



## Final Report

# INDEPENDENT AUDIT OF THE CITY OF LITTLE ROCK'S POLICE DEPARTMENT

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This document contains the best opinion of CNA at the time of issue.

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# Acknowledgements

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CNA acknowledges the support and assistance we received from the City of Little Rock and the Little Rock Police Department (LRPD) in completing this audit. The input, experiences, data, and resources we received were invaluable to learning about the public safety needs of Little Rock, compiling our findings, and making our recommendations. In particular, we would like to thank the following: Kendra Pruitt, James Owen, Chief Keith Humphrey, Assistant Chief Wayne Bewley, Major Ty Tyrrell, Lt. Zach Farley, and members of LRPD and the City of Little Rock who participated in our focus groups and targeted interviews.

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# Executive Summary

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The ability of a police department to act in a fair and just manner is vitally important to creating internal and external trust, which in turn increases the perception of legitimacy by those who work for the department and those the department serves. Law enforcement agencies across the U.S. have faced increased scrutiny from the public in the last several years, with the events of 2020 exacerbating already simmering community relationships. The City of Little Rock has experienced recent issues of internal and external legitimacy stemming from the officer-involved shooting of Bradley Blackshire, a Black man, who was killed by a Little Rock Police Department (LRPD) officer in February 2019. The incident, in which Mr. Blackshire was fired upon at least 15 times, led not only to backlash from the public, but also internal strife within the LRPD. Since the February 2019 incident, the City of Little Rock, LRPD, the Chief of Police, and other members of LRPD have been the subjects of various lawsuits.

In response to calls from members and leadership of the LRPD for an investigation, the City of Little Rock, through a competitive bid, selected CNA's Center for Justice Research and Innovation to conduct an independent audit of the LRPD. This report details the findings and recommendations of this targeted audit of the LRPD. The audit team used a variety of sources, including policies, training records, administrative data, and focus groups and interviews with LRPD personnel to assess the department. Throughout this report we identify both strengths and weaknesses of LRPD's operations within the following areas:

1. Personnel policies and procedures
2. Training and professional standards
3. Accountability system data
4. Performance evaluations
5. Promotional process
6. De-escalation
7. Cultural competency
8. Harassment
9. Nepotism
10. Handling of private and confidential information
11. Early Intervention System
12. Body-worn cameras
13. Vehicle pursuits
14. Asset forfeiture
15. Take-home vehicle

Overall, this assessment will help LRPD standardize processes and metrics related to these topic areas, ultimately improving officers' and community members' levels of trust in the department.

CNA's audit was designed to accomplish the following:

- Determine whether LRPD policies and procedures reflect national best practices.

- Determine the extent to which topics of interest are integrated into training.
- Determine the extent to which training is consistent with adult-learning approaches.
- Determine the extent to which accountability system data reflects a fair and impartial process.
- Provide actionable recommendations for reforms in order for LRPD policies and practices to reflect best practices. The CNA team’s recommendations will help LRPD develop both internal and external legitimacy as it relates to administrative investigations, interactions with community members, development of officer skills, procedural justice, and organizational justice.

Based on the CNA team’s review of policy, procedures, and practices, as well as data collected and analyzed by the assessment team, our key findings include the following:

- The accountability system provides significant discretion to the Chief of Police, which allows for potentially inappropriate intervention.
- General orders related to the accountability system do not provide adequate definitions of key terms and concepts.
- Allegations, findings, and discipline are perceived by LRPD members to be inconsistently applied.
- Supervisors have not been adequately trained in conducting Divisional Investigations despite the potential for such investigations to lead to termination.
- The LRPD accountability data system is not comprehensively used nor are data points reliably captured, particularly data related to complainant demographics.
- Accountability system data indicate an increase in complaints filed against patrol members within the past three years.
- Accountability system data indicate a consistent trend of disparate outcomes for non-White female personnel.
- Performance evaluations appear to have little significance for an employee’s professional development, and the current performance evaluation process does not encourage growth, learning, or improving skill sets.
- The performance evaluation process is subjective.
- Performance evaluation metrics are inconsistent across supervisors, and supervisors are able to choose the metrics they will evaluate an officer on.
- Many elements of LRPD’s promotional process follow positive practices.
- Some aspects of LRPD’s promotional process increase the likelihood of subjectivity or may lead to disparate outcomes.

- LRPD’s promotional process does not contain sufficient ineligibility factors.
- LRPD’s attention to and emphasis on de-escalation during in-service and academy training courses increased between 2016 and 2020.
- LRPD general orders sufficiently define de-escalation but provide an “escape clause” from being held accountable.
- LRPD’s focus on de-escalation techniques is tied specifically to the use of force context.
- Training on cultural competency and bias-based policing is found throughout several in-service and academy trainings.
- LRPD does not appear to provide a dedicated block of in-service training on cultural competency and awareness.
- Reception to courses on cultural competency and bias-based policing has been mixed across officers.
- The City of Little Rock’s policy on nepotism is incomplete and does not sufficiently address all potential instances of conflict.
- While the LRPD’s policy on nepotism remediates some of the deficiencies with the City’s policy, some of the same deficiencies are found.
- LRPD does not have a stand-alone policy related to nepotism.
- LRPD’s policy on harassment is incomplete.
- LRPD’s policy on harassment does not provide sufficient definitions of key terms.
- LRPD does not have sufficient policies related to harassment of community members.
- LRPD does not have a stand-alone policy regarding confidentiality of information.
- LRPD policy does not sufficiently identify preventive measures regarding information security.
- The Early Intervention System (EIS) is inappropriately tied to accountability.
- The EIS thresholds are not sufficient to identify officers at risk of an adverse event.
- Several policies require additional clarification and definition of key terms and concepts.
- Audits of body-worn cameras (BWCs) lack the necessary methodological guidelines.
- Policy related to vehicle pursuits should include additional guidance on information-sharing between officers and supervisors, including when deciding to initiate a pursuit.
- The LRPD Divisional Operating Procedures (DOP) for State Seizure of Arrests does not provide guidance for officers when deciding whether or not to initiate the asset forfeiture process.

- Policy related to take-home vehicles is overall comprehensive, though could benefit from additional clarification and guidance in some parts.
- Expanding the assignment of take-home vehicles to incentivize residing in Little Rock appears reasonable.

Many of the findings and recommendations noted in this report are not unique to LRPD and include challenges that police agencies nationwide are facing. Where appropriate, we provide technical assistance for LRPD operations to be consistent with 21<sup>st</sup> century policing.



# Contents

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<b>Introduction .....</b>	<b>1</b>
Goals and objectives .....	2
Assessment areas of focus .....	2
Methodology and approach.....	2
Document review.....	3
Data review .....	3
Focus groups with LRPD personnel.....	3
Targeted group interviews with LRPD and City of Little Rock personnel .....	4
Overview of the report .....	4
<b>Section 1: Accountability System .....</b>	<b>5</b>
Findings and recommendations .....	5
Findings and recommendations based on analysis of accountability data .....	15
<b>Section 2: Performance Evaluations and Promotions.....</b>	<b>24</b>
Performance evaluations.....	24
Findings and recommendations .....	24
Promotions .....	28
Findings and recommendations .....	28
<b>Section 3: De-Escalation and Cultural Competency .....</b>	<b>32</b>
De-escalation .....	32
Findings and recommendations .....	32
Cultural competency .....	35
Finding and recommendations .....	36
<b>Section 4: Nepotism and Harassment.....</b>	<b>39</b>
Findings and recommendations .....	39
<b>Section 5: Early Intervention System .....</b>	<b>46</b>
Findings and recommendations .....	46
<b>Section 6: Private and Confidential Information .....</b>	<b>49</b>
Findings and recommendations .....	49
<b>Section 7: Supplemental Review .....</b>	<b>52</b>
Body-Worn Cameras .....	52
Findings and recommendations .....	53
Vehicle Pursuits.....	57
Findings and recommendations .....	58
Asset Forfeiture.....	62
Findings and recommendations .....	62
Take-Home Vehicles .....	64
Findings and recommendations .....	65

<b>Conclusion .....</b>	<b>68</b>
<b>Appendix A: Abbreviations .....</b>	<b>70</b>
<b>Appendix B: References .....</b>	<b>71</b>
<b>Appendix C: Documents Reviewed by the Assessment Team.....</b>	<b>73</b>
<b>Appendix D: Resources.....</b>	<b>74</b>
Accountability System .....	74
Performance Evaluations and Promotions .....	75
De-Escalation and Cultural Competency.....	75
De-escalation .....	75
Cultural Competency.....	75
Nepotism and Harassment .....	76
Early Intervention System .....	76
Private and Confidential Information .....	76
Supplemental Review .....	76
Body-Worn Cameras .....	76
Vehicle Pursuits.....	77
Asset Forfeiture.....	77
Take-Home Vehicles.....	78
<b>Appendix E: Table of Findings and Recommendations.....</b>	<b>79</b>

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# Introduction

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The ability of a police department to act in a fair and just manner is vitally important to creating internal and external trust, which in turn increases the perception of legitimacy by those who work for the department and those the department serves. Law enforcement agencies across the U.S. have faced increased scrutiny from the public in the last several years, with the events of 2020 exacerbating already simmering community relationships. The City of Little Rock has experienced recent issues of internal and external legitimacy stemming from the officer-involved shooting of Bradley Blackshire, a Black man, who was killed by a Little Rock Police Department (LRPD) officer in February 2019.<sup>1</sup> The incident, in which Mr. Blackshire was fired upon at least 15 times, led not only to backlash from the public, but also internal strife within the LRPD. Since the February 2019 incident, the City of Little Rock, LRPD, the Chief of Police, and other members of LRPD have been the subjects of various lawsuits.

In May 2020, Charles Starks, the officer involved in Bradley Blackshire's death, filed a lawsuit against LRPD Police Chief Keith Humphrey and Little Rock Mayor Frank Scott, Jr., alleging that the investigation was rushed and that he has faced retaliation since being reinstated.<sup>2</sup> Other LRPD officers, including two assistant chiefs, have also filed lawsuits against Chief Humphrey in relation to the deadly officer-involved shooting, alleging that they have faced retaliation within the department since their testimony in Officer Charles Starks' reinstatement hearings.<sup>3</sup> Just in November 2020, Chief Humphrey filed a lawsuit against the local police union and several LRPD personnel, "accusing them of a conspiracy aimed at forcing him out of his job."<sup>4</sup> Finally, four other LRPD officers filed a lawsuit against Chief Humphrey, also in May 2020, in connection to his handling of an internal affairs investigation involving the officers.<sup>5</sup>

In response to calls from members and leadership of the LRPD for an investigation, the City of Little Rock, through a competitive bid, selected CNA's Center for Justice Research and Innovation to conduct an independent audit of the LRPD. To assess the department, the audit team used a variety of sources, including policies, training records, administrative data, and focus groups and interviews with LRPD personnel. Upon our initial review, the City requested we review four additional policies related to body-worn cameras, vehicle pursuits, asset forfeiture, and take-home vehicles. Throughout this report, we identify both strengths and weaknesses of LRPD's operations related to its accountability system, performance evaluation and promotion processes, and policies and training

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<sup>1</sup> <https://apnews.com/article/45e3ac17e3114259a84569ad280e204e>

<sup>2</sup> <https://www.thv11.com/article/news/local/officer-charles-starks-sues-little-rock-police-chief-mayor/91-8c0b7665-322f-484c-a7a2-f98372853690>

<sup>3</sup> <https://katv.com/news/local/little-rock-police-chief-sued-again-by-assistant-chief-who-testified-in-starks-hearing>

<sup>4</sup> <https://www.ualrpublicradio.org/post/little-rock-police-chief-sues-officers-union-claiming-conspiracy>

<sup>5</sup> <https://katv.com/news/local/little-rock-police-chief-sued-by-four-more-department-employees>

related to cultural competency, de-escalation, harassment, nepotism, the department's Early Intervention System (EIS), the department's handling of private and confidential information, body-worn cameras, vehicle pursuits, asset forfeiture, and take-home vehicles.

## Goals and objectives

CNA's audit was designed to accomplish the following:

- Determine whether LRPD policies and procedures reflect national best practices.
- Determine the extent to which topics of interest are integrated into training.
- Determine the extent to which training is consistent with adult-learning approaches.
- Determine the extent to which accountability system data reflect a fair and impartial process.
- Provide actionable recommendations for reforms in order for LRPD policies and practices to reflect best practices. The CNA team's recommendations will help LRPD develop both internal and external legitimacy as it relates to administrative investigations, interactions with community members, development of officer skills, procedural justice, and organizational justice.

## Assessment areas of focus

The assessment focused on topics identified both in the City of Little Rock solicitation and in follow-up conversations with City of Little Rock personnel. The topics included the following:

1. Personnel policies and procedures
2. Training and professional standards
3. Accountability system data
4. Performance evaluations
5. Promotional process
6. De-escalation
7. Cultural competency
8. Harassment
9. Nepotism
10. Handling of private and confidential information
11. EIS
12. Body-worn cameras
13. Vehicle pursuits
14. Asset forfeiture
15. Take-home vehicles

## Methodology and approach

In performing our review, we relied on both qualitative and quantitative methodologies, which we detail here. As an overall structure, we operated under the concept that good policies should inform

good training, which in turn should translate to positive officer behavior on the street. In carrying out our methodology, we incorporated: (1) evidence-based assistance with an emphasis on research, including both academic research and documented lessons learned and best practices from the field; (2) a multi-method assessment design, including document reviews, interviews and focus groups with LRPD personnel, and data analysis; and (3) a commitment to conducting comprehensive reviews and applying best practices in police settings.

## Document review

The CNA assessment team reviewed all directives and training material provided by LRPD related to the assessment areas of focus. The assessment team compiled the results of the applicable reviews to include specific findings and recommendations in accordance with best practices.<sup>6</sup> Details on the applicable documents related to each of the topic areas are discussed within each section of the report.

To organize the document review, the CNA assessment team:

- Reviewed and summarized all current departmental policies related to LRPD's accountability system, performance evaluations, promotions, de-escalation, cultural competency, nepotism, harassment, EIS, handling of private and confidential information, body-worn cameras, vehicle pursuits, asset forfeiture, and take-home vehicles.
- Reviewed and summarized all recent pre-service and in-service lesson plans involving de-escalation, cultural competency, bias-free policing, and supervisor responsibilities in conducting investigations and performance evaluations.

## Data review

We requested five years of data related to the LRPD accountability system (e.g., information on the characteristics of the case, involved officer, complainant, findings, and discipline) and conducted quantitative analysis. To start, we conducted exploratory analysis to identify the overall quality of the data and to identify areas where the data might be improved. We then conducted descriptive analyses, identifying temporal, demographic, and case characteristics of interest. We also conducted bivariate analyses, which allowed us to identify differences between groups in the data.

## Focus groups with LRPD personnel

The assessment team conducted four virtual focus groups with randomly selected LRPD personnel. Three of the focus groups included LRPD line officers and one focus group included LRPD sergeants. This combination of line officers and sergeants helped us gain street-level and mid-level perspectives

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<sup>6</sup> The assessment team generally used the (1) *Final Report on the President's Task Force on 21st Century Policing*, (2) *Law Enforcement Best Practices: Lessons Learned from the Field*, (3) *Guiding Principles on Use of Force*, and (4) Other academic literature and model policies as a foundation for best practices.

on how well policy and training translated into operations. Each of the four focus groups included 4 participants, for a total of 16 participants.

## Targeted group interviews with LRPD and City of Little Rock personnel

In addition to focus groups, we also conducted targeted virtual group interviews with 15 LRPD and City of Little Rock employees, using them as a resource during the initial data collection efforts and conducting interim follow-up interviews as we developed our findings and recommendations. The assessment team's points of contact with LRPD helped identify the appropriate personnel to be interviewed. These targeted interviews covered topics relevant to each section of this report.

## Overview of the report

This report contains seven sections. In each section, we discuss LRPD's policies and procedures in relation to the various topics, as follows:

- Section 1 examines LRPD's accountability system.
- Section 2 focuses on the performance evaluation and promotional processes.
- Section 3 focuses on de-escalation and cultural competency training and policies.
- Section 4 focuses on nepotism and harassment.
- Section 5 examines the EIS.
- Section 6 examines LRPD's handling of private and confidential information.
- Section 7 examines policies related to body-worn cameras, vehicle pursuits, asset forfeiture, and take-home vehicles.

In each section, we provide a summary of the overall themes we identified in our review, an overview of the data sources and analysis relevant to that topic, and the findings and actionable recommendations for the LRPD. The report also includes five appendices. Appendix A lists all abbreviations used in the report. Appendix B lists works cited in the report. Appendix C lists all documents reviewed by the assessment team. Appendix D lists resources that LRPD can consult to assist in implementing the assessment team's recommendations. Appendix E lists our findings and recommendations.

# Section 1: Accountability System

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A fair and consistent accountability system is critical to the effective operation of any police department. On one hand, community members want to be assured that officers who violate policy will be held accountable. On the other hand, police officers have a vested interest in knowing that complaints against them are investigated impartially and that discipline will be consistent and proportional to the infraction.

As we noted in the introduction, one of the key areas of our assessment is LRPD's accountability system. To assess LRPD's accountability system, the audit team drew upon data collected from interviews, focus groups, LRPD policies, and administrative data provided. We carefully reviewed all policies and procedures related to the system, focusing on the topics of neutrality, fairness, and trust in the system. Our review accounted for each step of an investigation of misconduct, including intake processes, investigation, findings, and discipline. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- The accountability system provides significant discretion to the Chief of Police, which allows for potentially inappropriate intervention.
- General orders related to the accountability system do not provide adequate definitions of key terms and concepts.
- Allegations, findings, and discipline are perceived by LRPD members to be inconsistently applied.
- Supervisors have not been adequately trained in conducting Divisional Investigations despite the potential for such investigations to lead to termination.
- The LRPD accountability data system is not comprehensively used nor are data points reliably captured, particularly data related to complainant demographics.
- Accountability system data indicate an increase in complaints filed against patrol members within the past three years.
- Accountability system data indicate a consistent trend of disparate outcomes for non-White female personnel.

## Findings and recommendations

**Finding 1: General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) relies too heavily on the Chief of Police's discretion and allows for potentially inappropriate intervention.**



While the Chief of Police is ultimately responsible for ensuring adherence to departmental policy and the execution of departmental functions, the separation of powers in an administrative investigation process can prevent perceptions of unfair treatment or favoritism. In reviewing General Order 211, we identified several procedural steps that have the potential for subjectivity in decision-making. For instance, a primary concern is the Chief's level of authority in determining the administrative path an investigation might take. The general order does not provide clear or sufficient parameters or direction that would standardize decision-making across cases. We discuss this element in its own findings (see Findings 7.1 and 7.2).

We recommend that LRPD review and revise this general order to limit the potential influence the Chief of Police may have until final decisions on disposition and discipline are needed. Within the general order, LRPD should clearly denote individual employee, supervisor, chain of command, and unit responsibilities so that the accountability system can operate in a fact-finding capacity, leaving the Chief's responsibility as weighing the facts after they are collected and making an informed decision later in the overall accountability process.

**Recommendation 1: LRPD's General Order 211 should limit the role of the Chief of Police to final decisions.**

**Finding 2: General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not provide standards for several key elements.**

General Order 211 does not clarify the standard of review that investigators are required to use when making a finding on allegations (e.g., preponderance of the evidence). In addition, the definitions of findings at times use ill-defined terms. For example, the general order defines a "sustained" finding as "the allegation is supported by sufficient evidence." However, the term "sufficient" is not defined, creating an opportunity for subjectivity in findings. We recommend that LRPD use a preponderance of evidence standard for all findings.

In addition, the general order provides no standards for recommending discipline (see Finding 13 regarding a discipline guide) and no standards for criminal allegations being "disproved." Lacking these standards, LRPD creates an environment where mistrust can flourish if officers feel there is little consistency in outcomes. We recommend that LRPD consider the appropriate standards and revise the general order accordingly to give clear guidance to investigators.

**Recommendation 2.1: LRPD should use a preponderance of evidence standard for all findings.**

**Recommendation 2.2: For other instances, LRPD should consider the appropriate standard and revise the general order accordingly.**

**Finding 3: General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) uses non-neutral language when applying the term "citizen complaint."**

In today's fair and impartial policing environment, police agencies must recognize the criticality of using neutral language. The US Constitution requires police departments to be fair and impartial to everyone served, including those members of the public who are not citizens of Little Rock or the US.

LRPD should evaluate its use of the term “citizen” and, where appropriate, replace it with “member of the public,” “community member,” or some other citizen status-neutral term.

**Recommendation 3: LRPD should revise General Order 211 by replacing the term “citizen” with a neutral term, both in the title and throughout.**

**Finding 4: General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not provide definitions of key terms.**

Throughout the general order, key terms are used without any corresponding standardized definition. For instance, the terms “gross misconduct,” “neglect of duty,” “violation of a serious nature,” and “sufficient evidence” play significant roles throughout the policy; however, there is no concrete guidance on how these terms should be defined and interpreted. This lack of specificity, and resulting subjectivity, can be problematic given that findings related to these terms may carry substantial weight on officers’ careers. In addition, absent a standardized definition, community members’ complaints may be dismissed unfairly based on the investigator’s personal interpretation of the term.

The general order is also vague and lacks sufficient detail on the expectations for LRPD members. For instance, Section III.A states that supervisors will investigate “employee inefficiency,” but provides no clear direction about how to do so. Similarly, Section III.C discusses steps a supervisor must take when the violation is “of a serious nature,” but no examples are provided, leaving the supervisor without direction on how to determine whether the steps must be taken or not. For this general order (and all LRPD policies), key terms should be defined so that allegations are handled consistently across investigators.

**Recommendation 4: LRPD should define key terms in all general orders.**

**Finding 5: LRPD’s definition of “sustained” is poor.**

General Order 211 defines a “sustained” finding as “the allegation is supported by sufficient evidence.” However, the term “sufficient” does not possess qualitative parameters, creating an opportunity for different interpretations of what is considered to be “sufficient.” We recommend that LRPD use a preponderance of evidence standard and revise the general order to read “the allegation is supported by a preponderance of the evidence.”

**Recommendation 5: LRPD should revise General Order 211 to state that “sustained” should be based on a preponderance of evidence standard.**

**Finding 6: The “Purpose” section in General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not adequately explain the purpose of the directive.**

This section of the general order does not describe the overall purpose of the policy and instead discusses guiding principles of the LRPD administrative investigation process. These principles include (1) that the Chief of Police is responsible for administrative investigations, (2) that investigations will be thorough, and (3) that all allegations of misconduct will be investigated (we also note that the second and third elements seem somewhat redundant). Thus, we recommend

changing the “Purpose” section to “Guiding Principles” and modifying sections I.B and I.C, adding language that addresses LRPD’s commitment to 21st century policing concepts and creating a “Purpose” section that reflects the purpose of the directive. For example, this section should discuss the department’s commitment to procedural justice and to a fair and impartial investigation process. This is important not only for the officer being investigated but also for community member complainants, as it provides a sense of transparency and consistency with community policing concepts. We direct LRPD to the Baltimore Police Department’s Policy 308<sup>7</sup> and the New Orleans Police Department’s policy 52.1.1<sup>8</sup> as potential model policies.

