

Advancing Transparency and Accountability:

# 2024 Law Enforcement Officer Accountability Database Survey Results

September 2024

# 1. Introduction

In early 2022, CEO Action for Racial Equity published a report introducing a novel framework for analyzing the data management and data governance practices of existing and developing law enforcement accountability databases and proposals for new accountability databases. Our research included three objectives:

- Assess existing databases to educate and create awareness,
- Establish a framework for design, and
- Propose a working model

The report, “Advancing Transparency and Accountability: A Framework for a Law Enforcement Officer Accountability Database”, (LETA Report) was updated and republished in January of 2024. As a result of the research conducted during this time, CEOARE observed that there was agreement on many of the aspects of a database and decided to do a survey to quantify views from those willing to participate.

The Law Enforcement Transparency and Accountability (LETA) survey was designed to provide insight into the sentiment around law enforcement accountability databases as well as views of what should be included and who should have access to what information. The survey was also developed to identify where there was agreement between various stakeholders as well as where there might be very diverse views. The end goal was to provide data to help move the implementation of these databases forward to support transparency and build trust between law enforcement and the community.

The survey invited individuals to respond to the survey questionnaire online. Responses were collected from May 29 – June 21, 2024. To be included in the analysis, a respondent had to complete a majority (more than 60%) of the survey questions. The survey included 27 questions (“Q”) about databases and six questions related to the demographics of the participant. With that guideline, 90 responses have been included in the analysis which follows.



## 2. Demographics

The survey was intended to survey a broad variety of roles to highlight the views from stakeholders coming from very different experiences and views. The categories below identify their current role and also roles they have ever held. Although the total participation is not large, they represent a diverse group of participants:

Role	Q1. Current Role		Q2. Role(s) Have Ever Held	
A. Advocacy Organization Member	13	14%	26	29%
B. Citizen Oversight Staff or Board Member	5	6%	8	9%
C. Law Enforcement Association Staff or Board Member	1	1%	14	16%
D. Law Enforcement Executive	11	12%	4	4%
E. Law Enforcement Union Official / Staff	1	1%	8	9%
F. Lawyer/Legal Association Staff or Board Member	6	7%	15	17%
G. Other Law Enforcement Members	2	2%	11	12%
H. Prosecutor, Plaintiff's Lawyer, or Defendant's Lawyer	6	7%	12	13%
I. Research and Academic Institution Faculty / Staff	11	12%	20	22%
J. State Peace Officer Standards and Training Agency Member (or equivalent)	3	3%	10	11%
K. None of the above	31	34%	31	34%
Grand Total	90	100%		

\*90 used to calculate % as participants could select more than one answer

In addition to a diverse set of roles responding, views from a broad representation of states are also included:

State	Count	State	Count	State	Count	State	Count
Alaska	1	D.C.	2	Maryland	2	Ohio	2
Arizona	1	Florida	5	Massachusetts	6	Oregon	1
Arkansas	1	Georgia	1	Michigan	7	Pennsylvania	12
California	6	Idaho	1	Minnesota	1	Tennessee	3
Colorado	4	Illinois	3	Nevada	1	Texas	5
Connecticut	2	Iowa	4	New York	6	Virginia	1

Race	%
American Indian or Alaskan Native, Other race	1%
American Indian or Alaskan Native, White	1%
Asian	2%
Asian, Black or African American, White	1%
Black or African American	12%
Black or African American, White	3%
White	58%
White, Other race	2%
Other race	2%
Prefer not to say	2%
No answer provided	14%
Grand Total	100%

Gender	%
Female	38%
Male	43%
Transgender	1%
Nonbinary	2%
Prefer not to say	1%
No answer provided	14%
Grand Total	100%

### 3. Summary of Results

In our analysis we looked at answers across all participants and then also analyzed by role. What we found was that for many questions, there was agreement regardless of the participants' role. The differences tended to not be whether there should be a database but rather what fields should be tracked and who can see which fields. Appendix A includes the full survey results for your review. What follows is a summary of some of the main findings and where there were major agreements or differences when comparing results by role.

