathe.

Predictive Policing

Use of data and computer systems to automatically forecast where and when crime will occur.

Pretext Stops

A stop that a police officer makes, with or without probable cause or reasonable suspicion, that allows the officer to then investigate a separate, unrelated, or suspected criminal offense.

Private Right of Action

An individual's right to sue a police officer or department.

Proactive Policing

Policing strategies intended to prevent or reduce crime. (See “Predictive Policing.”)

Probable Cause

A belief, based on specific facts, that would lead a reasonable police officer to conclude that it is likely that a person has broken a law.

Procedural Justice

A term used to describe treating individuals fairly and respectfully during police interactions. (See “External Procedural Justice” and “Internal Procedural Justice.”)

Profiling

The act of generalizing a person or group of people based on personal attributes. In the policing context, profiling refers to the act of presuming that a person or group of people are involved in criminal activity. Profiling can be based on intentional discrimination or widely held biases and beliefs that certain types of people are more likely to break the law or do harm than others.

Reasonable Articulate Suspicion (or Reasonable Suspicion)

A legal standard for an officer to perform a search; it must be based on facts known to the officer at the time of the search and must be more than a “hunch” or a profile.

Search Warrant

A legal document authorizing the search of a home or business.

Sexual Orientation

A scientifically accurate term for an individual's enduring physical, romantic, or emotional attraction to other people.

Special Weapons and Tactics (SWAT)

Highly militarized teams created to handle hostage, active shooter situations, terrorism and, in certain situations, to execute drug warrants.

Stop-and-Frisk

When police temporarily detain somebody and pat down their outer clothing when there are specific, articulable facts leading a reasonable police officer to believe that a person is armed and dangerous. Stop-and-frisk is also sometimes referred to as a “Terry stop,” derived from the U.S. Supreme Court case *Terry v. Ohio*, which decided that stop-and-frisk must comply with the Fourth Amendment of the U.S. Constitution and cannot be unreasonable. (See “Frisk.”)

Strategy

A broad plan for achieving a goal.

Strip Search

A search that involves partial or full removal of a person’s clothing.

Tactic

A planned action, task, or procedure used to fulfill a strategy.

Taser

A weapon that delivers electric currents to disrupt voluntary control of muscles, causing temporary paralysis.

Transgender

An umbrella term for people whose gender identity or gender expression differs from what is typically associated with the sex assigned at birth.

I. Introduction

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II. Policing By the Numbers

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¹⁷ Stinson, Philip et al. (2016). Police Integrity Lost: A Study of Law Enforcement Officers Arrested. U.S. Department of Justice. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/249850.pdf>.

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III. I am Concerned

About...

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IV. Structure of

Police Departments

Pressure Points, &

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