**Recommendation 6.1: LRPD should revise the “Purpose” section of General Order 211 to reflect guiding principles and 21st century policing concepts.**

**Recommendation 6.2: LRPD should revise the “Purpose” section of General Order 211 to reflect the actual purpose of the directive.**

**Finding 7.1: Although the investigatory path of administrative complaints is partially defined by policy, LRPD lacks consistency in determining these paths.**

**Finding 7.2: The types of cases that trigger an Internal Investigation are decided arbitrarily and do not reflect a guiding principle for determining the investigatory path.**

Within LRPD, an administrative investigation may take two paths: a Divisional Investigation or an Internal Investigation. Although both are intended to investigate allegations of misconduct, Divisional Investigations are conducted by the officer’s supervisor and Internal Investigations are conducted by the Internal Affairs Unit. General Order 211 states that Internal Affairs is responsible for investigating complaints related to:

- All complaints against Department employees involving serious misconduct.
- Officer-involved shootings and the use of deadly force.
- In-custody deaths.
- Excessive force/brutality/physical abuse.
- Discrimination against any person or group.
- Bias-based policing.
- Corruption, extortion, or the violation of any criminal statute.
- Misuse or abuse of police authority.
- Other complaints, as directed by the Chief of Police.

<sup>7</sup> <https://www.baltimorepolice.org/308-general-disciplinary-process>.

<sup>8</sup> <https://www.nola.gov/getattachment/NOPD/Policies/Chapter-52-1-1-Misconduct-Intake-and-Complaint-Investigation-EFFECTIVE-3-18-18.pdf/>.

Although we identified one excessive force allegation handled as a Divisional Investigation, overall, LRPD appears consistently to conduct investigations of these allegations through the Internal Affairs Unit. However, a review of the data indicates that this cannot be conclusively confirmed because some allegation types listed above can be interpreted subjectively. For instance, we noted allegations of “untruthfulness,” “domestic abuse related incidents involving sworn officers,” and “unintentional discharge [of a firearm],” all of which were investigated as Divisional Investigations but could certainly be considered “serious misconduct.”

In addition, all cases go to the Chief of Police for a determination of the investigatory path, and the Chief has ultimate decision-making authority on which path an investigation will take. Therefore, allegations that may be investigated traditionally as Divisional Investigations may be elevated to an Internal Investigation depending on the situation and the Chief’s judgment. While a more serious situation requires a more serious review, conversations with LRPD officers indicate a perception that the decision about the investigative path is not always made consistently, with one member stating that the investigative path appears more defined by the complexity of the investigation rather than the severity of the allegations.

The types of allegations listed in General Order 211 provide a baseline for allegations that, by policy, require an Internal Investigation. However, the list needlessly limits the types of investigations that would benefit from an investigation by more experienced investigators (see Finding 9). It is also unclear how the list of allegations that would trigger an Internal Investigation was determined. There appears to be no universal guiding principle for the list other than the seriousness of the allegation, at which point the cutoff appears arbitrary as “seriousness” is not defined.

To provide a guiding principle for the investigatory path, we recommend that LRPD assign investigations based on the potential impact to the officer (i.e., whether a sustained finding will result in formal discipline). In conversations with LRPD, we were informed that, regardless of whether a Divisional Investigation or Internal Investigation occurs, officers were afforded the same due process rights in the form of appeals and an administrative hearing. Although this may be true, the differences in training (see Finding 9) and potential differences in investigative approach (see Finding 8) may inconsistently inform these processes.

By assigning investigations based on whether a sustained finding will result in formal discipline, LRPD can better afford a sense of organizational justice to officers by ensuring that no disciplinary action will be taken without a more formal investigation. For instance, when reviewing the administrative investigation data associated with Divisional Investigations, we identified 36 cases in which the officer was terminated as a result of the sustained finding. Such discipline may have the appearance of being arbitrary given the differences in investigator training and investigation standards between Internal Investigations and Divisional Investigations.

Adopting that standard would reserve for Divisional Investigations those complaints that would not result in formal discipline, and allow supervisors to investigate with a coaching mentality rather than a discipline mentality. By focusing on rehabilitation rather than punishment, supervisors may help the officer learn from the mistake without requiring a more formal process. In addition, Divisional Investigations afford a better opportunity for restorative justice with the community member, which

would not be appropriate in situations calling for formal discipline (at least not as a standalone outcome).

**Recommendation 7: LRPD should reduce the discretionary power held by the Chief when determining an administrative complaint's investigatory path and standardize the decision process by reserving Internal Investigations for complaints that, if sustained, would lead to formal discipline.**

**Finding 8: LRPD does not adequately define the standards of investigation for Divisional Investigations and Internal Investigations.**

In our review of documents provided by LRPD, we were unable to determine how standards of investigation differed between Divisional Investigations and Internal Investigations. Although General Order 211 identifies standards for due process and administrative requirements in Internal Investigations, the corresponding section for Divisional Investigations does not include mirrored language.

Policy related to administrative investigations should include a baseline of investigative actions to be taken, including contacting the complainant, identifying witnesses, and reviewing relevant reports (among other considerations). Whereas both Divisional Investigations and Internal Investigations would likely have each of these as baseline actions, other steps may apply only to Internal Investigations, including requesting medical records or conducting accident reconstruction. Policy should clearly define the standards of investigation to better distinguish the two types of investigations.

**Recommendation 8: LRPD should define distinctive standards of investigation for Divisional Investigations and Internal Investigations.**

**Finding 9: Supervisors have not been adequately trained in conducting Divisional Investigations.**

Although LRPD supervisors reported having no specialized training in Divisional Investigations, they indicated in our interviews that they were very comfortable in conducting such investigations, with one describing the process as “pretty simple,” and reporting working on several at the time of our interview.

As part of their pre-service trainings, new sergeants are provided a one-hour block of instruction on “Complaints, Investigations/Evaluations, IA Blue Team.” However, this block focuses on the logistics of using the Blue Team data system, and discussions with management and training personnel confirmed that most training on conducting Divisional Investigations occurs during the sergeant Field Training Officer (FTO) process. As part of the sergeant FTO process, new supervisors conduct a Divisional Investigation under the tutelage of the training sergeant. Conducting Divisional Investigations as part of the probationary period for new supervisors is a good opportunity to practice skills after receiving formal training. However, without standardized formal training, the potential remains for different FTOs to have different approaches to conducting Divisional Investigations. This will lead to sustained inconsistencies in approach across districts and undermine officer and community member trust in the legitimacy of the process.

Particularly given the potential for formal discipline as a result of a Divisional Investigation, a lack of formal training for supervisors is problematic. We recommend that supervisors be provided training dedicated solely to conducting investigations and be afforded an opportunity to practice their skills using table-top exercises prior to practicing their skills during their probationary period.

**Recommendation 9: LRPD should provide formal training to supervisors on conducting Divisional Investigations, including an opportunity to practice the skills using table-top exercises.**

**Finding 10: Community member demographics—particularly race and gender—are not captured reliably in LRPD data.**

When reviewing LRPD’s complaint data, we sought to identify potential discrepancies across race, gender, and age groups of community members. Although we were able to conduct some analyses involving these demographics (see below), we note that demographics of community members are not captured reliably; thus, our findings incorporate some degree of skepticism. Such skepticism is most salient for the race of community members. For instance, despite the data spanning five years of administrative investigations, Hispanic community members were identified in a total of only five cases (.2 percent of all administrative investigations), despite an approximate 7.4 percent representation in the Little Rock community.<sup>9</sup> Furthermore, when considering complaints originating only from community members, there was only a single case involving a Hispanic community member.

When we asked members of LRPD about these data discrepancies, nobody provided a reasonable explanation. For instance, we learned that LRPD trains officers that “Hispanic” is not a “race” but an ethnicity, and that Hispanic community members would therefore be categorized by their race. We agree that race and ethnicity are different concepts, although this side-steps the issue that Hispanic community members are not being captured in the data. In addition, the LRPD members informed us that the Hispanic community often has a cultural distrust of law enforcement and is therefore less likely to initiate interactions with the criminal justice system (including administrative complaints). While this holds some degree of truth in certain contexts (see, for instance, Terrill & Ingram, 2016<sup>10</sup>), it does not explain the extent to which Hispanics are absent from LRPD’s complaint data.

Reliable data on race is particularly important, as it will allow LRPD to identify discrepancies on their own and reduce potential bias in treatment of outcomes. However, this is not possible given the current structure of the data collection process within LRPD. Although we appreciate LRPD’s recognition of the difference between race and ethnicity, a supplemental ethnicity question can be used to capture Hispanic populations filing community member complaints.

Moreover, over 80 percent of internally generated Divisional Investigations and Internal Investigations do not have data on the race or gender of the community member. Although these cases may often not have an associated community member (as they may be internally generated

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<sup>9</sup> <https://www.census.gov/quickfacts/fact/table/littlerockcityarkansas/PST040219>.

<sup>10</sup> Terrill, W. & Ingram, J. (2016). “Citizen Complaints Against the Police: An Eight City Examination.” *Police Quarterly*. Vol. 19(2) pp 150-179.

from supervisor reviews of officer actions), it is impossible to evaluate whether the missing data is justified or not. We therefore recommend LRPD evaluate its current data collection processes to determine whether community member demographics may be better incorporated. For instance, even if a community member does not file a complaint, an investigation of an officer may be based on his or her treatment of the community member. In such cases, LRPD should consider capturing that demographic data to evaluate whether violations of policy (even if internally initiated) are occurring at different rates across different demographics.

**Recommendation 10.1: LRPD should reliably capture accurate demographic data, particularly concerning Hispanic community members, by capturing data on both race and ethnicity.**

**Recommendation 10.2: LRPD should capture demographic data reliably for internally generated Divisional Investigations and Internal Investigations.**

**Finding 11: LRPD does not use its administrative investigation data system comprehensively.**

Although LRPD uses its data system to capture many key elements necessary for performing a comprehensive self-assessment of the accountability system, other key elements are not captured. For example, as part of our evaluation approach, we sought to identify particular stages of an investigation that affect overall investigation timelines. However, data on particular stages of an investigation (e.g., intake, investigation, appeals, executive review, criminal investigation, leave of service) are not captured by LRPD, leaving LRPD with only the ability to evaluate the time taken from the start of an investigation to its close. Conducting investigations expeditiously is important for both community members and officers to avoid delaying justice unduly. However, LRPD cannot reliably evaluate its ability to conduct expeditious reviews as it does not capture the requisite data. For instance, we noted some cases taking more than three years to complete. When discussing these cases with LRPD, we were informed that they could be explained by criminal investigations (which can affect the ability of an administrative case to move forward) and leaves of service (which can affect access to the officer). However, these were case-specific explanations. Therefore, conducting an assessment of all investigations to evaluate expeditious resolution would require a case-by-case review to determine whether factors outside the control of LRPD affected their overall timelines. The time necessary to conduct such a review would be so great as to effectively be a deterrent to conducting the review.

**Recommendation 11: LRPD should review and use the full capabilities of its administrative investigation data system to improve its overall investigative effectiveness.**

**Finding 12: LRPD members perceive inconsistencies in the initiation, investigation, and disposition of administrative investigations because of cronyism and favoritism.**

LRPD officers reported an overall lack of trust in the fairness of the administrative investigation process. Officers perceived inconsistencies in the initiation, investigation, and disposition of administrative investigations. Statements made to us indicate members' belief that cronyism and favoritism are inherent in the process, with one member repeating the phrase "it depends on who you are" in response to questions about the execution of accountability.

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*“It depends on who you are.” – LRPD Employee*

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Although we did not review a representative sample of administrative investigation case files to conduct a comparative analysis, our data assessment indicates inconsistencies in the initiation, investigation, and disposition of administrative investigations, particularly with regard to non-White female members during Divisional Investigations (see Finding 19). Further review would be necessary to explore whether such inconsistencies are attributable to cronyism, favoritism, or race/gender-based bias.

Although further review is necessary to gain greater insight, it is important to emphasize that the perceptions of officers should not be dismissed as they relate to the fairness of the accountability system. As noted by Reynolds & Hicks (2015<sup>11</sup>):

*“A police officer who perceives injustice within his or her department does not mean with absolute certainty that injustice is occurring, because it might not be. However, an individual’s perception is very powerful in determining the way he or she views and thinks about situations. Once an officer perceives an incident or experience is unfair, it affects the way that officer perceives fairness within the organization and future perceptions of fairness.”*

Perceptions of unfairness can thus affect a number of officer actions, including an officer’s propensity to engage in actual misconduct (Wolfe & Piquero, 2011<sup>12</sup>). LRPD should gather officer perceptions on the fairness of the accountability system and make system changes to mitigate concerns, although we note that such issues are likely also highlighted in this report.

**Recommendation 12: LRPD should gather officer perceptions on the fairness of the accountability system and make system changes to mitigate concerns.**

**Finding 13: LRPD does not use a discipline matrix to standardize disciplinary decisions.**

LRPD does not use a discipline matrix when imposing sanctions against officers, thereby lending credence to concerns about whether LRPD’s accountability system is fair and consistent. However, a discipline matrix is being developed, based on New York<sup>13</sup> and Tucson<sup>14</sup> police discipline guides. A review of these guides indicates that they are helpful reference materials. Although the New York and Tucson models include the prior disciplinary history of an officer as a mitigating or an

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<sup>11</sup> Reynolds, P. & Hicks, J. (2015). “‘There is no justice in a police department’: A phenomenological study of police experiences.” *Police Practice and Research* Vol. 16(6) pp 469-484.

<sup>12</sup> Wolfe, S.E. & Piquero, A.R. (2011). “Organizational Justice and Police Misconduct.” *Criminal Justice and Behavior* Vol. 38(4), pp 332-353.

<sup>13</sup> [https://www1.nyc.gov/assets/nypd/downloads/pdf/public\\_information/disciplinary-system-penalty-guidelines-effective-01-15-2021-competete-pdf](https://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/disciplinary-system-penalty-guidelines-effective-01-15-2021-competete-pdf)

<sup>14</sup> [https://www.policiechiefmagazine.org/wp-content/uploads/IAC-406-Jan2020\\_F2\\_WEB.pdf](https://www.policiechiefmagazine.org/wp-content/uploads/IAC-406-Jan2020_F2_WEB.pdf)



aggravating factor, we note that neither specifically incorporates prior history into its disciplinary matrix. As LRPD develops its matrix, we recommend including the officer’s prior disciplinary history as a direct matrix component, and we suggest reviewing the Portland Police Bureau’s disciplinary matrix as an example.<sup>15</sup>

**Recommendation 13: LRPD should continue developing its discipline matrix and incorporate prior history as a component.**

**Finding 14: LRPD does not adequately categorize allegations of misconduct by type, severity, or origin.**

Our review indicates that LRPD often describes in great detail the specific policy subsection being investigated, which is a positive step toward establishing consistency in investigations. However, as a result of such detail, conducting comparisons across LRPD members is difficult as it is rare that enough members needed to conduct statistical analysis will face the same allegation. For instance, [Table 1](#) provides the six most common allegations, only two of which relate directly to officer interactions with community members. Aside from these six categories of allegations, all others individually represent less than 2 percent of the allegations found within the dataset, most often having a frequency of less than 50 (or fewer than 10 occurrences per year). Overall, there were 485 unique allegations alleged against LRPD members. Therefore, when conducting statistical analysis, it becomes difficult to compare findings and discipline across officer demographics while controlling for allegation, due to small sample sizes. Thus, LRPD should categorize allegations by type (e.g., Force, Disrespectful Encounter with Community Member, Administrative Misconduct) or severity (using a tiered approach that may coincide with standardization of investigation type).

**Table 1. Common allegations and their frequencies**

Allegation	Frequency	% of Allegations in Dataset
Rules and Regs 1/4002.00 Conduct Unbecoming or Neglect of Duty	364	10.6%
General Order 108 V.A. Injured on Duty	354	10.3%
Rules and Regs 1/3009.00 Lost or Damaged City Property	233	6.8%
General Order 108 III Damage to Civilian Property	169	4.9%
Rules and Regs 1/4003.00 Acts Resulting in Justified Criticism	164	4.8%
General Order 110 I A Employees will Honor Subpoenas	84	2.4%

Source: Little Rock Police Department.

In addition, LRPD conducts some administrative investigations on an automatic basis, regardless of whether there is any indication of member misconduct. For instance, the allegation related to “Injured on Duty” is automatically opened any time there is an injury. Similarly, any instance of “Lost or Damaged City Property” is automatically opened as a case for investigation if there was damage to

<sup>15</sup> <https://www.portlandoregon.gov/police/article/482707>.

that member's patrol cruiser, even if that member can demonstrate being nowhere near the cruiser when it was damaged. The true frequency of suspected officer misconduct is obscured by the inclusion of such automatic investigations, and LRPD should improve its data by coding automatic investigations so that they can be filtered out easily during analysis.

**Recommendation 14: LRPD should categorize allegations by type, severity, and origin.**

## Findings and recommendations based on analysis of accountability data

As part of our assessment, we reviewed five years of administrative data from LRPD related to investigations initiated between January 2, 2016, and March 27, 2021. In all, the dataset contained information on 1,967 case numbers involving 724 individual officers.<sup>16</sup> The data contained sufficient details to conduct data analysis related to investigation type (Divisional Investigation, Internal Investigation, Citizen Complaint, and Bias Complaint), officer rank, officer demographics, officer assignment (and supervisors), community member demographics (for complaints initiated by community members), finding, and discipline.

**Finding 15: While the overall number of administrative investigations has decreased over time, this is driven by decreases in investigations of non-sworn members, whereas investigations of sworn members has increased in recent years.**

As an overall indicator of LRPD's accountability system, our first analysis sought to determine whether there are general trends in the frequency of administrative investigations over time. An initial review of the data (Figure 1 below) indicates a decrease in the total number of administrative investigations, particularly between late-2016 and mid-2018,<sup>17</sup> although there has been a slight increase between mid-2019 and the beginning of 2021.

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<sup>16</sup> A single administrative investigation may concern more than one officer. Additionally, a single officer may be the subject of multiple investigations.

<sup>17</sup> As part of the assessment, the data have been "smoothed" to identify trends more easily. Smoothing the data involves taking the average of the three prior months so that extreme fluctuations in a single month do not unduly influence the analysis. For Figure 1, the elevated number of complaints in October 2016 actually indicates higher numbers of complaints in July, August, and September of 2016.

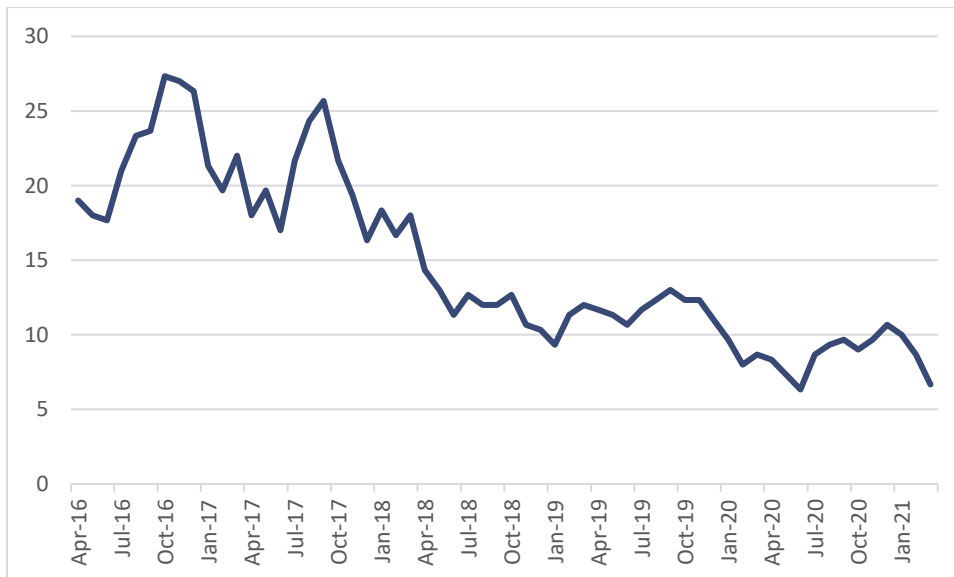
Figure 1. Number of administrative investigations per month – smoothed



Source: Little Rock Police Department.

Although on the surface this may appear to be a positive trend, a deeper examination of the data indicates that the broader decrease is attributable to decreases in administrative investigations of non-patrol sworn members. For this population, the smoothed data indicate the largest peak in late-2016 (approximately 27 administrative investigations per month), which has decreased to a current level of approximately six administrative investigations per month (Figure 2 below).

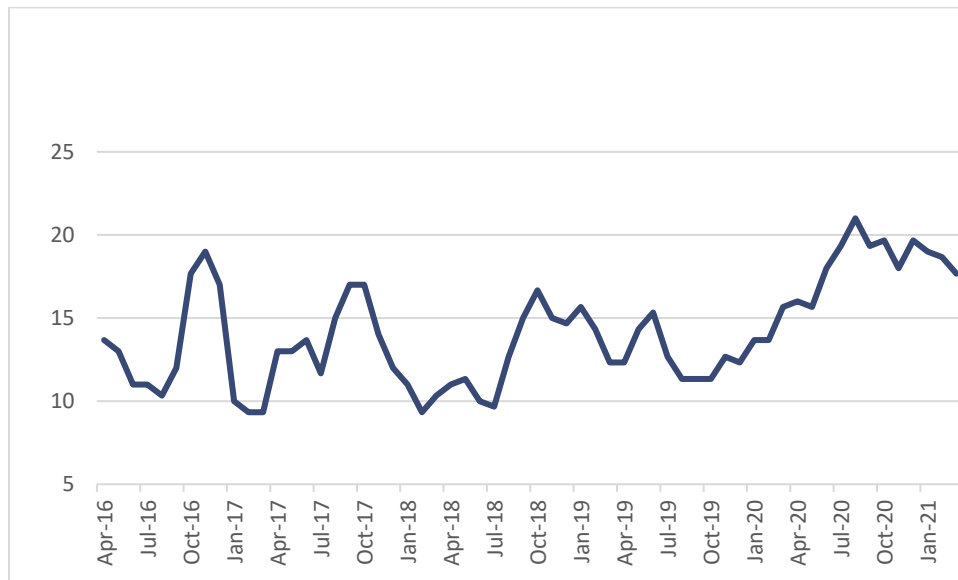
Figure 2. Number of administrative investigations per month – smoothed (non-patrol)



Source: Little Rock Police Department.

Patrol officers, on the other hand, demonstrate an opposite trend, with administrative investigations showing an overall increase across the dataset, particularly between early-2018 and the present. Furthermore, between the October 2019 average and the July 2020 average, the number of administrative investigations per month nearly doubled (from approximately 11 per month to approximately 21 per month, Figure 3).

**Figure 3. Number of administrative investigations per month – smoothed (patrol)**



Source: Little Rock Police Department.

Finally, trends in the number of administrative investigations per month involving civilian employees are difficult to identify based on comparatively smaller numbers. However, the overall data (Figure 4 below) does not indicate any discernable linear patterns or trends.