**A. A database could be beneficial.** Most participants (96% per Q4) believe a database could be beneficial. When reviewing Q4 by role type, most groups were above 90% and only one group was below that at 83%. The reasons the participants view it would be beneficial (Q6) are:

Help make informed hiring decisions	92%
Build trust between law enforcement and the public	86%
Reduce the number of cases of law enforcement misconduct	86%
Inform and improve training for law enforcement	90%
Encourage adherence to an officer code of conduct	88%
Improve trust among law enforcement colleagues	76%

**B. Many agree there is a risk to officers whose name is listed in a database.** There appears to be a consensus that disclosure in an accountability database carries risks (Q7), primarily reputational, but also concerns for physical safety. The risk that was most often chosen across roles was reputational harm. When reviewing across roles, 69% chose this risk but when extracting law enforcement role only it was higher at 78%. Another starker difference occurred with the response choice “concern for physical harm to the officer or their family/friends”. For this option, reviewing across participants the result was 36%. However, for Law Enforcement Executives this rose to 73%. One final major difference by role in this question was the response “No harm”. More often those who are currently attorneys were more likely to say there is no harm.

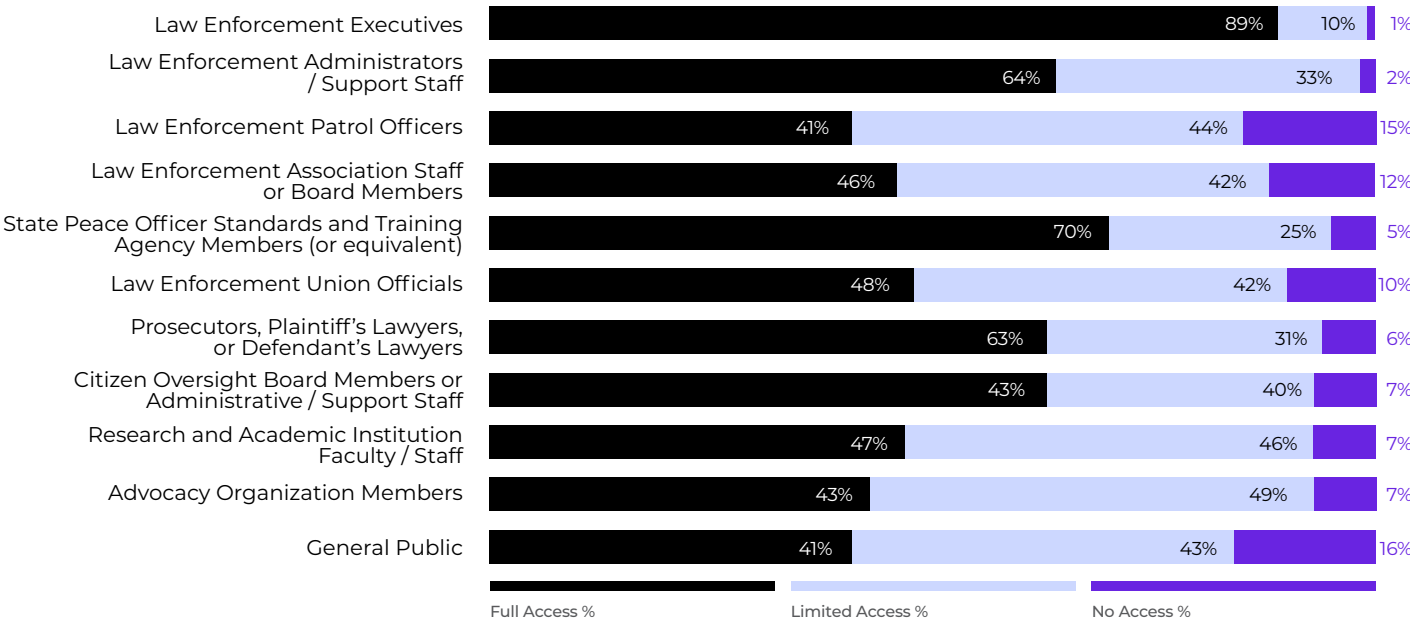
These results suggest that while there is recognition of the need for accountability, there is also a clear concern for the potential consequences for officers listed in such a database. The variation in responses across different roles suggests that perceptions of risk may be influenced by professional experience and the nature of each role's interaction with law enforcement and the public. Measures to mitigate these risks, such as safeguarding privacy and verification processes before including a record, would be crucial in the implementation of an accountability database. If concerns are addressed proactively, accountability databases can serve their intended purpose without causing harm to the officers listed. It's important that these measures are implemented in consultation with law enforcement personnel, legal experts, and community representatives to create a fair and effective system.

**C. A database administrator should regularly publish insights from the database.** It was clear from the responses that there was a desire for the data collected in these databases to be reviewed regularly and published. In fact, 76% of participants support this (Q9). This did vary by role with it being more important to non-law enforcement roles, but no group fell below 50%.



**D. A significant majority agree all groups should have some level of access to a database (Q13).** Where the differences arise, it is around whether a group should have full or limited access.