Figure 4. Number of administrative investigations per month – smoothed (civilian)



Source: Little Rock Police Department.

**Recommendation 15: LRPD should further evaluate reasons for the increase in investigations of sworn members.**

**Finding 16: The number of administrative investigations is largely driven by Divisional Investigations.**

All administrative investigation types are not equally represented in the data, as Divisional Investigations make up approximately two-thirds of all investigations (66.3 percent). As seen in Table 2, Divisional Investigations represent the overwhelming majority of investigation types and have largely driven the overall decrease in the number of investigations seen in Figure 1. Based on conversations with LRPD personnel, we are not surprised by this finding, as Divisional Investigations are conducted automatically, even when there is no initial indication of misconduct (e.g., officer injury). As noted above, this makes the data somewhat incomplete on whether the investigation was opened based on suspicion of misconduct or as an automatic matter.

Table 2. Number of investigations each year by investigation type

Type	2016	2017	2018	2019	2020	Total
Bias Complaint	6	3	1	1	3	4
Citizen Complain	91	80	85	68	110	434
Divisional Investigation	315	319	217	205	210	1266
Internal Investigation	31	41	33	37	37	179

Source: Little Rock Police Department.

**Recommendation 16:** As noted in Recommendation 14, LRPD should categorize allegations by type, severity, and origin.

**Finding 17:** The data do not indicate racial or gender discrepancies in the representation of officers under investigation compared to members’ representation among the department as a whole.

When looking at the demographics of LRPD members, there do not appear to be racial or gender discrepancies in the representation of officers under investigation compared with members’ representation among the department as a whole. As seen in Table 3, there is relative parity; for instance, 57.1 percent of LRPD members are White and make up 59.9 percent of members who are the subject of an administrative investigation. The final column of Table 3 shows the representation as a ratio (proportion of complaints divided by proportion of the LRPD roster). A ratio above 1.0 indicates a disproportionately high number of complaints. A ratio below 1.0 indicates a disproportionately low number of complaints. Males, and in particular White males, show a disproportionately high number of complaints as their ratios are 1.09 (males compared with females) and 1.15 (White males compared with other race/gender dyads).

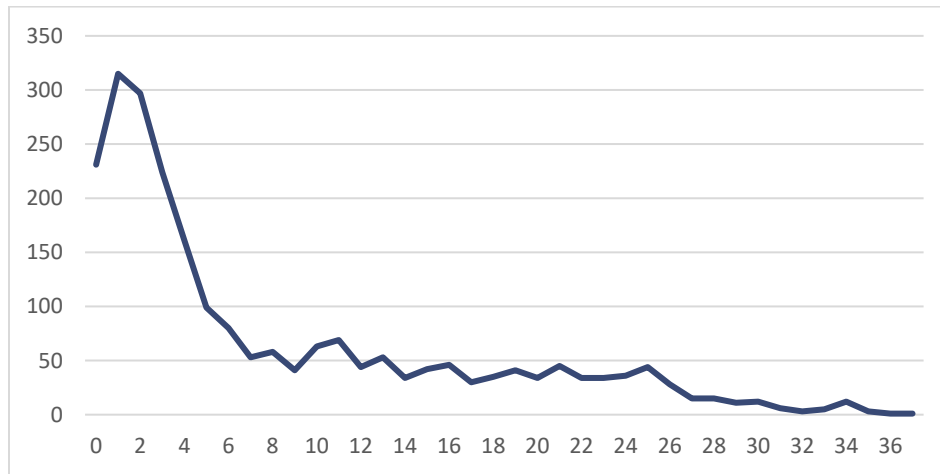
**Table 3. Percentage of complaints by officer demographics**

		Proportion of Complaints	Proportion of Roster	Relative Representation in Complaints
Race	White	59.9%	57.1%	1.05
	Black	33.3%	35.2%	.95
	Hispanic	5.2%	4.4%	1.18
	Asian	1.4%	1.3%	1.08
Gender	Male	77.9%	71.3%	1.09
	Female	22.1%	28.7%	.77
Combination	White Male	51.1%	44.6%	1.15
	White Female	8.0%	12.4%	.65
	Non-White Male	25.7%	26.7%	.96
	Non-White Female	13.8%	16.2%	.85

Source: Little Rock Police Department

In addition, we looked at the tenure of the officer and its relation to the number of complaints. As seen in Figure 5 below, the number of administrative investigations decreases sharply after the first five years of tenure and continues to decrease over the course of a member’s career. It is also likely that, as the number of tenure years increases, fewer members will continue to be employed with the organization. For instance, the number of officers who have more than 30 years’ experience is low, which reduces the likelihood of someone in that tenure range being the subject of an administrative investigation.

Figure 5. Years employed at time of investigation



Source: Little Rock Police Department.

**Recommendation 17:** LRPD should continue to monitor the representativeness of LRPD members within the accountability data.

**Finding 18:** Inconsistent community-member demographic data prevents LRPD from conducting reliable analysis.

As noted in Finding 10, the data contained demographic data of community members associated with administrative investigations. However, because of inconsistency in data collection related to race and unreliable data for non-community member-initiated investigations, we question the accuracy of these data. We therefore focus only on community-member initiated complaints (Table 4), as they more regularly capture community members’ demographics. In addition, while we provide descriptive statistics, we refrain from detailed commentary as we cannot ensure the reliability of the data.

Table 4. Percentage of complaints by community member demographics (community member-initiated complaints only)

		Proportion of Complaints
Race	White	26.3%
	Black	61.1%
	Hispanic	0.2%
	Asian	0.4%
	Unknown/Missing Data	11.7%
Gender	Male	40.9%
	Female	54.8%
	Unknown/Missing Data	4.3%

		Proportion of Complaints
Combination	White Male	11.3%
	White Female	15.0%
	Non-White Male	26.7%
	Non-White Female	35.2%
	Unknown/Missing Data	11.7%

Source: Little Rock Police Department.

**Recommendation 18: LRPD should more accurately collect data on community member demographics.**

**Finding 19: LRPD data indicates a consistent trend of disparate outcomes for non-White female personnel.**

We also explored the misconduct investigation data for potential bias related to LRPD member demographics and assignment. In doing so, we focused on member race and gender; first assessing them separately and then combining them into a race/gender dyad to evaluate effects based on intersectionality. Through a number of analyses, we revealed a consistent theme of disparate outcomes for non-White female personnel. We detail these findings below.

In conducting our assessment, we looked at different decision points within an administrative investigation, the first being the number of allegations in which the member is accused. When looking at all LRPD members, the data indicate that there is an average of 1.40 allegations per administrative investigation. However, investigations involving non-White female members have an average of 1.56 allegations (Table 5). Non-White males have the next highest number (1.43 allegations per investigation), followed by White females (1.34 allegations per investigation) and White males (1.35 allegations per investigation). An analysis of variance (ANOVA) test revealed that differences between groups regarding the average number of allegations were significant ( $p=.01$ ). When we explored this issue further (Table 6), we found that this difference is driven largely by Divisional Investigations. For this investigation type, non-White females had 1.44 allegations per investigation, while all other race/gender combinations had around 1.20 allegations per investigation; the difference is again statistically significant ( $p<.001$ ). Investigations based on Citizen Complaints (Table 7) also showed slight significance between the pairings ( $p<.05$ ), with non-White females having 1.86 allegations per investigation, non-White males having 1.51, White females having 1.48, and White males having 1.37.

**Table 5. Allegations per complaint (all types) by demographic**

Demographic	Allegations per Complaint
White Male	1.35
White Female	1.34
Non-White Male	1.43
Non-White Female	1.56

Source: Little Rock Police Department.



**Table 6. Allegations per complaint (Divisional Investigations) by demographic**

Demographic	Allegations per Complaint
White Male	1.20
White Female	1.20
Non-White Male	1.19
Non-White Female	1.44

Source: Little Rock Police Department.

**Table 7. Allegations per complaint (community initiated) by demographic**

Demographic	Allegations per Complaint
White Male	1.37
White Female	1.48
Non-White Male	1.51
Non-White Female	1.86

Source: Little Rock Police Department.

The next decision point we reviewed was how long it takes to complete an investigation (Table 8). We again find statistically significant differences. For non-White females, administrative investigations took an average of 68.7 days to complete, and for White males, administrative investigations took an average of 57.5 days to complete (difference of 11.2 days,  $p < .05$ ). The remaining two race/gender dyads did not reveal statistically significant differences from the others (non-White males had an average of 60.8 days and White females had an average of 64.2 days).

**Table 8. Days to complete an investigation by demographic**

Demographic	Days to Complete Investigation
White Male	57.5
White Female	64.2
Non-White Male	60.8
Non-White Female	68.7

Source: Little Rock Police Department.

Next, we reviewed the findings for each allegation. Consistent with our other analyses, non-White females had more negatively associated outcomes. Allegations were sustained against non-White females 50.8 percent of the time, a substantial increase from non-White males (34.6 percent sustained), White females (35.2 percent sustained), and White males (29.3 percent sustained). A post hoc analysis revealed statistically significant differences between non-White females and all other dyads, as well as significant differences between non-White males and White males.

**Table 9. Sustained rate by demographic**

Demographic	Sustained Rate
White Male	29.3%
White Female	35.2%
Non-White Male	34.6%
Non-White Female	50.8%

Source: Little Rock Police Department.

Finally, we sought to review differences in discipline based on LRPD member demographics. However, as discussed in Finding 14, LRPD does not categorize allegations by severity or type, thereby hindering comparative analysis without the ability to control for the category of allegation being sustained.

**Recommendation 19: LRPD should more fully explore the disparate outcomes for non-White female personnel.**

## Section 2: Performance Evaluations and Promotions

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The second area of focus of this assessment is LRPD's performance evaluations and promotional processes. To assess LRPD's performance evaluations and promotional processes, the audit team drew upon data collected from interviews, focus groups, LPRD policies, and the City of Little Rock Civil Service Commission's Promotion Procedure Guidelines. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- The results of performance evaluations appear to have little significance on an employee's professional development, and the current performance evaluation process does not function as one that fosters growth, learning, and improving skill sets.
- The current performance evaluation process does not appear to be taken seriously by supervisors or supervisees.
- LRPD follows many best practices that are intended to achieve objective outcomes for promotions.
- Some aspects of the promotional process increase the likelihood of subjectivity.

### Performance evaluations

If implemented properly, a performance evaluation process can be very valuable to an organization and its employees. Performance evaluations focus generally on how an employee has carried out his or her duties and responsibilities during the period of evaluation, ways that an employee can improve his or her performance, and opportunities for professional development. Successful performance evaluation processes involve collaboration between evaluators and employees, whether in the establishment of annual goals or discussion of how an employee can improve his or her job performance.

The LRPD's performance evaluation process is governed by General Order 205. The general order outlines the department's policies and procedures for evaluating new employees, personnel promoted to the next rank, sworn employees below the rank of lieutenant, and civilians and sworn employees of the rank of lieutenant and above. The general order also outlines the appeals process when an employee is not in agreement with his or her evaluation.

### Findings and recommendations

**Finding 20: The criteria by which employees are evaluated are not specified in LRPD's General Orders and appear to be inconsistent across employees.**

LRPD uses two systems for annual performance evaluations based on the rank of the member being evaluated. Sworn employees below the rank of lieutenant are evaluated on the LRPD “Employee Goals and Performance Evaluation Form,” and sworn employees of the rank of lieutenant and above are evaluated using the “Performance Feedback Process.” General Order 205 states that, for sworn employees below the rank of lieutenant, “the supervisor and employee shall select evaluation dimensions and/or performance goals on which the employee agrees to be evaluated.” Our focus groups with LRPD officers revealed that evaluation criteria are not selected in a collaborative manner, as required by policy. Officers stated that supervisors select 10 categories from a list of about 25 (members appeared unclear about the exact number of categories), with each category having the potential to be weighted differently than the others (though we were informed that most supervisors weighted categories equally). Officers could not explain how their supervisors arrived at the 10 selected categories. One officer stated that “nobody’s ten [categories] are exactly the same.” Although the general order does not provide examples of the evaluation dimensions, officers mentioned such categories as “knowledge of the job, appearance, and working with others.”

For the evaluation of civilians and sworn employees of the rank of lieutenant and above, General Order 205 states “the immediate supervisor will complete a Planning Session Worksheet for each of his/her employees. The Planning Session Worksheet will detail the performance factors and illustrate examples of performance expectations, goals and priority work related to each performance factor specific to each employee.” As with the other evaluation process described above, the general order provides neither examples of performance factors nor a description of how those factors are to be chosen and whether they are standardized.

**Recommendation 20.1: LRPD’s performance evaluation policy should clearly define “evaluation dimension” and “performance goal,” and should include examples of what these may be.**

**Recommendation 20.2: LRPD should standardize its performance evaluations.**

**Finding 21: Performance evaluations appear to have little significance for an employee’s professional development, and the current performance evaluation process does not encourage growth, learning, or improving skill sets.**

In conversations with LRPD members, including management, we were informed that performance evaluations have little significance on an employee’s professional development. We were also informed that performance evaluations were neither incentivized nor capable of monitoring problematic employees. In conversations with LRPD officers, we found no consensus on how performance evaluations were used; some officers stated that performance evaluations are reviewed when they are trying to obtain a new assignment, and another officer stated that the performance evaluations are used in cases of civil litigation.

General Order 205 emphasizes the important role that performance evaluations are intended to have in employee growth, learning, and improvement. For example, as part of the evaluation procedures, the policy states the supervisor shall “keep the lines of communications open by coaching the employee, helping to improve employee performance, and providing continuous feedback on progress toward accomplishment of performance objectives,” and that “supervisors shall counsel

each employee in their chosen career path.” Although the inclusion of such guidance in the performance evaluation policy is commendable, it is not translated into practice. Most officers in the focus groups described the performance evaluation process as simply checking the box. Several officers stated that their supervisors hand them the evaluation and ask them to sign it to complete the process. Few officers could point to occasions in which their supervisors had reviewed their performance evaluation thoroughly with them.

As this appears to be a commonly understood issue, LRPD informed us that they are revising the performance evaluation forms and process. In doing so, LRPD should ensure that the process is understood in a standardized way by providing definitions of terms and model examples. LRPD should also consider the utility of performance evaluations when revising their process. Evaluations are designed to recognize an employee’s strengths and weaknesses to foster growth, learning, and improvement of the employee’s overall skill set. When a performance evaluation does not accomplish these goals, it becomes an ineffective practice that is quickly recognized as a task that can be approached half-heartedly. This scenario provides little direction to the officers and stunts the overall growth of the department. When developing the updated process for performance evaluations, LRPD should consider their utility for fostering the future leaders of the organization.

**Recommendation 21.1: LRPD should ensure that the revised performance evaluation process can foster growth, learning, and improvement of the employee’s skill set.**

**Recommendation 21.2: LRPD’s General Order 205 should state clearly how performance evaluations will be used in professional development.**

**Finding 22: Some officers feel that the scoring of performance evaluations is a subjective process that depends completely on the supervisor conducting the evaluation.**

A performance evaluation process that incorporates scoring from supervisors will inherently have some component of subjectivity, given that every supervisor is different. However, officers described a concerning level of subjectivity, noting that scoring is inconsistent and completely dependent on the supervisor. One officer stated that two officers could have behaved the exact same way and received two completely different scores based on the supervisor conducting the evaluation. Training records from LRPD indicate that, while supervisors receive pre-service training on conducting performance evaluations, it has not been a stand-alone class since 2016. Subsequent conversations with LRPD management indicated that attempts to provide supplemental training have not been successful.

**Recommendation 22: In revising the evaluation process, LRPD should ensure that supervisors receive updated training on evaluating employees, thereby standardizing the evaluation. The training should emphasize performance evaluations’ role in fostering professional development and improvement.**

**Finding 23: LRPD’s requirement that supervisors provide explanatory comments only for ratings at the very top or very bottom of the rating scale may encourage supervisors to select ratings that fall within the middle of the rating scale.**

LRPD General Order 205 states that “evaluations, which are outstanding or unsatisfactory, should be accompanied by written documentation with specific reasons for the rating.” Although written justification for these ratings is reasonable and encouraged, it may discourage supervisors from providing accurate ratings. Given that time is a precious resource to police departments, some supervisors may opt to provide ratings to officers that do not require written justification. In fact, one LRPD officer in a focus group stated that some supervisors use this exact practice. Doing so can lead not only to inaccurate scoring but also a lack of understanding on an officer’s part on how they can improve or what they are doing well.

**Recommendation 23: LRPD should require supervisors to provide explanatory comments for all ratings.**

**Finding 24.1: The current performance evaluation process does not appear to be taken seriously by supervisors or those being evaluated.**

**Finding 24.2: Certain supervisor responsibilities outlined in LRPD’s General Order 205 are treated as suggestions rather than requirements.**

Focus groups indicated that certain supervisor responsibilities outlined in LRPD’s General Order 205 are treated as suggestions rather than requirements. For instance, LRPD policy states that at the end of each annual review, “the evaluator will counsel the employee” on the results of the evaluation, including expectations, criteria, and goals for the new evaluation period, as well as topics relevant to the employee’s career development. Although these are critical components of a comprehensive performance evaluation process, it appears that first-line supervisors do not complete them consistently. As mentioned earlier, officers described the norm of the evaluation process as going to their supervisor’s office, signing the evaluation, and leaving without any comprehensive review discussion. Focus groups did not mention career development discussions or planning for next year’s evaluation process as part of officers’ experiences. In addition, General Order 205 states that “All probationary employees will be evaluated each month during the probationary period,” which should result in a monthly written review. However, in one focus group, a sergeant stated that these monthly evaluations may turn into quarterly evaluations after a probationary officer’s first year.

**Recommendation 24: LRPD should recognize and emphasize the importance of performance evaluations on an officer’s career development and consistently enforce the General Order 205 direction on that topic.**

**Finding 25: Previous findings in this section lead the audit team to believe that the immediate supervisors of evaluators are not properly monitoring the evaluation duties of their supervisees, as required by LRPD policy.**

The LRPD follows best practice by including requirements in policy for evaluators’ supervisors to monitor their evaluation work and complete ratings of the evaluators, as a means for holding first-line supervisors accountable (Law Enforcement Best Practices 2019, 60). Specifically, the policy states “The evaluator’s immediate supervisor will be responsible for ensuring that the evaluator performs the proper techniques of evaluating performance, preparing the evaluation form, and conducting the evaluation interview and career counseling.” Based on input from focus groups, the current performance evaluation process is not operating according to policy for all officers. There

appears to be little to no emphasis on career counseling or conducting a comprehensive review of the evaluation. In addition, the collaborative process outlined in LRPD policy for selecting evaluation criteria does not appear to involve the employee. These findings, along with those described above, indicate that the immediate supervisors of evaluators are not properly monitoring the evaluation work of their supervisees, as required by LRPD policy.

**Recommendation 25: LRPD should consistently enforce General Order 205 to hold supervisors accountable for subordinates' performance evaluations.**

## Promotions

The promotional process within the LRPD is governed by the City of Little Rock Civil Service Commission's Promotion Procedure Guidelines. Specifically, the commission has two sets of promotion procedure guidelines, one for sergeants, lieutenants, and majors, and one for assistant chiefs. The promotion process is led by the Director of Human Services, who has a number of responsibilities, including the development and implementation of test components and the review of promotion process concerns. The director is also a technical advisor to the Civil Service Commission.

The promotional process appears to coincide with many national best practices for the promotion of officers to supervisory and command positions. Still, there are several areas in which the process could and should be improved. Findings and recommendations in this sub-section address the promotional process and guidelines, and are intended to promote a fair and equitable promotion process.

## Findings and recommendations

**Finding 26.1: LRPD follows many positive practices that are intended to achieve objective outcomes for promotions.**

**Finding 26.2: LRPD follows positive practices by allowing promotional candidates to appeal the different components of the promotional process.**

The Promotion Procedure Guidelines establish that, for certain components of the promotional process, including the "Assessment Center/Behavioral Simulation/Structured Interviews" and the "Experience Review," "assessors must reside outside the state of Arkansas and must not be current or former LRPD personnel." In addition, assessors are required to sign statements regarding their objectivity in the process, including "a declaration that the rater is not in a familial or consensual relationship with the candidate."

Using an external body to manage the promotional process and external assessors to score candidates on certain components of the process are positive practices that can help foster objective outcomes for promotions.

The Promotion Procedure Guidelines allow candidates to appeal written test items, the assessment center/behavioral simulation/structured interviews component, and ratings related to the

experience review. Either the Director of Human Resources or a trained review panel reviews appeals.

**Recommendation 26: LRPD should continue implementing practices in the promotion process that encourage objectivity.**

**Finding 27: The requirement for candidates to pass the written examination to be eligible for the remainder of the promotional process may disproportionately affect certain candidates.**

The promotional processes for the ranks of sergeant and lieutenant include three components: a written exam, an assessment center/behavioral simulation, and a review of experience. The written exam is the first component in the process; in order for candidates to proceed to the other two components, they must receive a score of at least 70 percent on the written exam. Requiring candidates to receive a minimum score on the written exam to be eligible for the other promotional components may disproportionately affect certain candidates. For example, those candidates with the resources to pay for external studying support will have an advantage on the written exam over those who cannot afford such support. According to City of Little Rock documents, candidates are also required to purchase some of the sources from which test questions will be based. Previously, candidates were required to purchase the Arkansas Criminal Code Annotated. Most recently, candidates were required to purchase two books on management and workplace skills. Requiring these purchases may dissuade certain eligible personnel from applying for open positions.

Ultimately, candidates are ranked by composite score at the end of the promotional process, which is the sum of the points received in each component. The maximum composite score is 100 points. Given the use of a composite scoring process, which takes into account all aspects of the promotional process, the requirement of a minimum score on the written exam is contradictory to a promotional process intended to be holistic.

**Recommendation 27.1: LRPD should consider removing the requirement for candidates to pass the written examination to be eligible for the remainder of the promotional process. This would be consistent with the composite scoring process, which encourages a holistic approach to assessing candidates.**

**Recommendation 27.2: The City of Little Rock and/or LRPD should consider creating a library of testing resources from prior promotional cycles to encourage eligible personnel to apply for open positions.**

**Finding 28: Some aspects of the promotional process increase the likelihood of subjectivity.**

Although LRPD follows several positive practices that foster an objective promotional process, some aspects of the process increase the likelihood for subjective decisions. Once all promotion process components have been completed, candidates are ranked and placed on a list that is then certified. The Promotion Procedure Guidelines give the Police Chief the authority to “select any of the three (3) standing highest on the certified list for promotion to the rank for which the candidate has competed.” However, the guidelines do not clearly state what criteria are used to make this selection by the Police Chief. In conversations with the department’s management, we were informed that prior chiefs made their selections without input from others. Other chiefs (including the current



chief) have sought others' opinions, reducing the potential for an individual's bias to steer the selection. We recommend that such a consultation period be codified in LRPD policy even if the ultimate decision rests with the Chief.

LRPD's use of multiple components during the promotional process is a positive practice that supports a comprehensive process. The promotional processes for the ranks of sergeant and lieutenant include a written exam, an assessment center/behavioral simulation, and a review of experience. However, the promotional components for the rank of major include only an experience review (30 possible points) and a structured interview (70 possible points). While an experience review and structured interview are valuable components of a promotional process, they do not provide the same degree of objectivity that a component, such as a written exam, would provide.

**Recommendation 28: LRPD should codify in policy the requirement of the Chief to consult with others during the selection process, even if the ultimate decision stays with the Chief.**

**Finding 29: LRPD follows best practices in using education requirements and incentives as part of the promotional process.**

The City of Little Rock's Promotion Procedure Guidelines include education requirements for sworn personnel to be eligible for promotion from one rank to the next. This practice is consistent with recommendations from the Final Report on 21st Century Policing that emphasize the need for continuing education in leadership positions (Final Report on 21st Century Policing 2015, 55). The particular rank of a position determines its education requirements. For example, starting in 2020, candidates for the rank of assistant chief need a bachelor's degree to be eligible. This action demonstrated an increase in the value of education, as the prior requirement was 15 college hours. Table 10 below lists the education requirements to be eligible for promotion to sergeant, lieutenant, major, and assistant chief.

**Table 10. Education requirements for promotion eligibility by rank**

For Promotion To	Education Requirements
Sergeant	6 college credits
Lieutenant	15 college credits
Major	Bachelor's Degree
Assistant Chief	Bachelor's Degree

Source: City of Little Rock.

The Promotion Procedure Guidelines also include extra points that candidates can earn based on attaining certain levels of education. These points are added to a candidate's overall composite score from the promotional components. For the ranks of sergeant, lieutenant, and major, candidates receive points for an associate's degree, bachelor's degree, and post-graduate degree, with the number of points corresponding to the level of education. Candidates for the assistant chief rank receive points for a post-graduate degree.

**Recommendation 29: LRPD should continue to incentivize education during the promotion process.**

**Finding 30: The City of Little Rock’s Promotional Procedure Guidelines require updating to reflect LRPD’s current rank structure.**

Several of LRPD’s ranks are listed in Table 10 above. The rank of major was previously called “captain,” but was changed in 2020 by the Chief. The job responsibilities and salary are the same. Currently, the City of Little Rock’s Promotional Procedure Guidelines still include the rank of captain, which caused some confusion for the audit team and required clarification from the LRPD.

**Recommendation 30: The City of Little Rock should update the Promotional Procedure Guidelines to reflect LRPD’s current rank structure.**

**Finding 31: The eligibility criteria for promotion to the ranks of sergeant, lieutenant, major, and assistant chief are not sufficiently comprehensive and do not mention promotion ineligibility factors.**

In promotional processes, it is important to ensure that a wide range of candidates have the opportunity to apply for open positions. However, the promotional process still must have limitations, especially for supervisory and command level positions, that ensure that those who are applying meet the department’s highest standards and expectations. According to the Promotion Procedure Guidelines for sergeant, lieutenant, major, and assistant chief, only tenure and education requirements are necessary to compete for these ranks. In addition, the guidelines do not mention factors that would make persons ineligible to apply, such as relatively recent sustained findings of misconduct, particularly acts of serious misconduct. Such factors may indicate poor judgment, lack of leadership skills, or the absence of other desired qualities and skills.

**Recommendation 31.1: The City of Little Rock and LRPD should review the promotional procedures of other agencies to decide whether additional eligibility requirements should be considered.**

**Recommendation 31.2: The City of Little Rock and LRPD should include ineligibility factors in the Promotion Procedure Guidelines.**

## Section 3: De-Escalation and Cultural Competency

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Here we discuss our assessment of the various policies, procedures, and training courses related to de-escalation and cultural competency. To assess LRPD's various policies, procedures, and training courses related to de-escalation and cultural competency, the audit team drew upon data collected from interviews, focus groups, and LRPD policies and training records. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- LRPD's attention to and emphasis on de-escalation during in-service and academy trainings increased between 2016 and 2020.
- LRPD's current attention to de-escalation techniques is specifically tied to the context of use of force.
- According to LRPD personnel, trainings on implicit bias and cultural diversity are not always well received by all officers.
- Some LRPD officers desire additional training on de-escalation, use of force, crisis intervention, and cultural awareness and diversity.

### De-escalation

In 2019, the Office of Community Oriented Policing Services (COPS Office) published a document titled *Law Enforcement Best Practices: Lessons Learned from the Field*. Although definitions of "de-escalation" vary, the COPS Office in this document defined "de-escalation" as "the range of verbal and non-verbal skills used to slow down the sequence of events, enhance situational awareness, conduct proper threat assessments, and allow for better decision-making, in order to reduce the likelihood of a situation escalating into a physical confrontation or injury" (Law Enforcement Best Practices 2019, 25). The effective use of de-escalation techniques has many associated positive outcomes, the most important being that it reinforces a department's commitment to force avoidance and the safety of both community members and officers. Just as important, the use of de-escalation techniques helps departments build trust with their communities, a necessary component to the legitimate operation of any agency. De-escalation is a multi-faceted tactic and therefore must be reflected in a department's policies, training courses, and culture, among other factors.

### Findings and recommendations

**Finding 32: LRPD's attention to and emphasis on de-escalation during in-service and academy training courses increased between 2016 and 2020.**

The audit team reviewed in-service training records dating back to 2016. We also reviewed academy training records for the three most recent academy classes (i.e., classes 95,<sup>18</sup> 96,<sup>19</sup> and 97<sup>20</sup>). In reviewing both, it was clear to the audit team that LRPD's emphasis on de-escalation during in-service and academy training courses increased between 2016 and 2020. Starting in 2018, the Control Tactics training lesson plan included the objective, "Allow officers to practice de-escalation through scenario-based training." Although references to de-escalation were made in the 2016 and 2017 lesson plans, those lesson plans did not specify that officers would practice their de-escalation skills through scenarios. LRPD made additional updates to the lesson plan in 2020 that further emphasized de-escalation. For example, LRPD included a new decision-making video that showed an officer from another department failing to intervene in a use-of-force situation. The inclusion of this example in the training course is consistent with LRPD's General Order 303, which includes a "Duty to Intercede" clause. Another example of LRPD's increased focus on de-escalation was its scenario-based training. Although scenario-based training was included in all of the Control Tactics' lesson plans reviewed, only the 2020 lesson plan mentioned that "the scenarios are designed to allow for possible de-escalation and decision making by officers."

The increased focus on de-escalation over time was also present for academy training courses. In interviews, LRPD personnel mentioned that the Control Tactics training course during the academy includes training on de-escalation. They also stated that the concept of de-escalation is reinforced through other training courses, including crisis intervention team, conflict resolution, and ethics training. In reviewing the three most recent academy curriculums (classes 95, 96, and 97), the term "de-escalation" is first mentioned in class 96's curriculum. This is not to say that de-escalation was not covered during class 95. However, its inclusion in the 96 and 97 curriculums highlights the importance of de-escalation for the specific training blocks. For example, in the description of the 96 and 97 reality based training and decision-making Crisis Intervention Team (CIT) block, there is a note that says "practice verbal de-escalation using CIT training." In addition, for one of the firearms training blocks, there is a note that says "de-escalation and decision making w/shoot/no-shoot targets." The inclusion of these notes in the curriculums also reinforces to recruits that de-escalation is a critical component to the training blocks. Finally, academy class 97 is the only of the three classes with a dedicated block of training specifically for de-escalation and decision-making. For the other two academy classes, de-escalation is included as part of other training blocks.

**Recommendation 32: The LRPD should continue to incorporate de-escalation throughout in-service and academy training courses, recognizing that de-escalation is relevant and applicable to more than just use of force.**

**Finding 33: Some LRPD officers want additional training on de-escalation, use of force, and crisis intervention.**

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<sup>18</sup> Aug. 19, 2019-Jan. 31, 2020.

<sup>19</sup> Feb. 17, 2020-July 31, 2020.

<sup>20</sup> Aug. 17, 2020-Jan. 29, 2021.

Despite what appears to be positive progress in LRPD's emphasis on de-escalation throughout the various training courses, some officers want additional training on de-escalation, use of force, and crisis intervention. This was expressed by officers in a survey conducted by LRPD following in-service training in 2020. It is important to note that LRPD's 2020 in-service training curriculum had to be modified because of the COVID-19 pandemic. However, the three topics of de-escalation, use of force, and crisis intervention, all of which are related, require significant time devoted to them on a continual basis.

**Recommendation 33:** In addition to incorporating de-escalation into scenario-based trainings, LRPD should have a training block during both in-service and academy trainings dedicated specifically to de-escalation techniques and decision-making.

**Finding 34.1:** LRPD's Response to Resistance and Active Aggression policy clearly defines de-escalation and the goal of de-escalation. In addition, the policy provides examples of de-escalation techniques and requires officers to use de-escalation techniques when possible.

**Finding 34.2:** LRPD's Response to Resistance and Active Aggression policy includes several criteria that are consistent with the Police Executive Research Forum's Guiding Principles on Use of Force.

Embracing de-escalation as a guiding practice within a department starts with strong and comprehensive policies. Officers need to understand that the use of de-escalation, whenever possible, is a department requirement. Further, officers need to understand what de-escalation actually is and how it is expected to be used in practice. LRPD's General Order 303 clearly defines de-escalation and the goal of de-escalation in the context of use-of-force situations. In addition, the policy includes specific examples of de-escalation techniques, such as "securing additional resources, tactical repositioning, and employing verbal persuasion." Most important, the policy requires officers to use de-escalation techniques in potential use-of-force encounters, stating, "When safe and reasonable under the totality of circumstances, officers shall use de-escalation techniques to reduce the likelihood of force and increase the likelihood of voluntary compliance." The requirement to use de-escalation techniques is also reinforced throughout the policy.

In addition, the Police Executive Research Forum (PERF) published its *Guiding Principles on Use of Force* (2016), which heavily relies on de-escalation. Several of PERF's guiding principles are included in LRPD's General Order 303. For example, LRPD's General Order 303 puts the "protection of life" above everything else in the policy, includes a duty to intercede requirement for officers, and prohibits shooting at moving vehicles except in very specific situations.

**Recommendation 34:** LRPD should maintain these positive elements of its Response to Resistance and Active Aggression policy.

**Finding 35:** LRPD's Response to Resistance and Active Aggression policy provides an accountability "escape clause."

Although the majority of the policy related to de-escalation is in line with best practices, one section appears to hold the potential for relieving officers of their responsibility to effectively de-escalate a situation. Section III.B of General Order 303 states:

*Effective communication and de-escalation techniques are developed skills. Some officers will be better at de-escalating a situation than others. Failure of an officer to successfully de-escalate an incident after attempting should not reflect poorly on the officer. De-escalation requires the cooperation of the subject in question.*

Although there will certainly be differences across officers in particular skills, the department should account for situations where an officer's attempt at de-escalation is not in line with policy or the training received. Based on this section, the officer could claim that he or she attempted to de-escalate and therefore not be subject to any disciplinary efforts, even if such efforts were inconsistent with de-escalation training received. We recommend either removing this section (as some of its intent is captured already in Section III.A) or revising it to indicate that an officer may still be held accountable if de-escalation techniques are inconsistent with policy and training.

**Recommendation 35: LRPD should revise Section III.B of its Response to Resistance and Active Aggression policy to be able to hold members accountable when de-escalation attempts are inconsistent with training received.**

**Finding 36: LRPD's current attention to de-escalation techniques is tied specifically to the use of force context.**

Although LRPD's focus on de-escalation in General Order 303 is positive, it is important for the department and officers to understand that de-escalation techniques do not apply only to situations in which force may be used. De-escalation as a concept is part of positive communication skills that should be incorporated into all of the department's operations. Officers should be expected to demonstrate such communication skills in their daily interactions with community members and within the organization. Doing so will help increase perceptions of procedural and organizational justice, ultimately increasing a department's internal and external legitimacy.

**Recommendation 36: LRPD should create a stand-alone policy that reinforces the expectation for officers to incorporate positive communication skills in all of their daily interactions.**

## Cultural competency

The communities that law enforcement agencies serve can be incredibly diverse, whether by race, ethnicity, socioeconomic status, age, and other factors. The Final Report on 21st Century Policing acknowledged and stressed this fact, stating that law enforcement agencies need to "improve understanding and effectiveness in dealing with all communities" (Final Report on 21st Century Policing 2015, 16). Key aspects of cultural competency are the awareness and acceptance of varying cultures and backgrounds. Efforts to improve cultural competency of officers can be carried out in a number of ways, including through training courses, recruiting and hiring officers from diverse backgrounds, and pursuing continuous community engagement with a broad range of community

members. It is essential that the principles of cultural competency are established and implemented both in officers' community interactions and internal agency interactions.

## Finding and recommendations

**Finding 37.1: LRPD in-service and academy training courses cover topics related directly to cultural competency.**

**Finding 37.2: LRPD's addition of new training topics to in-service and academy training courses appears consistent with current events.**

The audit team reviewed in-service training records dating back to 2016. The audit team also reviewed academy training records for the three most recent academy classes (i.e., classes 95, 96, and 97). Since 2016, in-service training has covered topics including bias-based policing, implicit bias, racial profiling, procedural justice, and racial intelligence. Importantly, supervisors and officers alike have been required to complete two hours of implicit bias or racial profiling training every year since 2018. This is a best practice that is consistent with recommendations from the Final Report on 21st Century Policing (Final Report on 21st Century Policing 2015, 58).

Because the audit team was not able to observe actual training sessions, we cannot address the quality or comprehensiveness of the training. However, the audit team did have access to lesson plans for specific training courses. In 2020, the LRPD began providing four hours of Racial Intelligence Training and Engagement (RITE) during in-service training. This training course focuses on the use of social, emotional, and racial intelligence skills to achieve better outcomes. LRPD also has a comprehensive lesson plan for a Cultural Diversity and Cultural Competency training course, which was taught in part by an external provider. The lesson plan states that the objectives of the training are to "understand cultural diversity among different populations," and "acquire cultural competency skills to interact with people of diverse cultures." During interviews with LRPD personnel, the audit team learned that the three-year contract with this provider expired after 2019, and this training course is no longer provided.

The last three academy classes have also emphasized topics related directly to cultural competency. The academy classes have included training courses on such topics as:

- Implicit bias
- Racial profiling
- Procedural justice
- RITE
- Cultural diversity
- Community interactions with the LGBT community
- Community interactions with the deaf community
- Community interactions with the Muslim community
- Community interactions with women and children
- Community interactions with veterans
- Community interactions with the Hispanic community
- Community interactions with the homeless

- Community interactions with people of color
- Spanish for law enforcement

It should be noted that the academy classes included different combinations of the above listed training courses. LRPD has also updated the training topics it provides, which appears to be consistent with current events. For example, the most recent academy class (97) received training on community interactions with people of color, but the prior two classes did not. In addition, academy class 97 watched the movie *Selma* and the documentary *Thirteenth* as part of the academy training, but the prior two academy classes did not.

Although certain training courses have been added to the academy curriculum, others appear to have been removed. For example, academy class 95 received training on implicit bias and cultural diversity, but those topics are not reflected on the academy curriculums for classes 96 and 97. It is unclear whether these topics are covered in the newly added RITE training.

**Recommendation 37.1: LRPD should continue providing several blocks of training related to cultural competency during in-service and academy trainings.**

**Recommendation 37.2: LRPD should review in-service and academy training curriculums regularly to ensure that they include cultural competency topics relevant to current events.**

**Finding 38.1: Although the provision of training courses related to cultural competency is a positive practice, LRPD does not appear to consistently provide a dedicated block of in-service training on cultural competency and awareness.**

**Finding 38.2: Training on cultural competency is necessary to support LRPD’s general orders.**

Interviews with LRPD personnel revealed that the department does not appear to consistently provide a dedicated block of in-service training on cultural competency and awareness. From 2017 to 2019, the department had a contract with an external provider who taught specifically on the topic of cultural competency. However, that contract expired after the 2019 calendar year and the department transitioned to the RITE training course. Although related, this training course is distinct from cultural competency training as its focus is more on the concepts of emotional and social intelligence. Thus, an important gap was left in the transition from the prior training to the RITE training.

In reviewing LRPD’s general orders, we recognized that training on cultural competency is necessary to support what is stated in these general orders. For instance, LRPD’s General Order 100 covers the departmental philosophy, which includes a value statement that stresses the provision of “law enforcement services in a fair, consistent, and unbiased manner.” In addition, the value statement within this general order states that LRPD “advocates awareness and acceptance of all people without bias.” LRPD’s General Order 117 covers the department’s policy on bias-based profiling. One statement within the policy reads, “Officers are forbidden from using language or displaying symbols and gestures that are commonly viewed as offensive to, or are indicative of bias towards any group.” Such topics would likely be covered in a cultural competency and awareness training course. In order for officers to consistently comply with LRPD’s general orders, regular and focused training is needed that teaches and reinforces the principles of cultural competency.



**Recommendation 38.1:** LRPD should have an in-service block of training dedicated specifically to the concept of cultural competency and ensure that all LRPD personnel receive the training annually.

**Recommendation 38.2:** The selection of new training courses by LRPD should be calculated and meaningful. LRPD should ensure that when new training courses are added, any gaps left from the removal of the prior course are considered and addressed, if necessary.

**Finding 39:** Some officers want additional training on cultural diversity and awareness.

Results from a survey conducted by LRPD following in-service training in 2020 showed that some officers want additional training on cultural diversity and awareness. This demonstrates the value of these topics in policing, and also that LRPD can improve the amount of training dedicated to cultural diversity and awareness. It is important to note that LRPD's 2020 in-service training curriculum had to be modified because of the COVID-19 pandemic.

**Recommendation 39:** LRPD should provide supplemental training on cultural diversity and awareness during both academy and in-service trainings.

**Finding 40:** According to LRPD personnel, training courses on implicit bias and cultural diversity are not always well received by all officers.

Interviews and focus groups with LRPD personnel revealed that training courses on implicit bias and cultural diversity are not always well received by all officers. Personnel stated that it "depends who you ask" and that "some bias-based training immediately shuts people down." One member stated that the cultural competency training was important, but felt like racial-bias training could be divisive and has been "crammed down our throats" in the past few years. Interviewees stressed that, given the subject material, it is important to have a good training instructor who has the ability to connect with officers when teaching the material.

**Recommendation 40.1:** As with de-escalation, LRPD should work to incorporate the principles of cultural competency throughout the training curriculum.

**Recommendation 40.2:** LRPD should ensure that its implicit bias training course and other training courses related to cultural competency align with national best practices and are provided annually to all department personnel.

## Section 4: Nepotism and Harassment

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A nepotism policy is needed to address potential workplace conflicts that may arise as a result of individuals with pre-existing relationships working together. Conditions of conflict may occur when relatives have supervisory/subordinate relationships or when they work in the same unit or division under a common chain of command. The conditions of conflict may be real or perceived by anyone in the work environment; therefore, strict care must be taken to mitigate both actual and perceived conditions of conflict.

This section discusses our assessment of the various City and LRPD policies and procedures related to nepotism and harassment. To assess the City's and LRPD's policies and procedures related to nepotism and harassment, the audit team drew upon data collected from interviews, focus groups, and policies. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- The City of Little Rock's policy on nepotism is incomplete and does not sufficiently address all potential instances of conflict.
- While LRPD's policy on nepotism remediates some of the deficiencies with the City's policy, some of the same deficiencies are found.
- LRPD does not have a stand-alone policy related to nepotism.
- LRPD's policy on harassment is incomplete.
- LRPD's policy on harassment does not provide sufficient definition of key terms.
- LRPD does not have sufficient policies related to harassment of community members.

### Findings and recommendations

#### **Finding 41: The City of Little Rock's policy related to nepotism is incomplete.**

In reviewing the policy related to nepotism, we note that a number of elements are missing that would improve the overall quality and comprehensiveness of the policy. For instance, the policy appears to be related solely to familial or romantic relationships and does not set parameters around other relationship types, including those of mentors and long-standing or otherwise strong friendships (see, for example, City of Oakland, CA City Code, Section 2.40<sup>21</sup>). Although such relationships are often defined as cronyism (see also Finding 12), a nepotism policy should provide safeguards against such semblances of an "old boy system" (which does not always involve family or romantic relationships). We recommend that the City of Little Rock expand the definition of nepotism

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<sup>21</sup> [https://library.municode.com/ca/oakland/codes/code\\_of\\_ordinances?nodeId=TIT2ADPE\\_CH2.40PRNEEM](https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT2ADPE_CH2.40PRNEEM)

to include safeguards against allegations of cronyism for when personnel have a pre-existing relationship that goes beyond the conduct of normal business. We note that this does not mean that the same restrictions must apply to all relationship types. For instance, there are certainly differences between a husband/wife relationship and the relationship between two officers who went through the academy together and socialize on the weekend. While the safeguards may differ, the policy must still address both.

In addition, most of the current nepotism policy relates to a pre-existing supervisor/subordinate relationship. While a good start, the policy does not provide guidance on what steps must be taken if one person in a relationship is promoted, thereby creating a potential conflict. For instance, if a husband and wife are working in the same division and the wife is promoted, the policy does not detail the steps necessary to safeguard against potential preferential treatment. In this situation, the husband would need to be transferred out of the division. This type of situation may be addressed by prohibiting relatives from working within the same division (see Finding 42), although the City should provide direction about the expected steps to be taken regardless.

**Recommendation 41.1: The City of Little Rock should expand the definition of nepotism to include pre-existing relationships that go beyond the conduct of normal business.**

**Recommendation 41.2: The City of Little Rock should provide guidance on steps to be taken when one person in a relationship is promoted.**

**Finding 42: The City of Little Rock’s policy on nepotism does not sufficiently address all potential instances of conflict.**

Currently, the policy addresses mostly supervisor/subordinate relationships; it does not comprehensively address issues that may arise from relatives or persons in romantic relationships working in the same division. For instance, one supervisor may give preferential treatment to an employee if he or she is the sibling of another supervisor within the division. We recommend ensuring as much separation as possible between relatives or those in a romantic relationship, and that relatives or romantic partners be prohibited from working within the same division.

In addition, the nepotism policy should prohibit employment of relatives and romantic partners if one of the individuals is above a certain rank. We recommend that the nepotism policy be revised to prohibit employment of relatives or romantic partners of those ranked major and higher (including assistant chiefs and the chief). If a relative or romantic partner is already working for the department at the time of promotion to a high rank, the policy would need to include strict safeguards.

**Recommendation 42: The City of Little Rock’s nepotism policy should be revised to prohibit relatives/romantic partners from working within the same division.**

**Finding 43: The City of Little Rock’s policy related to nepotism lacks clarity in some sections.**

There are some aspects of the policy that require clarification to ensure comprehensive enforcement. For instance, the policy notes that “relative” means “all persons related by blood, marriage, legal adoptions, and/or guardianships.” However, it is not clear by the policy whether this would include in-laws as, when using a strict interpretation of the policy, these individuals would not be covered

either by blood or marriage. We recommend that the definition include affinity relatives (i.e., relatives as a result of marriage).

In addition, Section III of the policy provides information regarding steps to be taken “in the event a person becomes a relative of, or becomes involved in a romantic relationship” with a supervisor. However, subsection 2 of this section states that “all cases in which relatives of present employees are considered for placement shall be reviewed by [HR] prior to such placement.” It is unclear why this subsection falls under the overarching section related to becoming a relative or romantically involved with a supervisor. We agree with the goals of this subsection but recommend that it be separated into its own section.