**If a law enforcement accountability database existed, what level of access should the following groups have to the information in that database?**



**E. Many believe that law enforcement should have permanent access to records (51% per Q14) but there was a more diverse view when the question was asked regarding how long the public could access records (41% per Q15).** While some believe that the public should have permanent access, this will likely continue to be a topic of discussion and especially with the Clean Slate Act and other laws designed to allow citizens to have their records sealed for certain convictions after a required waiting period. It would make sense if law enforcement would ask why that would not also apply to law enforcement misconduct records.

In addition, on these questions, one response option result is important to mention. The response level for the option “until the investigated officer leaves the police force/retires” is a concern as this could allow for an officer to leave one office or state and move to another without their history following them (i.e., “wandering officer”). As the survey was anonymous, we were not able to follow up with any participants to better understand their responses. This answer conflicts with Q23 discussed later where 90% of participants noted that an officer who resigns or retires during an investigation should remain in the database. That would suggest that for this question the participants are not referring to anyone under investigation. However, the issue of a “wandering officer” could still result if they are removed from the database because they have left the police force or retired after an investigation is completed.

How long should records be accessible once the investigation/review has been completed?	Q14. For Law Enforcement	Q15. For the General Public
Less than 1 year	2%	6%
1-2 years	5%	10%
3-4 years	1%	2%
5-6 years	7%	7%
9-10 years	4%	5%
Until the investigated officer leaves the police force/retires	30%	28%
Permanently	51%	41%



**F. A database needs a common definition of misconduct across all records.** Most participants agreed (84% strongly and 14% somewhat per Q16) that a database needs a common definition of misconduct across records. Interestingly, law enforcement showed 100% for this question which makes sense when some current databases report officers who arrived late to work while others report only those fired/decertified. This common definition could be problem both at a state level and/or nationally, as different police departments have different definitions of what is considered misconduct. However, working together, as with other state/national systems, it should be possible to find a common set that could apply to all. This would not preclude any local department from including more in their local database and just sending what is required to a state or federal one.

**G. Administrative misconduct should not be considered “serious” misconduct.** Most participants did not agree that administrative misconduct (e.g., tardiness) should be classified as “serious” and therefore reported in a database. Only 11% listed this as a serious offense per Q17. Most other types of misconduct listed in Q17 had broad agreement that they should be classified as “serious” and therefore reported. It is not clear from this answer if this is because the participant is assuming that it would be available to the public or if the participant interprets that no one outside the officer’s department should see it. An argument could be made that it would be good to track to help law enforcement in their hiring and training decisions.

Type of misconduct classified as serious	%
Planting or destroying evidence	99%
Sexual assault	99%
Falsifying a law enforcement report	95%
Witness tampering	95%
Excessive force	94%
False arrest and malicious prosecution	94%
Corruption	91%
Physical assault	90%
Bribery	89%
Perjury or dishonesty	89%
Violating constitutional rights	86%
Unlawful search and seizure	84%
Hate group affiliation	83%
Bias or discrimination	78%
Domestic violence	77%
Harassment	77%
Failure to intervene if another officer uses unnecessary force	77%
Substance abuse while on job	74%
Deliberate indifference to a serious medical condition	63%
Failure to cooperate with an investigation	60%
Administrative misconduct (e.g. tardiness)	11%





**H. There was agreement on most of the reporting fields to be included.** A majority of participants agreed that the database fields suggested in the survey should be included in a database although the agreement was at a much higher level for fields that provided less detail. This question did not address who should have access to those fields, but Q19 did in regard to the general public. The results showed, for most fields, that there was less of a majority who believe the general public should have access to many of the fields.

Database Field	Q18. What fields should be included in database?	Q19. Which should the general public have access to?
Date of incident	99%	91%
Category of incident (e.g. use of force, sexual harassment)	99%	94%
Outcome of investigation (e.g. exonerated, disciplinary action, ongoing)	98%	88%
Status (investigation ongoing, investigation closed)	91%	78%
Detailed description of incident	85%	60%
Officer name	84%	69%
Officer ID number or badge number	81%	60%
Officer demographics (e.g. race, gender, age)	71%	55%
Rationale for outcome	71%	48%
Complainant demographics (e.g. race, gender, age)	65%	50%
Number of legal settlements associated with each officer	63%	46%
Additional investigation documentation	55%	24%
Dollar amount of legal settlements associated with each officer	53%	40%

**I. Law enforcement and attorneys should have access to more than just substantiated cases of misconduct.**

The question of whether unsubstantiated or pending cases of misconduct should be included in a database was an issue that was raised frequently in our research in developing the LETA Report. What the survey shows is that it is more of an issue of whether the public should have access as most believed that law enforcement and attorneys should have access to that information. The results also showed that all groups should have access to cleared or exonerated records, which you would expect.