There is a lack of clarity on the degree of separation associated with the prohibitions found in the policy. For instance, both Section I and Section II use the term “immediate supervisor/supervision.” However, it is not clear whether this simply means one rank above (e.g., officer to sergeant) or whether it also includes additional rank gaps (e.g., officer to major). Any supervisory role over a relative may carry implications for nepotism and thus we recommend that the City remove the “immediate” qualifier.

Finally, the policy appears to go back and forth between using the terms “relative” and “romantic relationship,” together or singularly. For instance, Section I of the policy uses the phrase “otherwise placed into a position under the immediate supervision of a relative,” whereas Section II states that “no employee shall be the immediate supervisor of an employee with whom there is a spousal relationship or a dating/romantic relationship.” As both of these address “immediate” supervision, it is unclear why they are separate points in the policy. In addition, Section VI states that department directors are prohibited from hiring relatives to work in their departments but is silent on persons involved in romantic relationships.

**Recommendation 43.1: The City of Little Rock’s nepotism policy should include affinity relatives when defining the relationships covered.**

**Recommendation 43.2: The City of Little Rock should make Section III.2 its own section in the nepotism policy.**

**Recommendation 43.3: The City of Little Rock’s nepotism policy should clarify the degrees of separations for supervision and remove the “immediate” qualifier.**

**Recommendation 43.4: The safeguards found within the City of Little Rock’s nepotism policy should apply consistently to both relatives and romantic relationships throughout the entire policy.**

**Finding 44: The LRPD general order on nepotism remediates some of the deficiencies with the City’s policy.**

As part of General Order 202, LRPD provides restrictions on transfers and assignments to avoid the perception of nepotism. For instance, the types of relationships that might lead to nepotism are greatly expanded, including “relationships established by blood, marriage, or legal action which includes spouse, mother, father, son, daughter, sister, brother, mother-in-law, sister-in-law, brother-

in-law, son-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandson, granddaughter; persons in a “romantic” or “dating” relationship; or persons who have a child in common.” This list provides a much clearer picture of the relationships intended to be subjected to increased scrutiny.

In addition, LRPD’s general order creates an outright ban on those in a relationship working within specific divisions, including “Special Investigations Division, Major Crimes Division, Training Division, Administrative Services Section, 21st Century Community Policing Division, Headquarters Division, and Records and Support Division.”

**Recommendation 44: LRPD should maintain these positive elements of its General Order 202.**

**Finding 45: The LRPD general order on nepotism contains some of the same deficiencies as the City’s policy.**

Some of our critique of the City’s policy also applies to the police department’s general order. For instance, the general order does not place an outright ban on those in a relationship working within the same patrol division; it says only that they may not work “the same shift or the same unit.” The general order also does not consider non-familial bonds that may give rise to nepotism, including god-children, previously married individuals, or close friends. Where recommendations for the City’s policy are applicable to LRPD’s general order, we recommend LRPD consider those suggestions.

**Recommendation 45: LRPD should incorporate the previously stated recommendations for the City’s nepotism policy into the LRPD general order on nepotism.**

**Finding 46: The LRPD’s general order on nepotism is housed within a general order related to transfer and assignment requests and therefore does not prohibit nepotism in areas outside of supervision.**

The prohibitions related to nepotism are found within General Order 202 (Transfer and Assignment Requests). However, the concept of nepotism is broader than these topics and LRPD should account for other areas where nepotism might affect operations. For instance, the general order does not prohibit one relative from conducting an administrative investigation on another relative. To remedy this situation, we recommend that nepotism constitute its own general order. This would allow LRPD to better explore the ways that nepotism might influence departmental operations and to craft a comprehensive policy.

**Recommendation 46: LRPD should create a stand-alone general order regarding nepotism that accounts for all of the ways that nepotism may influence departmental operations.**

**Finding 47: The LRPD’s general order on harassment acts as a solid framework, but areas for improvement exist within the general order.**

LRPD General Order 212 (Harassment in the Workplace) acts as a solid framework for a comprehensive policy on harassment. In general, the policy is well-written, though there are areas where it can be improved. For instance, the general order prohibits harassment based on “race, color, creed, sex, religion, national origin, age, disability, marital status, sexual orientation, gender identity, genetic information, political opinions or affiliation.” While the list contains many characteristics

found in other agencies' policies on harassment, it can also be expanded to include additional characteristics. Harassment may be based on an individual's weight (being too thin or too heavy), an individual's speech, or any number of other characteristics. Although these forms of harassment fall outside the detailed list provided by LRPD policy, they constitute harassment nonetheless.

To LRPD's credit, Section II.A. of the general order states "no employee shall either explicitly or implicitly ridicule, mock, deride or belittle any person." However, this broader conceptualization of harassment is not incorporated into the definition of general harassment (which focuses solely on the characteristics listed above). This is problematic since the remainder of the policy focuses on sexual harassment, racial harassment, or "any form of harassment, as defined by this Order."

The general order is also confusing because, at times, sections appear to relate only to sexual or racial harassment. For instance, Section IV.A states:

*"All employees are responsible for avoiding situations which involve actual or apparent racial or sexual harassment, and shall assist in the prevention of harassment by:*

- *Refraining from participation in, or encouraging, actions that could be perceived as harassment;*
- *Reporting acts of harassment to a supervisor; and,*
- *Encouraging any employee, who confides that he is being harassed, to report those acts to a supervisor."*

We agree with the requirements identified in Section IV.A, though we believe they also apply to all types of harassment. At present, the affirmative steps listed in the section could be read as applying only to "actual or apparent racial or sexual harassment."

Finally, the general order contains Section VI (Fraudulent Complaints), which states that employees may be disciplined and subject to criminal proceedings if complaints filed by them are determined to be "not factual, or that an employee has made false statements regarding the complaint." Whereas other directives should cover the general requirement for officers to be truthful, the inclusion here is superfluous and may lead to officers being hesitant to file a complaint. We therefore recommend removing this section as it may deter individuals from filing a complaint.

To improve the general order, we recommend LRPD expand the definition of general harassment to include catch-all language for other reasons that an individual may be targeted. For instance, the definition may be revised to say "General harassment is defined as any annoying, persistent act or action that singles out an employee, to that employee's objection or detriment. The reason for singling out an employee may include (but is not limited to) the employee's race, color, creed..." Additionally, the general order should be revised to ensure that each provision applies to all forms of harassment unless there is a specific reason to apply the provision only to racial or sexual harassment. Finally, the general order should be revised to remove Section VI.

**Recommendation 47.1: LRPD should expand the definition of general harassment to include all reasons that an individual may be targeted.**

**Recommendation 47.2:** LRPD should revise General Order 212 to ensure that each provision applies to all forms of harassment unless there is a specific reason to apply the provision only to racial or sexual harassment.

**Recommendation 47.3:** LRPD should revise General Order 212 by removing Section VI.

**Finding 48.1:** LRPD's General Order 212 does not prohibit retaliation based on all complaint types.

**Finding 48.2:** LRPD's General Order 212 does not define retaliation.

LRPD's General Order 212 (Harassment in the Work Place) contains a provision that "retaliation against any employee, who has filed a harassment complaint, or those who assisted, testified, or participated in the investigation of such, is prohibited." While we agree with the provision, it is unclear why it is written to apply only to a harassment complaint, as it has much broader applicability. Although we believe General Order 212 to be the more appropriate place for such a provision, we note that General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions), which covers the larger accountability system, also does not contain any provision against retaliation.

In addition, the concept of retaliation is not defined in General Order 212, leaving the interpretation of the term as a subjective exercise. We refer LRPD to the International Association of Chiefs of Police's model policy<sup>22</sup> related to retaliatory conduct, defining the term as:

*"Conduct or action designed to serve as retribution against an employee who, in good faith, has reported or otherwise provided information regarding misconduct against another employee. In the context of this policy, retaliatory conduct includes any deliberate, purposeful actions or failures to act directed against employees that cause or that could reasonably be expected to cause physical harm, property damage, significant emotional stress, or other serious negative effect on another employee; designed to ridicule or embarrass; or could seriously impair the efficiency, safety, or effectiveness of that employee, this department, or both. Such conduct may take many forms, including but not limited to bullying; persistent offensive comments, threats, or intimidation; false accusations; isolation; ostracism; posting of secure or personal information on the Internet; or acts that malign or disparage an individual's reputation."*

The above definition comprehensively identifies the components of retaliation and provides clear examples of what might constitute retaliatory conduct. In addition, the above definition applies to all instances where an employee has participated in a misconduct complaint, rather than the limited scope of harassment complaints found within General Order 212.

**Recommendation 48.1:** LRPD should revise General Order 212 to broaden the prohibition against retaliation to all complaint types.

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<sup>22</sup> <https://www.theiacp.org/sites/default/files/2020-06/Retaliatory%20Conduct%20June%202020.pdf>

**Recommendation 48.2: LRPD should revise General Order 212 to define the concept of retaliation.**

**Finding 49: LRPD lacks adequate directives to safeguard against the potential of harassment of complainants.**

General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not contain any admonishments for harassing complainants. In reviewing the directive, we found only two uses of the term harassment, one of which related to LRPD exercising caution when investigating anonymous complaints to “avoid unnecessary harassment of Departmental employees” (the other use of the term related to the EIS).

Furthermore, the LRPD does not have sufficient prohibitions on discouraging community members from filing complaints. The only mention in General Order 211 is a brief sentence saying “citizens shall not be discouraged from filing a complaint.” However, this appears related to supervisors recommending alternative resolutions to community members. To LRPD’s credit, one of the criteria in the general order for using alternative resolutions is “if the citizen has no desire to pursue a formal complaint.”

Prohibitions against retaliation may fall under broader constructs of officer behavior (e.g., Rules and Regulations 1.4003.00: “No officer shall engage in any personal act or conduct which, if brought to the attention of the public, could result in justified criticism of that officer or the Department.”). However, the application of these rules will likely be subjective, as they do not provide sufficient definition of terms. Particularly with harassment against complainants, clear expectations and guidelines should be implemented so community members can be confident that they can file a complaint without fear of retribution, either directly or indirectly (e.g., being targeted for traffic stops).

**Recommendation 49: LRPD should create specific prohibitions against harassment of complainants.**

**Finding 50: LRPD has no general orders related to harassment of community members.**

In reviewing safeguards against the potential for harassment of complainants, we were unable to find any LRPD general orders that provide safeguards against harassment of community members in general. Although harassment is potentially implicated in other, broader, general orders related to member behavior (e.g., conduct unbecoming of a police officer), LRPD should ensure that these general orders comprehensively prohibit harassment of community members. By having concrete prohibitions, the department would signal respect for community members and provide a direct avenue for accountability should an officer engage in harassment.

**Recommendation 50: LRPD should ensure that harassment of community members is comprehensively prohibited in other general orders.**



## Section 5: Early Intervention System

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An EIS is a tool that many agencies use to identify potentially problematic employees who are at risk of an adverse event. Although no EIS across the nation is identical to another, the underlying concept behind them remains consistent: there are certain officers who have a higher likelihood of experiencing an adverse event and may benefit from supervisor intervention in order to avoid such events. A department's EIS may be informed by univariate thresholds, relative comparisons between officers, or complex statistical models. Regardless of how EIS alerts are generated, the system must be well understood by employees and must be able to sufficiently identify those who are at risk.

In this section, we discuss our assessment of the various policies and procedures related to LRPD's EIS. To assess LRPD's various policies and procedures related to its EIS, the audit team drew upon data collected from interviews, focus groups, and LRPD policies. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- The Early Intervention System (EIS) is inappropriately tied to accountability.
- The EIS thresholds are not sufficient to identify officers at risk of an adverse event.

### Findings and recommendations

#### **Finding 51: Guidance on the EIS is housed incorrectly in a directive related to administrative investigations and discipline.**

One of the core tenets of an EIS is that the process of identifying and intervening with members who are at-risk of a career-ending event should not be considered either a formal investigation or a punitive process. By placing EIS within the accountability policy, LRPD is explicitly drawing a parallel between the two processes when they should be considered separate reviews. An EIS operates on the theory that prior behavior is a significant predictor of future behavior. Officers who walk the line of constitutional policing (sometimes called "lawful but awful") have a greater risk of falling into the unconstitutional category if left unchecked. This may be related to the activity of an officer either in a numerical sense (i.e., the number of force events or the number of administrative complaints) or in a quality sense (i.e., "lawful but awful"). However, it should not be equated with an administrative investigation or discipline as the officer has not actually acted inappropriately, and may undermine the system in the eyes of officers. We recommend that LRPD create a separate policy related to EIS to separate it from concepts of accountability and discipline.

#### **Recommendation 51: LRPD should remove guidance on EIS from the accountability directive and create a separate policy.**

#### **Finding 52: The thresholds to trigger an EIS alert are not sufficient to identify officers at risk of an adverse event.**

In reviewing the EIS thresholds found within General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions), we find they are extremely high and are unlikely to identify at-risk members sufficiently. The thresholds are the following:

- An employee is the subject of two (2) or more sustained internal or four (4) or more sustained divisional investigations or six (6) or more Departmental investigations involving misconduct, or quality of service within any twelve (12) month period.
- An employee is involved in four (4) or more police vehicle pursuits within any twelve (12) month period, in which there are sustained violations
- An employee is involved in three (3) or more on-duty motor vehicle accidents during any twelve (12) month period, where the employee's actions were determined to be a contributing factor or the fault was undetermined.
- An employee is involved in two (2) or more bias complaints within a six (6) month period.
- An employee is involved in five (5) or more use-of-force incidents in a six (6) month period.

Given the high number of events and the relatively short timeframes associated with many of these triggers, it is likely that few officers will be consistently identified by the system, and those who are would already likely be the subject of departmental scrutiny. For instance, if a plurality of LRPD members have only a single investigation in the past five years and even the most investigated members average less than four per year, then it is likely that very few (if any) members would reach the first threshold listed in the directive. In addition, an employee having four sustained violations in vehicle pursuits in a 12-month period would hopefully be a rare (if not outright non-existent) occurrence. Should a member have that many sustained findings for vehicle pursuits, we would expect remedial action to have occurred already.

Furthermore, many of the thresholds require allegations to be sustained, thereby ignoring concerns as to why an officer has an elevated number of complaints compared with others. As a comparative tool, an EIS should have the ability to identify officers who, regardless of the constitutionality of their actions, consistently demonstrate higher rates of certain event types (e.g., uses of force, complaints, and vehicle pursuits). For these officers, LRPD should determine why they demonstrate higher rates when controlling for other factors, thereby allowing for targeted intervention.

For instance, we reviewed the accountability data to determine whether certain LRPD members were disproportionately represented in the number of complaints received over a five-year study timeline. In looking at all LRPD members, we note that the majority have relatively few complaints. For instance, of members who were the subject of an investigation over the past five years, nearly half (49.4 percent) were the subject of two or fewer complaints (this does not take into account members who were not the subject of any investigation over the past five years). However, some members were overrepresented. For instance, two members were the subject of 17 different complaints. Twenty-seven members were the subject of 10 or more different complaints. These 29 individuals represent 4 percent of LRPD employees but make up 13 percent of all complaint investigations. These 29 members would be good candidates for possible EIS intervention even if none of the associated complaints were sustained.

When looking only at patrol members (sworn officers who will interact with community members), we find similar patterns. Of all sworn officers who were the subject of a complaint, more than 53 percent were the subject of three or fewer complaints (this also does not take into account members who were not the subject of any investigation over the past five years). However, particular sworn members are overrepresented. For instance, 17 patrol officers, in total, were the subject of 188 investigations. Given 334 total patrol officers, this means that 5.1 percent of patrol officers were responsible for 15.7 percent of investigations of patrol officers. These 17 would also be good candidates for possible EIS intervention.

We therefore recommend that LRPD revise its thresholds for EIS alerts to better identify members at an elevated risk of an adverse event. This may be accomplished either by revising the current raw-number thresholds (i.e., reducing the number of events needed to trigger an alert, expanding the timeframe for each trigger, considering non-sustained findings), incorporating a comparative element to the EIS alert thresholds, or some combination of the two.

**Recommendation 52: LRPD should revise the current thresholds for EIS alerts to increase the number of members who may benefit from EIS interventions. LRPD can accomplish this by revising the raw-number thresholds, incorporating a comparative element into the alert thresholds, or some combination of the two.**

## Section 6: Private and Confidential Information

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The maintenance of private and confidential information in a law enforcement agency is of utmost importance. This is true as it relates to maintaining the professional image of the department as well as maintaining the privacy of those who come in contact with the criminal justice system. Departments must have strict safeguards regarding access and the preventive measures that employees are expected to take in order to maintain the confidentiality of information.

In this section, we discuss our assessment of the various policies and procedures related to LRPD's handling of private and confidential information. To assess LRPD's various policies and procedures related to the handling of private and confidential information, the audit team drew upon data collected from interviews, focus groups, and LRPD policies. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- LRPD does not have a stand-alone policy regarding confidentiality of information.
- LRPD policy does not sufficiently identify preventive measures regarding information security.

### Findings and recommendations

#### **Finding 53: LRPD's restrictions on information sharing and maintaining confidentiality of documents are spread across multiple directives.**

In reviewing various general orders, it appears that LRPD has adequate restrictions on information sharing and maintaining confidentiality of documents. The bulk of these restrictions is found within General Order 109 (Media Relations and Information Releases), including restrictions on releasing information to non-LRPD employees and LRPD employees. General Order 109 contains prohibitions on releasing information related to departmental operations and police files, as well as on commenting on "rumor(s) relating to any Departmental activities or matters." Other policies describe the confidentiality measures to be taken within specific units, providing instruction for those units regarding access, review, and dissemination procedures for documents in the possession of those units.

However, the restrictions are spread out across multiple orders, potentially leaving gaps that may render LRPD vulnerable. LRPD does not have a stand-alone policy that ensures the confidentiality of information. Such a policy would provide a single source for LRPD members to refer to in order to know what is expected of them. As noted, General Order 109 contains many of these restrictions, but this general order is more appropriate for the formal processes related to specific information releases (either to the media, public requests, or FOIA requests). While a centralized policy could

reference other unit-specific policies for particular responsibilities, having a singular policy on maintaining confidentiality would create a baseline standard for the entire department.

**Recommendation 53: LRPD should create a stand-alone policy regarding confidentiality of information.**

**Finding 54: LRPD policy does not sufficiently identify preventive measures regarding information security.**

As noted above, many of the prohibitions on information sharing are found in General Order 109. However, the directive does not provide sufficient guidance on preventive measures that members are expected to take for information confidentiality to be maintained. For instance, General Order 109 states “Work papers and documents within an office, on or in a desk, or computer files and disks are not intended for general viewing and all employees are prohibited from attempting to observe or read such papers.” Providing a prohibition on “attempting to observe or read papers” is a positive element, as it allows the unauthorized viewer to be held accountable. However, the directive does not contain requirements for the holder of the information to conceal or otherwise obscure documents or papers.

To solidify directives, LRPD should clearly identify the preventive steps that members are expected to take to maintain confidentiality. For instance, this may include a requirement to remove all documents from an employee’s desk at the conclusion of the workday, or a restriction on documents being within view if the employee is not currently working on them. If not already in use, LRPD could also purchase polarized screen filters for computer screens, which prevent those passing by from being able to see what others are working on. By providing clear preventive measures, LRPD can take an active approach to preventing unauthorized disclosure of information.

**Recommendation 54: LRPD should identify preventive measures regarding information security.**

**Finding 55: LRPD policy related to Records Section access is strong overall, though some sections require revision for clarity.**

Overall, LRPD has sufficient restrictions on physical access to the Records Section. For instance, the policy states that “at no time shall an employee of [the Records Section] knowingly allow persons access to the section who might possibly pose a risk to the security of operations.” Further security procedures include the use of “Sonitrol access cards” to access the building and to access the Records Section. In addition, there is an explicit statement that “under no circumstances will personnel be granted access to the Records Section for the purposes of visiting.”

However, the directive contains a potentially problematic section:

*Anytime an employee cannot state that the visitor they are vouching for as an accessible person does not come under the aforementioned description of a security risk, then that employee shall not allow that person into the section without first obtaining clearance from official supervising personnel. If a supervisor allows said person access to the divisional offices, that supervisor shall first obtain the necessary arrest history on the prospective visitor.*

The policy should be explicit on who can and who cannot access the Records Section. The directive rightfully notes that “the routine and random access of police personnel and non-police personnel to the Records Section offices poses a problem of security accountability.” As such, it is unclear why an employee would vouch for an accessible person without having firm knowledge that the person does not pose a security risk. If the potential security risk of an individual is not sufficiently determined, then that individual should not be allowed access.

**Recommendation 55: LRPD should clarify its policy to ensure that no person who poses a security risk is allowed access to the Records Section.**

## Section 7: Supplemental Review

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The City asked the assessment team to conduct a supplemental review evaluating four policies of interest to community stakeholders. These include LRPD directives related to body-worn cameras, vehicle pursuits, asset forfeiture, and take-home vehicles. Each of the areas are important in their own respect and have significant implications for officer accountability, safety, and departmental legitimacy (both external and internal).

In this section, we discuss our assessment of the various policies and procedures related to these four areas. To assess LRPD's various policies and procedures related to these topics, the audit team drew upon data collected from interviews and LRPD policies. Below we detail our findings, analysis, and actionable recommendations.

The audit team discovered the following key themes:

- Several policies require additional clarification and definition of key terms and concepts.
- Audits of BWCs lack the necessary methodological guidelines.
- Policy related to vehicle pursuits should include additional guidance on information-sharing between officers and supervisors, including when deciding to initiate a pursuit.
- The LRPD DOP for State Seizure of Assets does not provide guidance for officers when deciding whether or not to initiate the asset forfeiture process.
- Policy related to take-home vehicles is overall comprehensive, though could benefit from additional clarification and guidance in some parts.
- Expanding the assignment of take-home vehicles to incentivize residing in Little Rock appears reasonable.

### Body-Worn Cameras

Historically, the actions of officers and community members during police interactions has been captured by officer reports and subject/witness statements. At times, these sources of information may differ, requiring supervisors to weigh the preponderance of the evidence when evaluating whether officers acted within policy. However, in recent years, police have overwhelmingly implemented body-worn camera programs. Body-worn cameras (BWCs) allow for a visual and objective perspective of the event for supervisors to reference when evaluating officer actions. While BWCs may not capture the entire event, and supervisors must still weigh the preponderance of evidence, BWCs offer invaluable insight into the event.

## Findings and recommendations

### **Finding 56: LRPD's General Order 316 includes some statements that lack clear direction and some key terms and phrases are not clearly defined.**

In reviewing General Order 316, we noted sections which lacked clear direction. Additionally, we noted that, at times, key terms and phrases were not clearly defined. For instance, although LRPD General Order 316 mentions docking and tagging of BWCs, the policy does not provide sufficient instructions for officers to follow at the conclusion of their shifts. The policy should detail sequential steps that officers are required to take regarding the docking and then tagging of BWCs. In addition to stating that these steps must be done, the instructions should also include detail on how to do these steps properly. Below, is an example from the Atlanta (GA) Police Department Policy Manual<sup>23</sup> explaining the docking of BWCs.

- *4.10.1: At the end of each shift, all sworn employees shall remove their assigned BWC, ensure their BWC is powered down properly, and place their assigned BWC into the designated secured docking station.*
- *4.10.2: All sworn employees shall ensure the BWC is seated correctly into the docking station in order for recorded video footage and data to be transferred from the device to Evidence.com before the end of their shift.*

The policy should also say who is responsible for specific tasks. Currently, LRPD's General Order 316 describes how digital recordings should be named (i.e., tagged) but does not explicitly say that this is to be done by officers.

LRPD's policy also describes the use of the MVR/BWC during community oriented police contacts. The policy states:

- *Individuals may not feel comfortable communicating with officers when their conversations are being recorded. Therefore, officers can determine on a case by case basis if it is necessary to record the conversation.*

The policy makes it clear that the use of MVR/BWC equipment during community oriented police contacts is discretionary. However, there is no mention or instruction regarding the types of community oriented police contacts that may warrant recording. Even in situations when the use of discretion is appropriate, officers should still be provided with clear guidance and examples that will inform the use of their discretion.

Another example of unclear instruction is a section of the general order that states, "The Technology and Equipment Section Lieutenant shall periodically review the BWC recordings and Audit Logs for unauthorized access." The use of vague language, such as "periodically review" prevents officers from being held accountable and does not encourage any type of consistency. This specific directive also

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<sup>23</sup> <https://www.atlantapd.org/home/showpublisheddocument/3962/637558041518870000>



does not provide any instruction as to what happens if the Technology and Equipment Section Lieutenant does in fact find evidence of unauthorized access.

Guidelines for officers are similarly lacking elsewhere in the general order. For example, when describing MVR/BWC equipment malfunctions, there is no information regarding who is responsible for issuing replacement equipment (e.g., supervisor, Technology Support Lieutenant). In regards to BWC placement, the policy states the BWC should be “affixed to the individual in accordance with the manufacturer’s recommended method and LRPD training.” However, this does not provide specific criteria for placement.

Finally, LRPD’s General Order 316 includes some key terms and phrases that are not defined within the policy. For example, the policy states, “Once a BWC is activated, recording shall continue until the event has concluded.” The policy does not provide any guidance as to when an event should be considered “concluded” (e.g., post-arrest, post-booking). The LRPD should ensure that each of the key terms and phrases are defined.

**Recommendation 56.1: LRPD should provide better guidance for officer actions when using BWCs.**

**Recommendation 56.2: LRPD should better define key terms.**

**Finding 57: LRPD General Order 316 allows officers to view MVR/BWC video recordings for less-than-lethal force incidents prior to writing a use of force incident report.**

LRPD’s General Order 316 states, “An officer can view his or her own recordings except as otherwise stated in this policy.” The only restriction provided in the policy is in regards to officer-involved shootings or other uses of deadly force, in which the policy states, “Following an officer-involved shooting or other use of deadly force, involved personnel shall not view the MVR/BWC recording or listen to the audio recording without authorization from the Office of the Chief of Police.” The policy does not otherwise prohibit officers from viewing MVR/BWC video recordings for less-than-lethal force incidents prior to writing a use of force incident report.

There is considerable debate within the criminal justice field as to when officers should be able to review video in relation to writing a use of force report. On one hand, some argue that given limitations in recall after a traumatic event, viewing video prior to writing a report will lead to a more accurate report. Conversely, others argue that force must be justified by the facts known to the officer at the time of force rather than an officer’s post-event review of the footage. There is merit to both arguments and there is presently no consensus on the issue. Additionally, trust in the department is a principal driver of which side community members may come down on. One potential solution is for officers to write an initial report without seeing the footage and then writing a supplemental report where they can document additional information that officers were either not aware of, perceived differently, or forgot as a result of stress. Such an approach affords an opportunity for fairness for the officer while still being responsive to those who believe the report should be written before reviewing footage. While we recommend LRPD consider this approach, we also recommend the LRPD discuss this approach with the City’s legal department as well as community members, if

not already done during the development of the policy. As with all other policies, LRPD should develop an approach that works best for them and the community which they serve.

**Recommendation 57.1:** LRPD should consider restricting officer review of video until after an initial report is prepared, with the ability to prepare a supplemental report after reviewing footage.

**Recommendation 57.2:** If not already done during the development of the policy, the LRPD should discuss this approach with the City's legal department as well as with community members.

**Finding 58.1:** LRPD's General Order 316 lacks clear instruction as to how Lieutenants are to select MVR/BWC files for monthly review.

**Finding 58.2:** The requirement for Lieutenants to review "at least two (2) MVR/BWC files on a monthly basis" does not ensure that a large enough sample size of files are being reviewed regularly.

Conducting regular reviews of MVR/BWC footage is critical to ensure that officers within a department are operating the equipment in accordance with department policy. In general, law enforcement agencies' reviews of BWC footage often include reviews of whether officers are activating or deactivating their cameras properly, whether cameras are positioned appropriately, and whether camera use is in accordance with all other aspects of policy and training. Reviews may be conducted by a designated audit team, an officer's supervisor, or others within an officer's chain of command.

LRPD's General Order 316 states, "Lieutenants shall review at least two (2) MVR/BWC files on a monthly basis." However, the policy does not specify how these files will be chosen for review (e.g., randomly or for specific incidents). The inclusion of the language, "two (2) MVR/BWC files" also allows Lieutenants to select the type of files for review. Thus, it is possible that a Lieutenant could go without reviewing any BWC files in a given month. Additionally, requiring Lieutenants to review only a minimum of two MVR/BWC files per month suppresses their ability to gather enough data to identify trends. In order for regular reviews of MVR/BWC files to be informative as to how officers are operating the equipment, LRPD should consider increasing the number of files that Lieutenants are required to review on a monthly basis.

**Recommendation 58.1:** LRPD's General Order 316 should clearly state how Lieutenants should select MVR/BWC files for review.

**Recommendation 58.2:** LRPD should consider increasing the number of MVR/BWC files that Lieutenants are required to review each month. LRPD should also ensure that both MVR and BWC files are being reviewed on a regular basis.

**Finding 59.1:** LRPD's General Order 316 does not describe the criteria for which MVR/BWC files will be assessed by Lieutenants during monthly reviews.

**Finding 59.2:** LRPD's "Monthly Video Review Form" does not include any compliance criteria for the operation of the MVR/BWC equipment.

LRPD's General Order 316 states that Lieutenants will "document the reviews on a Monthly Video Review Form." However, the policy does not provide sufficient guidance as to what is expected of supervisors in conducting the review. Although the form itself provides somewhat of a guideline, memorializing expectations in policy is an important step to ensuring accountability. Additionally, the Office of Community Oriented Policing Services published a report in 2014 titled, *Implementing A Body-Worn Camera: Recommendation and Lessons Learned*, which highlights the importance of officers having a clear understanding of the criteria for which their BWC footage will be assessed.

In reviewing LRPD's "Monthly Video Review Form," the assessment team observed that the form does not include any compliance criteria for the operation of the MVR/BWC equipment. The form includes categories to assess bias-based policing, officer safety, type of encounter, and vehicle use. However, while there is a section for qualitative comments, the check-box categories do not include communication-based assessments and there are no questions that relate to activation, de-activation, proper camera positioning, and other topics that assess the use of the camera equipment. This is particularly problematic, given that LRPD's policy states the purpose of the review is to "assist in periodic assessment of officer performance, determine whether MVR/BWC equipment is being fully and properly utilized, and identify material that may be appropriate for training." Including these criteria on the review form is necessary for ensuring policy compliance and identifying training needs.

**Recommendation 59.1: LRPD General Order 316 should state the criteria for which officers are assessed in reviews of their MVR/BWC footage, and the criteria should be tailored to the specific type of file (i.e., MVR or BWC).**

**Recommendation 59.2: LRPD's "Monthly Video Review Form" should include additional criteria related to communication skills and the proper placement and use of MVR/BWC equipment, including timely activation and de-activation.**

**Finding 60: LRPD General Order 316 does not provide any detail as to how the BWC program will be evaluated or audited on a regular basis.**

Similar to supervisor reviews of BWC footage, regular evaluations or audits of a department's entire BWC program help ensure that the program is operating in accordance with policy, training, and state laws. LRPD general order states:

*The Technology and Equipment Section Lieutenant is responsible for an annual evaluation of the BWC program to ensure that the program is operating efficiently and in compliance with all applicable laws, LRPD policies, and best practices.*

Although the inclusion of this statement is positive, there is no description of what an annual evaluation entails. The audit team recommends that LRPD review how other departments describe their audit processes in policy. One example is the Atlanta (GA) Police Department.<sup>24</sup>

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<sup>24</sup> <https://www.atlantapd.org/home/showpublisheddocument/3962/637558041518870000>

**Recommendation 60:** LRPD's General Order 316 should elaborate on what the annual evaluation of the BWC program entails and how the results of this evaluation are used.

**Finding 61:** LRPD's General Order 316 is unclear as to when and how often officers are to receive training on BWC use.

Adequate training is essential to the successful operation of any BWC program. Any officer issued a BWC must be trained on its proper use and all elements of the department's BWC policy prior to operating the BWC in the field. LRPD's General Order 316 states "Police personnel who are assigned a MVR or BWC must complete a LRPD approved and/or provided training program to ensure the proper use and operation of the equipment." However, this language is vague and does not identify when officers must be initially trained or how often refresher training should occur to ensure officers are aware of changes and updates that may impact their use of MVR or BWC equipment. Examples include new state legislation, new relevant scenarios, and changes to LRPD policy. While LRPD General Order 316 states, "Additional training may be required at periodic intervals," this does not provide any concrete requirements for officers.

LRPD's General Order 316 lists several topics that are to be covered in MVR/BWC training. Example topics include proper positioning, reality based training, redaction, and privacy. However, one important topic that is missing from the list and should be covered in trainings for supervisors is how to properly review and assess MVR/BWC footage. As described earlier, regular reviews of MVR/BWC footage are critical for ensuring that the operation of such equipment is in accordance with policy and training. Thus, it is necessary that supervisors understand how to properly review footage, and that these reviews are being conducted in a consistent manner across supervisors.

**Recommendation 61.1:** LRPD General Order 316 should explicitly specify that officers are required to complete initial training prior to operating MVR/BWC equipment.

**Recommendation 61.2:** LRPD General Order 316 should specify the frequency with which officers should complete refresher training.

**Recommendation 61.3:** LRPD should ensure that both initial and refresher MVR/BWC trainings include blocks dedicated to supervisor review of MVR/BWC footage.

## Vehicle Pursuits

Vehicle pursuits represent a significant safety concern for both the officer and the subject. Depending on the speed of the vehicles, driving conditions, and geographic setting, vehicle pursuits have the potential for property damage and bodily harm. Officers and supervisors must carefully decide when it is appropriate to engage in a pursuit and when the risk of harm outweighs the benefit of capturing the suspect. Therefore, any pursuit policy must set clear guidelines for how the department expects its members to act during situations involving a pursuit.

## Findings and recommendations

**Finding 62: LRPD's General Order 302 emphasizes the "due regard for the safety of all persons" throughout the policy.**

Consistent with LRPD's response to resistance and active aggression policy, which places priority on the "protection of life", LRPD's policy governing the operation of departmental vehicles consistently highlights officers' duties to "drive with due regard for the safety of all persons." This important point is mentioned in the policy both when describing emergency driving and pursuit driving. The LRPD should be commended for including this and should maintain this element in policy.

**Recommendation 62: LRPD should maintain these positive elements in General Order 302.**

**Finding 63: LRPD's General Order 302 permits officers to engage in pursuit driving while a civilian is in the vehicle.**

While LRPD policy includes an emphasis on the safety of all persons, instructions within the policy must support this language. For pursuit driving situations, the policy states that officers will not engage in these situations when their vehicles are occupied by any passengers, "other than another police officer or a person who has signed a release or waiver of liability." The problem with this statement is that it appears to allow pursuits to occur while officers are transporting civilians participating in ride-alongs. Even if someone has signed a waiver of liability, the policy should be clear that civilians participating in a ride-along should not be in a department vehicle during a pursuit. If engagement is absolutely necessary, then LRPD policy should require such vehicles to disengage in pursuit driving once another unit arrives, similar to what is required of department motorcycles that initiate vehicle pursuits.

**Recommendation 63: LRPD should prohibit vehicles carrying civilians from engaging in pursuits.**

**Finding 64: LRPD's General Order 302 unnecessarily includes the active use of emergency equipment (i.e., blue lights and siren) in its definition of pursuit driving.**

LRPD General Order 302 defines "pursuit driving" as:

*A motor vehicle pursuit is an active attempt by a law enforcement officer, operating an emergency vehicle and utilizing simultaneously all emergency equipment (blue lights and siren), to apprehend one or more occupants of another moving vehicle, when the driver of a fleeing vehicle is aware of that attempt and is resisting apprehension by maintaining or increasing his speed, disobeying traffic laws, ignoring or attempting to elude the officer.*

Although LRPD policy should certainly require LRPD members to utilize emergency equipment during pursuit driving, the definition of pursuit driving should not be contingent on such usage. Officers may take actions that equate to a pursuit even if their emergency equipment is off. As currently written, the policy creates a problem with holding officers accountable if their actions are deemed to not be a pursuit simply because they did not use their lights and siren. We recommend

LRPD refer to the New Orleans (LA) Police Department to see how they define and describe a vehicle pursuit.<sup>25</sup>

**Recommendation 64: LRPD policy should be revised to indicate that lights and sirens need not be on for an officer to be considered in a pursuit.**

**Finding 65: LRPD conducts annual data analysis on pursuits.**

In discussing pursuits with LRPD personnel, we were referred to annual evaluations conducted by the department on the frequency, characteristics, and outcomes of pursuits. Overall, we felt these reports were informative and provided important statistics about LRPD's pursuits. For instance, the LRPD data indicated that of 244 pursuits since 2019, approximately one-third were aborted either by the supervisor (17.6 percent) or by the officer (14.3 percent). Additionally, the data indicated that approximately 20 percent of pursuits ended in the subject crashing their vehicle (see also Finding 67). The LRPD should be applauded for not only tracking data associated with vehicle pursuits but also conducting regular analysis of the data.

**Recommendation 65: LRPD should continue to conduct annual data analysis on pursuits.**

**Finding 66: Supervisors are required to monitor pursuits, though officers are not required by policy to provide regular updates.**

LRPD General Order 302 makes it clear that supervisors have a significant role in officers' operation of departmental vehicles. For example, supervisors have the authority to override an officer's decision to initiate a vehicle pursuit or authorize additional units for the pursuit. The role of a supervisor during a vehicle pursuit is highlighted by the fact that "A supervisor is ultimately responsible for any vehicle pursuit that is initiated by officers under his command."

Supervisors' ability to make informed decisions is dependent upon regular updates regarding the status of the pursuit and other relevant factors (e.g., weather conditions, road conditions). LRPD's general order requires the first unit in a vehicle pursuit to notify Communications of certain information (e.g., license number, speed and traffic conditions) but does not specify how often the first unit or other units should provide Communications with pursuit updates. Real-time information is critical for a supervisor to be able to make an informed decision as to whether a pursuit should continue or terminate. As such, LRPD policy should be more specific about how often officers should provide updates (e.g., when the officer changes direction, when passing landmarks, when entering areas where safety concerns exist, such as school zones, etc.).

**Recommendation 66: LRPD policy should be more specific about how often officers should be providing updates.**

**Finding 67: Although supervisors have the ability to terminate vehicle pursuits, their approval is not required to initiate a pursuit.**

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<sup>25</sup> [https://www.nola.gov/getattachment/NOPD/Policies/Chapter-41-5-Vehicle-Pursuits-EFFECTIVE-8-11-19-\(1\).pdf/?lang=en-US](https://www.nola.gov/getattachment/NOPD/Policies/Chapter-41-5-Vehicle-Pursuits-EFFECTIVE-8-11-19-(1).pdf/?lang=en-US)

Despite a supervisor's significant role and level of responsibility, the ability of officers to initiate a pursuit does not require supervisory approval. While preemptive supervisory approval is not required (nor should it be) for a majority of officer actions, the decision to engage in a pursuit requires an elevated level of scrutiny. This is particularly true given that LRPD's own assessments demonstrate that over 20 percent of vehicle pursuits resulted in a suspect vehicular accident. As such, LRPD should require that officers relay the relevant information to supervisors prior to actively engaging in a pursuit. We understand that officers will not know who will flee; we therefore also understand that officers will have to follow suspects for at least some length of time until supervisors can provide approval. However, if supervisors are ultimately responsible for pursuits, then their involvement should come at the earliest possible time in the form of approval.

**Recommendation 67: LRPD should require supervisory approval prior to engaging in a pursuit.**

**Finding 68: LRPD's General Order 302 is inconsistent in its definition of pursuit.**

LRPD's General Order 302 states:

*Officers who have attempted a traffic stop on a suspected D.W.I. driver who refuses to stop, but does not recklessly flee, may continue to follow the suspected D.W.I. driver in a Code 3 status until the suspect stops or such time that they begin to actively flee at which time the situation will be reevaluated in accordance with this order.*

However, "recklessly fleeing" by the suspect is not a component of the pursuit definition (resisting apprehension by maintaining or increasing his speed"; emphasis added) and therefore following a suspected D.W.I driver in Code 3 status may still be considered a pursuit. Therefore, General Order 302 should be revised to be internally consistent.

**Recommendation 68: LRPD policy should be revised to be internally consistent.**

**Finding 69: LRPD's guidance on the use of tire deflation devices requires additional information on the safety hazards created from driving on flattened tires.**

LRPD's General Order 302 provides a fairly comprehensive description regarding the operation of tire deflation devices. However, one critical piece missing is a discussion of the safety hazards that are created from driving on flattened tires. The policy recognizes that a driver may still be able to operate the vehicle after it has been punctured by the tire deflation device. Thus, the policy should include a description of what hazards this may create, and such safety hazards should be taken into consideration by the relevant supervisor when deciding whether to deploy a tire deflation device. The policy also requires supervisor approval for the deployment of tire deflation devices, which is a positive practice. However, LRPD should specify in the policy that the supervisor approving the deployment should be the same supervisor who is monitoring the pursuit.

Related to this, we appreciate the serious thought that LRPD has demonstrated related to pursuit tools. For instance, in reviewing the 2019 pursuit analysis conducted by LRPD, there was a valuable discussion regarding tire deflation systems and other pursuit systems found within the analysis:

*The Department currently lacks an effective method of bringing a pursuit to an end. The Department does have a limited number of tire deflation systems but they are not currently deployed in front line patrol vehicles. The tire deflation system is also very difficult to deploy in an urban environment. The Star Chase system, which allows officers to GPS tag a vehicle, represents an advancement in technology that could prove to be a viable method of bringing at least a portion of our pursuits to an end. The cost to deploy the Star Chase system in a large enough quantity to be effective is currently cost prohibitive. The Training Division will continue to monitor the industry for a cost effective method to bring pursuits to a successful end.*

Presently, we understand the LRPD's concern about the cost-effect analyses for tools needed to end pursuits. LRPD should continue to explore such tools though, for the moment, should enhance General Order 302 with additional information on the safety hazards of driving on deflated tires.

**Recommendation 69.1: LRPD should include a description about the hazards of driving on deflated tires and specify that the supervisor approving the deployment of such devices should be the same supervisor who is monitoring the pursuit.**

**Recommendation 69.2: LRPD should continue to explore pursuit-related technology.**

**Finding 70: Several statements pertaining to pursuit driving in LRPD's General Order 302 require additional details.**

It is important that officers have clear understandings regarding when a vehicle pursuit is and is not authorized. The policy states "An officer may be authorized to engage in a motor vehicle pursuit if the officer reasonably believes that the suspect has committed or is about to commit a felony or if the actions of the suspect intentionally puts the public at risk." The concept of "puts the public at risk" is vague and does not define the degree of risk that would justify a pursuit (i.e., risk of great bodily harm or death). Additionally, the definition could be enhanced by including a consideration of the relative public safety risk of engaging in the pursuit itself. Where a pursuit creates a risk of public safety that outweighs the risk of public safety justifying the pursuit, officers should be required to disengage.

In addition, LRPD General Order 302 requires officers to constantly re-evaluate various conditions when engaged in a pursuit. Specifically, the policy states, "Any time the officer finds that any of these parameters has exceeded an acceptable limit, it shall be the responsibility of the pursuing officer to terminate the vehicle pursuit for the safety of both departmental personnel and citizens." The use of the language "acceptable limit" is problematic without the inclusion of any criteria or definition of acceptable limit. While this may be included in LRPD training, the absence of definition for "acceptable limit" in policy creates an issue for accountability. To mitigate this concern, we recommend the department use a risk matrix, detailing the various levels of risk associated with a vehicle pursuit. We refer the department to the Andover (KS) Police Department's Emergency Response Speed Matrix.<sup>26</sup>

Other examples of text within General Order 302 that require additional information or clarification are in the description of how a second police unit is to join a pursuit, and in the description of factors

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<sup>26</sup> <https://www.andoverks.com/DocumentCenter/View/6540/O2101-Emergency-Vehicle-Operation?bidId=>



to be considered when determining whether to continue or terminate a pursuit. Specifically, the policy states that for the second police unit, “Upon joining the pursuit, the backup officer will activate the vehicle’s emergency lights and siren and advise Communications.” However, this unit should likely have activated the emergency lights and siren on the way to the pursuit, as opposed to when the unit joined the pursuit. The policy also states the “backup vehicle will follow the primary vehicle at a safe distance” but does not specify that the determination of a “safe distance” must take into account the totality of safety considerations, such as weather conditions. Finally, in the description of factors to be considered when determining whether to continue or terminate a pursuit, the policy states “At no time will officers pursue violators the wrong way on a freeway.” This does not include other dangerous situations, such as pursuing violators the wrong way on a one-way street. LRPD should provide additional circumstances in which pursuing a vehicle the wrong way is not permitted.

**Recommendation 70: LRPD should ensure that topics and terms are better defined.**

## Asset Forfeiture

Asset forfeiture is a process by which the criminal justice system seizes items that “represents the proceeds of, or were used to facilitate” criminal activities (*US DOJ Asset Forfeiture Policy Manual*). However, the practice can become problematic if community members feel it is related to fund-raising rather than acting as a deterrence to criminal behavior. Law enforcement agencies must be aware of public perception and provide officers guidance that conforms to not only the law but also the desires of the communities they serve.

## Findings and recommendations

**Finding 71: The LRPD Divisional Operating Procedures (DOP) for State Seizure of Assets is administratively-oriented.**

The LRPD DOP “State Seizure of Assets” provides a great deal of information on the administrative steps that LRPD members are required to take after initiating the asset forfeiture process. The steps include submitting the necessary accompanying paperwork, including incident reports, arrest reports, confiscation reports, and other appropriate documentation. The DOP also discusses the notification requirements after seizing assets, including notifying supervisors, the Division’s Forfeiture Officer, and contacting the District Attorney. Finally, the DOP discusses the administrative tasks required to manage and audit the funds derived from asset forfeiture. Overall, the LRPD provides sufficient guidance for LRPD members’ responsibilities once assets have been seized.

**Recommendation 71: LRPD should maintain the administrative elements in the DOP.**

**Finding 72.1: The LRPD does not have ultimate authority to decide what will or will not be forfeited.**

**Finding 72.2: The LRPD DOP for State Seizure of Assets does not provide guidance for officers when deciding whether to initiate the asset forfeiture process.**

The LRPD does not ultimately decide what items will or will not be forfeited. After completing the administrative tasks discussed in Finding 71, the information is sent to the District Attorney who makes the ultimate decision to have the items forfeited, thereby beginning the civil process.

While the ultimate decision is left to the District Attorney, LRPD members must make a preliminary determination with respect to initiating the process. However, we see nothing in the DOP (nor in other LRPD general orders) that would guide the decision to initiate the asset forfeiture process. For instance, the DOP does not provide an independent standard for assessing whether a particular asset (e.g., vehicle, cash, etc.) has a direct connection to the criminal activity. Although there is a clear authority when seizing contraband (since the connection to criminal activity is apparent), lines may become blurred when determining the criminal nexus for things such as sums of cash. Similarly, LRPD members are left without guidance in situations where one person lends a vehicle to another person who uses the vehicle for criminal activities. State law says a vehicle may be seized if the owner “either knew or should reasonably have known” the vehicle was being used for criminal purposes. However, the LRPD DOP does not set expectations for members to make this decision.

The DOP could be enhanced by identifying the factors that members should take into consideration when deciding whether to initiate the asset forfeiture process. For instance, in *Timbs v. Indiana* (2019), the Supreme Court ruled asset seizures fall within the purview of Eighth Amendment guarantees against excessive fines when the seizure is “at least partially punitive.” In determining whether to initiate the seizure process, officers need to consider this in light of the potential damage to the reputation of the department by conducting the seizure.

In addition to this consideration, the DOP could be enhanced by reflecting the standard of evidence LRPD officers should adhere to in the seizure process. For instance, the Department of Justice Asset Forfeiture Policy Manual (2021) states that an officer should have probable cause when seizing items. Arkansas Code 5-64-505 now states that “no property shall be forfeited unless the person from whom the property is seized is convicted of a felony offense that related to the property being seized.” The DOP should reflect the relevant State and Federal law as well as legal precedent. Presently, the Detectives Division is responsible for evaluating whether the seizure complies with legal constraints and we have no reason to doubt their on-the-job training prepares them for this role. Rather, we recommend that legal constraints be memorialized in policy solely as a mechanism for accountability.

**Recommendation 72: LRPD should revise the DOP to provide more guidance on the decision to initiate the asset forfeiture process.**

**Finding 73: The LRPD DOP for State Seizure of Assets does not indicate how the department uses revenues generated from seizures.**

The LRPD DOP identifies the record-keeping processes for funds generated “as the result of successful state forfeiture action.” This includes processes for recording transactions, audits, and reporting to State authorities. However, this does not provide sufficient information on exactly how such revenues will be used. State and Federal guidelines regulate how LRPD can use funds resulting from forfeiture, and the Administrative Services Manager is responsible for monitoring compliance with State and Federal regulations. Although LRPD reports that seizures are not figured into their

annual budget (i.e., there is no incentive for quotas) and there is no guarantee that any revenue will be generated from seizures, there is still the potential for community mistrust of the process.

LRPD may be able to alleviate some of the concerns by earmarking the funds for specified reasons. For instance, LRPD might choose to earmark all or a proportion of the funds for efforts related to community engagement and outreach. While State and Federal guidelines may set parameters around the use of such funds, we are not aware of any reason why LRPD could not earmark funds in this way, provided it does not run afoul of the guidelines. Regardless of how LRPD chooses to use the funds, LRPD should ensure that the benefit of using the funds outweighs the risk of losing some degree of trust. Memorializing transparent guidelines for how funds can be used is one step the department could take towards this.

**Recommendation 73: LRPD should memorialize transparent guidelines for how funds generated from asset forfeiture will be used.**

**Finding 74: Arkansas State Law allows for forfeiture without a conviction if the defendant does not respond to the civil summons.**

ACA 5-64-505 states that property will not be forfeited if the suspect is not convicted of a felony. However, that same law includes provision stating that the court can waive the conviction requirement if the “person from whom the property was seized...failed to answer the compliant for civil asset forfeiture.” There are a number of reasons for which a person may not answer a civil summons. For instance, a person who is a defendant in a criminal case may not have the funds to respond to a civil summons as well. We recognize this is a State law and therefore LRPD does not have the authority to change it. However, the LRPD could advocate in future legislative sessions that this element of ACA 5-64-505 be removed in order to enhance community trust.

**Recommendation 74: LRPD should consider advocating for revision to ACA 5-64-505.**

**Finding 75: Guidance for officers related to the asset forfeiture process is not memorialized in a general order.**

In order to enhance department transparency, the guidance provided to officers should be memorialized in a general order rather than a DOP. The LRPD posts all general orders online (<https://public.powerdms.com/LITTLEROCKPD/list>), a practice they should be applauded for. However, like many other agencies, the LRPD does not post their DOPs for public review. Given the community concerns, the LRPD should create a general order for asset forfeiture in accordance with the above recommended revisions.

**Recommendation 75: LRPD should memorialize guidelines for asset forfeiture in a general order rather than a DOP.**

## Take-Home Vehicles

While the LRPD’s general order limits the use of take-home vehicles to those in specialized assignments, the Mayor’s Office asked the assessment team to evaluate the general order in light of

potentially providing take-home vehicles to officers as an incentive to living in the City of Little Rock. While there is mixed evidence as to the impact of residency requirements on adverse interactions between officers and community members (e.g., use of force and contacts leading to administrative complaints), there are other potential benefits to providing take-home vehicles as incentive to reside within Little Rock.

## Findings and recommendations

### **Finding 76: The LRPD's General Order 302 (Operation of Departmental Vehicles) covers a range of important topics.**

The LRPD should be commended for the range of topics that are covered in General Order 302. For instance, the general order identifies individuals authorized to drive the vehicle, when the vehicle can be driven and to where, officer responsibilities for maintenance, supervisor responsibilities for inspections, and requirements for when officers are on extended leave. While we discuss some areas for improvement below, the general order sufficiently covers a number of the “who, what, when, where, why, and how” questions.

The general order also memorializes an officer's duty to act when in a take-home vehicle, even if off-duty. For instance, the general order states:

*Officers assigned a take-home vehicle shall render police aid and services as necessary regardless of duty status. This includes assisting stalled motorists, standing by at accident scenes until the arrival of the assigned officer, giving directions or responding to nearby emergencies. Off-duty officers will not ignore these responsibilities.*

Additionally, while greater structure could be placed around the use of take-home vehicles (see Finding 77), the LRPD largely restricts the use of vehicles to job-related tasks. We agree with this approach as it creates the least potential for the perception of misuse of the vehicles.

### **Recommendation 76: LRPD should maintain these positive elements of General Order 302.**

### **Finding 77: The LRPD's General Order 302 could be enhanced by providing greater structure around the use of take-home vehicles.**

The general order discusses four reasons for officers using a take-home vehicle:

- Traveling to and from duty assignment and during the officer's tour of duty
- Traveling to and from job-related court appearances
- Traveling to and from off-duty employment with prior approval from an appropriate supervisory authority
- Making personal stops to and from work at locations near the officer's normal route

However, enhanced structure around some of these points on the list could be put into the policy. For instance, the general order says “[e]mployees shall apply common sense and avoid stopping at liquor stores, night clubs, etc., to protect the police image.” The general order could be stronger at this point and clearly state the types of locations that officers are prohibited from going to (rather than locations they should “avoid”). Additionally, while the general order states that the use of take-home

vehicles is limited to department business, the ability of LRPD officers to use vehicles for off-duty employment (albeit with supervisory approval) contradicts this point. The general order should provide consistent guidelines regarding whether take-home vehicles should be only used for departmental purposes or not. Finally, the general order could provide better guidance on what off-duty employment criteria need to be met to warrant supervisory approval.

**Recommendation 77: LRPD should revise General Order 302 to provide greater structure around the use of take-home vehicles.**

**Finding 78: The LRPD's General Order 302 could provide better definitions of terms and criteria.**

Within the general order, there are terms which lack sufficient definition and associated criteria. For instance, the general order states:

*Certain Department personnel in specialized assignments which by the nature of the assignment mandate their return to duty during off-duty hours for investigation or other critical police responses may be assigned a take-home Department vehicle.*

Following this, the general order states that the Chief of Police will “designate all take-home vehicle assignments in writing as needed.” The general order later says that the Chief of Police “must approve all take-home vehicle assignments.” However, it is unclear whether all specialized assignments are assigned a take-home vehicle or if there are other criteria the Chief must consider when approving the assignment.

Related to this, the general order states that a take-home vehicle is not a right or condition of any departmental position. However, the general order does not give a framework for the process for taking away an officer's access to a take-home vehicle. At a minimum, the LRPD should consider progressive violations of the general order to be grounds for rescinding access.

In other sections, criteria for supervisor decisions are absent. For instance, supervisors are required to conduct monthly inspections of take-home vehicles in order to ensure proper maintenance pursuant to department guidelines. However, there is no indication of how these inspections are to be documented to ensure they are occurring. Supervisors are also authorized to approve who may operate take-home vehicles other than those already identified in policy. However, no criteria for making a determination are included. While such situations are likely rare, the policy could be improved by providing better guidance with regards to this point.

**Recommendation 78: LRPD should revise General Order 302 to better define terms and criteria for take-home vehicles.**

**Finding 79: Expanding the assignment of take-home vehicles to incentivize residing in Little Rock appears reasonable.**

While the LRPD's general order limits the use of take-home vehicles to those in specialized assignments, the Mayor's Office asked us to evaluate the general order in light of potentially providing take-home vehicles to officers as an incentive to living in the City of Little Rock.

While there is, at best, mixed evidence on the impact of residency requirements on adverse interactions between officers and community members (e.g., use of force and contacts leading to administrative complaints), there are other potential benefits to providing take-home vehicles as incentive to reside within Little Rock. Such an incentive may be an effective recruitment tool for qualified applicants who live within city limits. Additionally, the practice may enhance the relationship between officers and management as it may relieve financial or situational burdens for officers. For example, officers in single-car families (or officers with driving-age children) would likely welcome a take-home vehicle. Additionally, the City has conducted research into the matter and identified literature indicating that take-home vehicles are associated with reduced accidents and improved maintenance of the vehicles resulting from pride of ownership.

Should LRPD choose to provide take-home vehicles to officers residing in Little Rock, we believe the current general order provides a sufficient guideline for their use (assuming the above recommendations are implemented). However, some elements of the general order will naturally need to be reconsidered should LRPD choose to do so. For instance, the general order states that take-home vehicles are not considered a “right or condition of any Departmental position.” If take-home vehicles are to be offered as an employment incentive, this section of the general order would need to be revised. Additionally, if offered as an employment incentive, the general order should have clearer framework for actions that would warrant taking away an officer’s access to a take-home vehicle (see also Finding 78).

In speaking with LRPD executives on the matter, there appears to be agreement that this would be a positive recruitment tactic. However, there also appears to be a desire to extend take-home cars to all members rather than solely as an incentive to residing within the City of Little Rock. LRPD executives informed us that Little Rock is at a disadvantage in that other agencies offer take-home vehicles as a matter of practice, leading qualified individuals to apply elsewhere. From their perspective, the ability to incentivize residency could be retained by charging a fee for those living outside city limits while still being able to advertise take-home vehicles as a recruitment tool. We believe this to be a reasonable compromise though were informed that LRPD does not currently have a large enough fleet to provide a take-home vehicle to all members. As we are not in a position to comment on City resources to provide a take-home vehicle for all officers, we hesitate to recommend department-wide take-home vehicles for all officers and defer to the City as to whether this would be financially feasible.

**Recommendation 79.1: If LRPD chooses to incentivize residency through the use of take-home vehicles, then LRPD should revise General Order 302 as necessary.**

**Recommendation 79.2: The City of Little Rock and LRPD should make the determination based on their current fleet size, projected budget, and other City resources.**

# Conclusion

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The LRPD's proactive participation in this review demonstrates an organizational commitment to exploring areas where operations can be improved and be consistent with national standards for law enforcement. The CNA assessment team offered 90 findings with associated recommendations for improvement. These findings were based on extensive document review, data analysis, and focus groups and targeted interviews with LRPD and City of Little Rock members.

Many of the findings and recommendations noted in this report are not unique to LRPD and include challenges that many police agencies across the country currently face. For example, the degree of subjectivity found within various LRPD policies is often found within other agencies; however, clear policies are necessary for trust in the fairness of administrative investigations for both the officer and complainant. In addition, while LRPD's commitment to de-escalation, cultural competency, and bias-free policing reflect current trends in law enforcement, LRPD could enhance policy and training related to these concepts.

While the assessment team is encouraged by LRPD's willingness to receive these findings and recommendations, continued effort and engagement with the department will be critical to ensuring the successful implementation and sustainability of these improvements.

**Finding 80: An independent, objective, and ongoing assessment of LRPD's progress towards the recommendations in this report will be crucial to the implementation and sustainment of the proposed changes.**

To assist LRPD in implementing changes, an independent audit firm should provide insight over a 12-to-18-month period. During this timeframe, the audit firm can document the implementation of the recommendations provided in this report. The activities and tasks the audit firm should conduct may include the following:

- Work with the LRPD and City leaders to prioritize the implementation of the recommendations.
- Work with the LRPD and City leaders to identify the prioritization and implementation of steps for each recommendation.
- Work with LRPD to identify the resources necessary to implement each recommendation.
- Track and document LRPD's progress towards implementing each recommendation.
- Provide technical assistance as needed (e.g., subject expertise, assistance identifying potential funding sources, website development assistance, training curriculum development, staffing analysis) to support LRPD in implementing recommendations.
- Work with LRPD and City leaders to develop and release quarterly progress updates.

**Recommendation 80: LRPD and City leaders should engage an independent audit firm to track and monitor progress towards implementing the recommendations of this report.**



## Appendix A: Abbreviations

Abbreviation	Definition
ACA	Arkansas Code Annotated
ANOVA	Analysis of Variance
BWC	Body-Worn Camera
CA	California
CIT	Crisis Intervention Training
COPS	Community Oriented Policing Services
DOP	Divisional Operating Procedures
D.W.I	Driving While Intoxicated
EIS	Early Intervention System
FOIA	Freedom of Information Act
FTO	Field Training Officer
GA	Georgia
GPS	Global Positioning System
IA	Internal Affairs
KS	Kansas
LA	Louisiana
LRPD	Little Rock Police Department
MVR	Mobile Video Recorders
PERF	Police Executive Research Forum
RITE	Racial Intelligence Training and Engagement
SME	Subject Matter Expert

## Appendix B: References

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- Andover Police Department General Order. Emergency Vehicle Operation. May 22, 2020. <https://www.andoverks.com/DocumentCenter/View/6540/O2101-Emergency-Vehicle-Operation?bidId>
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- Atlanta Police Department Policy Manual. Body Worn Cameras. May 5, 2021. <https://www.atlantapd.org/home/showpublisheddocument/3962/637558041518870000>
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- International Association of Chiefs of Police. Police Chief Magazine, Jan. 2020. Vol. 87(1). [https://www.policechiefmagazine.org/wp-content/uploads/IAC-406-Jan2020\\_F2\\_WEB.pdf](https://www.policechiefmagazine.org/wp-content/uploads/IAC-406-Jan2020_F2_WEB.pdf)
- Law Enforcement Best Practices: Lessons Learned from the Field*. Washington, DC: U.S. Department of Justice: Office of Community Oriented Policing Services, 2019.
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<https://www.nola.gov/getattachment/NOPD/Policies/Chapter-52-1-1-Misconduct-Intake-and-Complaint-Investigation-EFFECTIVE-3-18-18.pdf/>
- New Orleans Police Department Operations Manual. Vehicle Pursuits. Aug. 11, 2019.  
[https://www.nola.gov/getattachment/NOPD/Policies/Chapter-41-5-Vehicle-Pursuits-EFFECTIVE-8-11-19-\(1\).pdf/?lang=en-US](https://www.nola.gov/getattachment/NOPD/Policies/Chapter-41-5-Vehicle-Pursuits-EFFECTIVE-8-11-19-(1).pdf/?lang=en-US)
- New York City Police Department Disciplinary System Penalty Guidelines*. New York, NY. New York City Police Department, 2021.
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# Appendix C: Documents Reviewed by the Assessment Team

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Document
LRPD Organizational Chart
LRPD Roster Data
Administrative Investigation Data
Administrative Investigation Reports
Relevant LRPD General Orders
City of Little Rock Administrative Personnel Policy and Procedure Manual
Little Rock Civil Service Commission Rules and Regulations
Rules and Regulations of the Little Rock Police Department
Relevant LRPD Training Records (Curriculums, Lesson Plans, Manuals, Surveys)
LRPD Pursuit Data
LRPD Monthly Video Review Form
City of Little Rock Promotion Procedure Guidelines and Associated Promotion Materials

## Appendix D: Resources

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Throughout the report, the assessment team suggested various supplemental resources to aid LRPD in understanding and implementing recommendations. Each of the resources listed are broken down and categorized by sections with their accompanying recommendation. Please note that this list of resources that LRPD should use in understanding and implementing each recommendation is not comprehensive.

### Accountability System

**To support the implementation of Recommendation 2.1, the assessment team recommends the following resources:**

Baton Rouge Police Department. General Order No. 112. Discipline. Revised 30 June 2020. <https://www.brla.gov/DocumentCenter/View/9960/General-Order-112-Discipline>

Greenville Police Department General Order. Internal Investigation, Adjudication, and Employee Rights. 10 October 2017. <http://police.greenvillesc.gov/DocumentCenter/View/16139/Internal-Investigation-Adjudication-and-Employee-Rights-PDF>

**To support the implementation of Recommendations 6.1 and 6.2, the assessment team recommends the following resources:**

Baltimore Police Department Policy 308: General Disciplinary Process. 13 September 2017. <https://www.baltimorepolice.org/transparency/bpd-policies/308-general-disciplinary-process>

New Orleans Police Department Operations Manual. Misconduct Complaint Intake and Investigation. Revised 18 March 2018. <https://www.nola.gov/getattachment/NOPD/Policies/Chapter-52-1-1-Misconduct-Intake-and-Complaint-Investigation-EFFECTIVE-3-18-18.pdf/>

**To support the implementation of Recommendation 8, the assessment team recommends the following resources:**

*Investigation of Allegations of Employee Misconduct*. Alexandria, VA: International Association of Chiefs of Police: Law Enforcement Policy Center, 2019. [https://www.theiacp.org/sites/default/files/2019-04/Employee%20Misconduct%20Paper%20-%202019\\_0.pdf](https://www.theiacp.org/sites/default/files/2019-04/Employee%20Misconduct%20Paper%20-%202019_0.pdf)

**To support the implementation of Recommendation 13, the assessment team recommends the following resources:**

Office of Community Oriented Policing Services. (n.d.). Standards and guidelines for internal affairs: Recommendations from a community of practice. Washington, DC: US Department of Justice. Retrieved from <https://cops.usdoj.gov/RIC/Publications/cops-p164-pub.pdf>

Stephens, D. W. (2011). Police discipline: A case for change. Washington, DC: US Department of Justice, National Institute of Justice. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/234052.pdf>

## Performance Evaluations and Promotions

**To support the implementation of Recommendations 31.1 and 31.2, the assessment team recommends the following resources:**

Baltimore Police Department. Policy 1721. Promotion to Classified Ranks. 2 August 2021. <https://www.baltimorepolice.org/transparency/bpd-policies/1721-promotion-classified-ranks>

Baltimore Police Department. Policy 1738. Command Promotions and Promotion Committee. 3 May 2021. <https://www.baltimorepolice.org/transparency/bpd-policies/1738-command-promotions-promotion-committee>

## De-Escalation and Cultural Competency

### De-escalation

**To support the implementation of Recommendations 32, 33, 34, 35, and 36, the assessment team recommends the following resources:**

Police Executive Research Forum. (2016). Critical issues in policing series: Guiding principles on use of force. Washington, DC. <https://www.policeforum.org/assets/30%20guiding%20principles.pdf>

International Association of Chiefs of Police. (2017). National consensus policy and discussion paper on use of force. Alexandria, VA. [https://www.theiacp.org/sites/default/files/2020-07/National Consensus Policy On Use Of Force%2007102020%20v3.pdf](https://www.theiacp.org/sites/default/files/2020-07/National%20Consensus%20Policy%20On%20Use%20Of%20Force%2007102020%20v3.pdf)

US Department of Justice. (2019). Law enforcement best practices: Lessons learned from the field. Washington, DC: Office of Community Oriented Policing Services. <https://cops.usdoj.gov/RIC/Publications/cops-w0875-pub.pdf>

### Cultural Competency

**To support the implementation of Recommendations 37.1, 38.1, 39, 40.1, and 40.2, the assessment team recommends the following resources:**

*Final Report on the President's Task Force on 21st Century Policing.* Washington, DC: U.S. Department of Justice: Office of Community Oriented Policing Services, 2015. [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf)

## Nepotism and Harassment

**To support the implementation of Recommendations 41.1 and 41.2 the assessment team recommends the following resources:**

Oakland, California Code of Ordinances. Chapter 2.40: Prohibition on Nepotism in City Employment. June 21, 2021.  
[https://library.municode.com/ca/oakland/codes/code\\_of\\_ordinances?nodeId=TIT2ADPE\\_CH2.40P\\_RNEEM](https://library.municode.com/ca/oakland/codes/code_of_ordinances?nodeId=TIT2ADPE_CH2.40P_RNEEM)

## Early Intervention System

**To support the implementation of Recommendations 51 and 52 the assessment team recommends the following resources:**

Amendola, K. L., & Davis, R. C. (2019). Best practices in early intervention system implementation and use in law enforcement agencies. Arlington, VA: National Police Foundation.  
<https://www.policefoundation.org/publication/best-practices-in-early-intervention-system-implementation-and-use-in-law-enforcement-agencies/>

US Department of Justice. (2019). Law enforcement best practices: Lessons learned from the field. Washington, DC: Office of Community Oriented Policing Services.  
<https://cops.usdoj.gov/RIC/Publications/cops-w0875-pub.pdf>

Walker, S. (2003). Early intervention systems for law enforcement agencies: A planning and management guide. Washington, DC: US Department of Justice, Office of Community Oriented Policing Services. <https://cops.usdoj.gov/RIC/Publications/cops-w0085-pub.pdf>

## Private and Confidential Information

No recommended resources.

## Supplemental Review

### Body-Worn Cameras

**To support the implementation of Recommendation 56.1, the assessment team recommends the following resources:**

Atlanta Police Department Policy Manual. Body Worn Cameras. May 5, 2021.  
<https://www.atlantapd.org/home/showpublisheddocument/3962/637558041518870000>

**To support the implementation of Recommendations 58.1, 58.2, 59.1, 59.2, and 60 the assessment team recommends the following resources:**

Haug, S. (2020). Audits and compliance reviews can strengthen body-worn camera programs. Retrieved from <https://bwctta.com/resources/commentary/audits-and-compliance-reviews-can-strengthen-body-worn-camera-programs>

LE Tech Talks. Interview with Dan Zehnder – Auditing and Compliance Pt. 1. January 2020. <https://bwctta.com/tta/podcasts/interview-dan-zehnder-auditing-and-compliance-pt-i>

LE Tech Talks. Interview with Dan Zehnder – Auditing and Compliance Pt. 2. February 2020. <https://bwctta.com/tta/podcasts/interview-dan-zehnder-auditing-and-compliance-pt-ii>

Miller, Lindsay, Jessica Toliver, and Police Executive Research Forum. 2014. Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned. Washington, DC: Office of Community Oriented Policing Services.

**To support the implementation of Recommendations 61.1, 61.2, and 61.3 the assessment team recommends the following resources:**

Dockstader, J. (2020). Optimizing the Use and Benefits of BWCs with Refresher Training. <https://bwctta.com/resources/commentary/optimizing-use-and-benefits-bwcs-refresher-training>

Katz, Charles, Michael White, and Jessica Herbert. (2018). Body-Worn Camera Training Guide. [https://bwctta.com/sites/default/files/BWC%20facilitator%20training%20guide%2012\\_5\\_2018.pdf](https://bwctta.com/sites/default/files/BWC%20facilitator%20training%20guide%2012_5_2018.pdf)

## Vehicle Pursuits

**To support the implementation of Recommendations 64 and 70, the assessment team recommends the following resources:**

New Orleans Police Department Operations Manual. Vehicle Pursuits. Aug. 11, 2019. [https://www.nola.gov/getattachment/NOPD/Policies/Chapter-41-5-Vehicle-Pursuits-EFFECTIVE-8-11-19-\(1\).pdf/?lang=en-US](https://www.nola.gov/getattachment/NOPD/Policies/Chapter-41-5-Vehicle-Pursuits-EFFECTIVE-8-11-19-(1).pdf/?lang=en-US)

Andover Police Department General Order. Emergency Vehicle Operation. May 22, 2020. <https://www.andoverks.com/DocumentCenter/View/6540/02101-Emergency-Vehicle-Operation?bidId>

## Asset Forfeiture

**To support the implementation of Recommendation 72, the assessment team recommends the following resources:**

*Asset Forfeiture Policy Manual*. (2021). U.S. Department of Justice: Criminal Division. <https://www.justice.gov/criminal-afmls/file/839521/download>

*Timbs v. Indiana*, 586 U. S. \_\_\_ (2019). [https://www.supremecourt.gov/opinions/18pdf/17-1091\\_5536.pdf](https://www.supremecourt.gov/opinions/18pdf/17-1091_5536.pdf)



## Take-Home Vehicles

No recommended resources.

# Appendix E: Table of Findings and Recommendations

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The table below is a list of findings and recommendations noted in the report.

Finding No.	Finding	Recommendation
1	General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) relies too heavily on the Chief of Police's discretion and allows for potentially inappropriate intervention.	1 LRPD's General Order 211 should limit the role of the Chief of Police to final decisions.
2	General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not provide standards for several key elements.	2.1 LRPD should use a preponderance of evidence standard for all findings.
		2.2 For other instances, LRPD should consider the appropriate standard and revise the general order accordingly.
3	General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) uses non-neutral language when applying the term "citizen complaint."	3 LRPD should revise General Order 211 by replacing the term "citizen" with a neutral term, both in the title and throughout.
4	General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not provide definitions of key terms.	4 LRPD should define key terms in all general orders.
5	LRPD's definition of "sustained" is poor.	5 LRPD should revise General Order 211 to state that "sustained" should be based on a preponderance of evidence standard.
6	The "Purpose" section in General Order 211 (Internal Investigations, Citizen Complaints, and Disciplinary Actions) does not adequately explain the purpose of the directive.	6.1 LRPD should revise the "Purpose" section of General Order 211 to reflect guiding principles and 21st century policing concepts.
		6.2 LRPD should revise the "Purpose" section of General Order 211 to reflect the actual purpose of the directive.
7	7.1 Although the investigatory path of administrative complaints is partially defined by	7 LRPD should reduce the discretionary power held by the Chief when determining an administrative complaint's investigatory path and standardize the

Finding No.	Finding	Recommendation
	<p>policy, LRPD lacks consistency in determining these paths.</p> <p>7.2 The types of cases that trigger an Internal Investigation are decided arbitrarily and do not reflect a guiding principle for determining the investigatory path.</p>	<p>decision process by reserving Internal Investigations for complaints that, if sustained, would lead to formal discipline.</p>
8	LRPD does not adequately define the standards of investigation for Divisional Investigations and Internal Investigations.	8 LRPD should define distinctive standards of investigation for Divisional Investigations and Internal Investigations.
9	Supervisors have not been adequately trained in conducting Divisional Investigations.	9 LRPD should provide formal training to supervisors on conducting Divisional Investigations, including an opportunity to practice the skills using table-top exercises.
10	Community member demographics—particularly race and gender—are not captured reliably in LRPD data.	<p>10.1 LRPD should reliably capture accurate demographic data, particularly concerning Hispanic community members, by capturing data on both race and ethnicity.</p> <p>10.2 LRPD should capture demographic data reliably for internally generated Divisional Investigations and Internal Investigations.</p>
11	LRPD does not use its administrative investigation data system comprehensively.	11 LRPD should review and use the full capabilities of its administrative investigation data system to improve its overall investigative effectiveness.
12	LRPD members perceive inconsistencies in the initiation, investigation, and disposition of administrative investigations because of cronyism and favoritism.	12 LRPD should gather officer perceptions on the fairness of the accountability system and make system changes to mitigate concerns.
13	LRPD does not use a discipline matrix to standardize disciplinary decisions.	13 LRPD should continue developing its discipline matrix and incorporate prior history as a component.
14	LRPD does not adequately categorize allegations of misconduct by type, severity, or origin.	14 LRPD should categorize allegations by type, severity, and origin.
15	While the overall number of administrative investigations has decreased over time, this is	15 LRPD should further evaluate reasons for the increase in investigations of sworn members.

Finding No.	Finding	Recommendation
	driven by decreases in investigations of non-sworn members, whereas investigations of sworn members has increased in recent years.	
16	The number of administrative investigations is largely driven by Divisional Investigations.	16 As noted in Recommendation 14, LRPD should categorize allegations by type, severity, and origin.
17	The data do not indicate racial or gender discrepancies in the representation of officers under investigation compared to members' representation among the department as a whole.	17 LRPD should continue to monitor the representativeness of LRPD members within the accountability data.
18	Inconsistent community-member demographic data prevents LRPD from conducting reliable analysis.	18 LRPD should more accurately collect data on community member demographics.
19	LRPD data indicates a consistent trend of disparate outcomes for non-White female personnel.	19 LRPD should more fully explore the disparate outcomes for non-White female personnel.
20	The criteria by which employees are evaluated are not specified in LRPD's General Orders and appear to be inconsistent across employees.	20.1 LRPD's performance evaluation policy should clearly define "evaluation dimension" and "performance goal," and should include examples of what these may be.
		20.2 LRPD should standardize its performance evaluations.
21	Performance evaluations appear to have little significance for an employee's professional development, and the current performance evaluation process does not encourage growth, learning, or improving skill sets.	21.1 LRPD should ensure that the revised performance evaluation process can foster growth, learning, and improvement of the employee's skill set.
		21.2 LRPD's General Order 205 should state clearly how performance evaluations will be used in professional development.
22	Some officers feel that the scoring of performance evaluations is a subjective	22 In revising the evaluation process, LRPD should ensure that supervisors receive updated training on evaluating employees, thereby standardizing the

Finding No.	Finding	Recommendation
	process that depends completely on the supervisor conducting the evaluation.	evaluation. The training should emphasize performance evaluations' role in fostering professional development and improvement.
23	LRPD's requirement that supervisors provide explanatory comments only for ratings at the very top or very bottom of the rating scale may encourage supervisors to select ratings that fall within the middle of the rating scale.	23 LRPD should require supervisors to provide explanatory comments for all ratings.
24	<p>24.1 The current performance evaluation process does not appear to be taken seriously by supervisors or those being evaluated.</p> <p>24.2 Certain supervisor responsibilities outlined in LRPD's General Order 205 are treated as suggestions rather than requirements.</p>	24 LRPD should recognize and emphasize the importance of performance evaluations on an officer's career development and consistently enforce the General Order 205 direction on that topic.
25	Previous findings in this section lead the audit team to believe that the immediate supervisors of evaluators are not properly monitoring the evaluation duties of their supervisees, as required by LRPD policy.	25 LRPD should consistently enforce General Order 205 to hold supervisors accountable for subordinates' performance evaluations.
26	<p>26.1 LRPD follows many positive practices that are intended to achieve objective outcomes for promotions.</p> <p>26.2 LRPD follows positive practices by allowing promotional candidates to appeal the different components of the promotional process.</p>	26 LRPD should continue implementing practices in the promotion process that encourage objectivity.
27	The requirement for candidates to pass the written examination to be eligible for the remainder of the promotional process may disproportionately affect certain candidates.	27.1 LRPD should consider removing the requirement for candidates to pass the written examination to be eligible for the remainder of the promotional process. This would be consistent with the composite scoring process, which encourages a holistic approach to assessing candidates.

Finding No.	Finding	Recommendation
		27.2 The City of Little Rock and/or LRPD should consider creating a library of testing resources from prior promotional cycles to encourage eligible personnel to apply for open positions.
28	Some aspects of the promotional process increase the likelihood of subjectivity.	28 LRPD should codify in policy the requirement of the Chief to consult with others during the selection process, even if the ultimate decision stays with the Chief.
29	LRPD follows best practices in using education requirements and incentives as part of the promotional process.	29 LRPD should continue to incentivize education during the promotion process.
30	The City of Little Rock's Promotional Procedure Guidelines require updating to reflect LRPD's current rank structure.	30 The City of Little Rock should update the Promotional Procedure Guidelines to reflect LRPD's current rank structure.
31	The eligibility criteria for promotion to the ranks of sergeant, lieutenant, major, and assistant chief are not sufficiently comprehensive and do not mention promotion ineligibility factors.	31.1 The City of Little Rock and LRPD should review the promotional procedures of other agencies to decide whether additional eligibility requirements should be considered. 31.2 The City of Little Rock and LRPD should include ineligibility factors in the Promotion Procedure Guidelines.
32	LRPD's attention to and emphasis on de-escalation during in-service and academy training courses increased between 2016 and 2020.	32 The LRPD should continue to incorporate de-escalation throughout in-service and academy training courses, recognizing that de-escalation is relevant and applicable to more than just use of force.
33	Some LRPD officers want additional training on de-escalation, use of force, and crisis intervention.	33 In addition to incorporating de-escalation into scenario-based trainings, LRPD should have a training block during both in-service and academy trainings dedicated specifically to de-escalation techniques and decision-making.
34	34.1 LRPD's Response to Resistance and Active Aggression policy clearly defines de-escalation and the goal of de-escalation. In addition, the policy provides examples of de-escalation techniques and requires officers to use de-escalation techniques when possible.	34 LRPD should maintain these positive elements of its Response to Resistance and Active Aggression policy.

Finding No.	Finding	Recommendation
	34.2 LRPD's Response to Resistance and Active Aggression policy includes several criteria that are consistent with the Police Executive Research Forum's Guiding Principles on Use of Force.	
35	LRPD's Response to Resistance and Active Aggression policy provides an accountability "escape clause."	35 LRPD should revise Section III.B of its Response to Resistance and Active Aggression policy to be able to hold members accountable when de-escalation attempts are inconsistent with training received.
36	LRPD's current attention to de-escalation techniques is tied specifically to the use of force context.	36 LRPD should create a stand-alone policy that reinforces the expectation for officers to incorporate positive communication skills in all of their daily interactions.
37	37.1 LRPD in-service and academy training courses cover topics related directly to cultural competency.	37.1 LRPD should continue providing several blocks of training related to cultural competency during in-service and academy trainings.
	37.2 LRPD's addition of new training topics to in-service and academy training courses appears consistent with current events.	37.2 LRPD should review in-service and academy training curriculums regularly to ensure that they include cultural competency topics relevant to current events.
38	38.1 Although the provision of training courses related to cultural competency is a positive practice, LRPD does not appear to consistently provide a dedicated block of in-service training on cultural competency and awareness.	38.1 LRPD should have an in-service block of training dedicated specifically to the concept of cultural competency and ensure that all LRPD personnel receive the training annually.



Finding No.	Finding	Recommendation
	38.2 Training on cultural competency is necessary to support LRPD's general orders.	38.2 The selection of new training courses by LRPD should be calculated and meaningful. LRPD should ensure that when new training courses are added, any gaps left from the removal of the prior course are considered and addressed, if necessary.
39	Some officers want additional training on cultural diversity and awareness.	39 LRPD should provide supplemental training on cultural diversity and awareness during both academy and in-service trainings.
40	According to LRPD personnel, training courses on implicit bias and cultural diversity are not always well received by all officers.	40.1 As with de-escalation, LRPD should work to incorporate the principles of cultural competency throughout the training curriculum. 40.2 LRPD should ensure that its implicit bias training course and other training courses related to cultural competency align with national best practices and are provided annually to all department personnel.
41	The City of Little Rock's policy related to nepotism is incomplete.	41.1 The City of Little Rock should expand the definition of nepotism to include pre-existing relationships that go beyond the conduct of normal business. 41.2 The City of Little Rock should provide guidance on steps to be taken when one person in a relationship is promoted.
42	The City of Little Rock's policy on nepotism does not sufficiently address all potential instances of conflict.	42 The City of Little Rock's nepotism policy should be revised to prohibit relatives/romantic partners from working within the same division.
43	The City of Little Rock's policy related to nepotism lacks clarity in some sections.	43.1 The City of Little Rock's nepotism policy should include affinity relatives when defining the relationships covered. 43.2 The City of Little Rock should make Section III.2 its own section in the nepotism policy. 43.3 The City of Little Rock's nepotism policy should clarify the degrees of separations for supervision and remove the "immediate" qualifier. 43.4 The safeguards found within the City of Little Rock's nepotism policy should apply consistently to both relatives and romantic relationships throughout the entire policy.

Finding No.	Finding	Recommendation
44	The LRPD general order on nepotism remediates some of the deficiencies with the City's policy.	44 LRPD should maintain these positive elements of its General Order 202.
45	The LRPD general order on nepotism contains some of the same deficiencies as the City's policy.	45 LRPD should incorporate the previously stated recommendations for the City's nepotism policy into the LRPD general order on nepotism.
46	The LRPD's general order on nepotism is housed within a general order related to transfer and assignment requests and therefore does not prohibit nepotism in areas outside of supervision.	46 LRPD should create a stand-alone general order regarding nepotism that accounts for all of the ways that nepotism may influence departmental operations.
47	The LRPD's general order on harassment acts as a solid framework, but areas for improvement exist within the general order.	47.1 LRPD should expand the definition of general harassment to include all reasons that an individual may be targeted.
		47.2 LRPD should revise General Order 212 to ensure that each provision applies to all forms of harassment unless there is a specific reason to apply the provision only to racial or sexual harassment.
		47.3 LRPD should revise General Order 212 by removing Section VI.
48	48.1 LRPD's General Order 212 does not prohibit retaliation based on all complaint types.	48.1 LRPD should revise General Order 212 to broaden the prohibition against retaliation to all complaint types.
	48.2 LRPD's General Order 212 does not define retaliation.	48.2 LRPD should revise General Order 212 to define the concept of retaliation.
49	LRPD lacks adequate directives to safeguard against the potential of harassment of complainants.	49 LRPD should create specific prohibitions against harassment of complainants.
50	LRPD has no general orders related to harassment of community members.	50 LRPD should ensure that harassment of community members is comprehensively prohibited in other general orders.

Finding No.	Finding	Recommendation
51	Guidance on the EIS is housed incorrectly in a directive related to administrative investigations and discipline.	51 LRPD should remove guidance on EIS from the accountability directive and create a separate policy.
52	The thresholds to trigger an EIS alert are not sufficient to identify officers at risk of an adverse event.	52 LRPD should revise the current thresholds for EIS alerts to increase the number of members who may benefit from EIS interventions. LRPD can accomplish this by revising the raw-number thresholds, incorporating a comparative element into the alert thresholds, or some combination of the two.
53	LRPD's restrictions on information sharing and maintaining confidentiality of documents are spread across multiple directives.	53 LRPD should create a stand-alone policy regarding confidentiality of information.
54	LRPD policy does not sufficiently identify preventive measures regarding information security.	54 LRPD should identify preventive measures regarding information security.
55	LRPD policy related to Records Section access is strong overall, though some sections require revision for clarity.	55 LRPD should clarify its policy to ensure that no person who poses a security risk is allowed access to the Records Section.
56	LRPD's General Order 316 includes some statements that lack clear direction and some key terms and phrases are not clearly defined.	56.1 LRPD should provide better guidance for officer actions when using BWCs.
		56.2 LRPD should better define key terms.
57	LRPD General Order 316 allows officers to view MVR/BWC video recordings for less-than-lethal force incidents prior to writing a use of force incident report.	57.1 LRPD should consider restricting officer review of video until after an initial report is prepared, with the ability to prepare a supplemental report after reviewing footage.
		57.2 If not already done during the development of the policy, the LRPD should discuss this approach with the City's legal department as well as with community members.
58	58.1 LRPD's General Order 316 lacks clear instruction as to how Lieutenants are to select MVR/BWC files for monthly review.	58.1 LRPD's General Order 316 should clearly state how Lieutenants should select MVR/BWC files for review.

Finding No.	Finding	Recommendation
	58.2 The requirement for Lieutenants to review “at least two (2) MVR/BWC files on a monthly basis” does not ensure that a large enough sample size of files are being reviewed regularly.	58.2 LRPD should consider increasing the number of MVR/BWC files that Lieutenants are required to review each month. LRPD should also ensure that both MVR and BWC files are being reviewed on a regular basis.
59	59.1 LRPD’s General Order 316 does not describe the criteria for which MVR/BWC files will be assessed by Lieutenants during monthly reviews.  59.2 LRPD’s “Monthly Video Review Form” does not include any compliance criteria for the operation of the MVR/BWC equipment.	59.1 LRPD General Order 316 should state the criteria for which officers are assessed in reviews of their MVR/BWC footage, and the criteria should be tailored to the specific type of file (i.e., MVR or BWC).  59.2 LRPD’s “Monthly Video Review Form” should include additional criteria related to communication skills and the proper placement and use of MVR/BWC equipment, including timely activation and de-activation.
60	LRPD General Order 316 does not provide any detail as to how the BWC program will be evaluated or audited on a regular basis.	60 LRPD’s General Order 316 should elaborate on what the annual evaluation of the BWC program entails and how the results of this evaluation are used.
61	LRPD’s General Order 316 is unclear as to when and how often officers are to receive training on BWC use.	61.1 LRPD General Order 316 should explicitly specify that officers are required to complete initial training prior to operating MVR/BWC equipment. 61.2 LRPD General Order 316 should specify the frequency with which officers should complete refresher training. 61.3 LRPD should ensure that both initial and refresher MVR/BWC trainings include blocks dedicated to supervisor review of MVR/BWC footage.
62	LRPD’s General Order 302 emphasizes the “due regard for the safety of all persons” throughout the policy.	62 LRPD should maintain these positive elements in General Order 302.
63	LRPD’s General Order 302 permits officers to engage in pursuit driving while a civilian is in the vehicle.	63 LRPD should prohibit vehicles carrying civilians from engaging in pursuits.
64	LRPD’s General Order 302 unnecessarily includes the active use of emergency	64 LRPD policy should be revised to indicate that lights and sirens need not be on for an officer to be considered in a pursuit.

Finding No.	Finding	Recommendation
	equipment (i.e., blue lights and siren) in its definition of pursuit driving.	
65	LRPD conducts annual data analysis on pursuits.	65 LRPD should continue to conduct annual data analysis on pursuits.
66	Supervisors are required to monitor pursuits, though officers are not required by policy to provide regular updates.	66 LRPD policy should be more specific about how often officers should be providing updates.
67	Although supervisors have the ability to terminate vehicle pursuits, their approval is not required to initiate a pursuit.	67 LRPD should require supervisory approval prior to engaging in a pursuit.
68	LRPD's General Order 302 is inconsistent in its definition of pursuit.	68 LRPD policy should be revised to be internally consistent.
69	LRPD's guidance on the use of tire deflation devices requires additional information on the safety hazards created from driving on flattened tires.	69.1 LRPD should include a description about the hazards of driving on deflated tires and specify that the supervisor approving the deployment of such devices should be the same supervisor who is monitoring the pursuit.
		69.2 LRPD should continue to explore pursuit-related technology.
70	Several statements pertaining to pursuit driving in LRPD's General Order 302 require additional details.	70 LRPD should ensure that topics and terms are better defined.
71	The LRPD Divisional Operating Procedures (DOP) for State Seizure of Assets is administratively-oriented.	71 LRPD should maintain the administrative elements in the DOP.
72	72.1 The LRPD does not have ultimate authority to decide what will or will not be forfeited.	72 LRPD should revise the DOP to provide more guidance on the decision to initiate the asset forfeiture process.
	72.2 The LRPD DOP for State Seizure of Assets does not provide guidance for officers when deciding whether or not to initiate the asset forfeiture process.	

Finding No.	Finding	Recommendation
73	The LRPD DOP for State Seizure of Assets does not indicate how the department uses revenues generated from seizures.	73 LRPD should memorialize transparent guidelines for how funds generated from asset forfeiture will be used.
74	Arkansas State Law allows for forfeiture without a conviction if the defendant does not respond to the civil summons.	74 LRPD should consider advocating for revision to ACA 5-64-505.
75	Guidance for officers related to the asset forfeiture process is not memorialized in a general order.	75 LRPD should memorialize guidelines for asset forfeiture in a general order rather than a DOP.
76	The LRPD's General Order 302 (Operation of Departmental Vehicles) covers a range of important topics.	76 LRPD should maintain these positive elements of General Order 302.
77	The LRPD's General Order 302 could be enhanced by providing greater structure around the use of take-home vehicles.	77 LRPD should revise General Order 302 to provide greater structure around the use of take-home vehicles.
78	The LRPD's General Order 302 could provide better definitions of terms and criteria.	78 LRPD should revise General Order 302 to better define terms and criteria for take-home vehicles.
79	Expanding the assignment of take-home vehicles to incentivize residing in Little Rock appears reasonable.	79.1 If LRPD chooses to incentivize residency through the use of take-home vehicles, then LRPD should revise General Order 302 as necessary.
		79.2 The City of Little Rock and LRPD should make the determination based on their current fleet size, projected budget, and other City resources.
80	An independent, objective, and ongoing assessment of LRPD's progress towards the recommendations in this report will be crucial to the implementation and sustainment of the proposed changes.	80 LRPD and City leaders should engage an independent audit firm to track and monitor progress towards implementing the recommendations of this report.

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