Who should have access	Q20. Pending Claims*	Q21. Unfounded/ Unsubstantiated Claims**	Q22. Where an officer has been cleared or exonerated***
General public	29%	37%	63%
Advocacy organizations	33%	46%	62%
Media outlets	32%	35%	61%
Law enforcement	71%	71%	84%
Attorneys	66%	62%	77%
Research and academic institutions	32%	56%	67%
None of the above should have access	19%	0%	0%

\* Claims where a review, investigation, or adjudication are still in progress and have NOT been completed.

\*\*Claims that were investigated and determined to not be true or to have insufficient evidence to pursue.

\*\*\*Claims where an officer was cleared after having been initially found guilty.





**J. Officers who resign or retire while under investigation should be included in the database.** Participants agreed that, regardless of the status of the misconduct claim, these officers should continue to be included in the database (90% for Q23). When reviewed by role of participant, this ranged from a low of 83% to a high of 100% which is still significant support. This is an important view as there have been cases where individuals have resigned/retired and moved on and committed the same misconduct at new departments who had no idea of their history.

**K. Databases should be audited regularly. In currently active databases, there have been issues in the news about missing or incorrect data.** The survey supports the need to focus on accurate data. There is agreement (82% strongly agree and 13% somewhat agree per Q25) that databases should be audited regularly for completeness and accuracy. This did not vary much when looked at via role (low of 84% and high of 100% with Law Enforcement being the 100%).

## 4. Conclusions

Based on the findings, there appears to be an opportunity for law enforcement to implement these databases in a way that would be acceptable to all parties. Not 100% of what each different group would like but a step in the right direction. For example, as participants agree that a database would be helpful, the first step might be implementing a database with broad access to law enforcement and other specific groups while providing the public with a limited view that would help build trust. The second step could be giving more broad access to the public once the database has been fully vetted and audited to be accurate. As the survey shows, there is not a great divide on many of the questions. If the focus can be on implementing a database that incorporates where agreement exists, this could be a great step forward in transparency. What would be important in that first step is that parties agree to work together, take the time to truly understand concerns and be willing to make some concessions to move forward.

To date, many have focused on these databases to identify troublesome behavior with individuals. They can be so much more when implemented and used correctly. They can help identify where training may not be working well and other actions that can be done to help deal with misconduct issues.

With settlements around law enforcement continuing to climb, building trust with the public and showing that law enforcement is holding themselves accountable by being transparent should go a long way to improving things. Many officers do their job every day in a way that honors the oath and pledge they took and builds trust with their communities. These databases, if properly implemented and maintained, can help show that while also identifying where work is needed.





## Appendix

<b>Q1: Which of the following best describes your current role? If more than one role applies to you, please select the one that takes up the most time.</b>	<b>Count</b>	<b>%</b>
A. Advocacy Organization Member	13	14%
B. Citizen Oversight Staff or Board Member	5	6%
C. Law Enforcement Association Staff or Board Member	1	1%
D. Law Enforcement Executive	11	12%
E. Law Enforcement Union Official / Staff	1	1%
F. Lawyer/Legal Association Staff or Board Member	6	7%
G. Other Law Enforcement Members	2	2%
H. Prosecutor, Plaintiff's Lawyer, or Defendant's Lawyer	6	7%
I. Research and Academic Institution Faculty / Staff	11	12%
J. State Peace Officer Standards and Training Agency Member (or equivalent)	3	3%
K. None of the above	31	34%
Grand Total	90	100%

<b>Q2: Have you ever held any of the following roles? Please select all that apply.*</b>	<b>Count</b>	<b>%</b>
A. Advocacy Organization Member	26	29%
B. Citizen Oversight Staff or Board Member	8	9%
C. Law Enforcement Association Staff or Board Member	14	16%
D. Law Enforcement Executive	4	4%
E. Law Enforcement Union Official / Staff	8	9%
F. Lawyer/Legal Association Staff or Board Member	15	17%
G. Other Law Enforcement Members	11	12%
H. Prosecutor, Plaintiff's Lawyer, or Defendant's Lawyer	12	13%
I. Research and Academic Institution Faculty / Staff	20	22%
J. State Peace Officer Standards and Training Agency Member (or equivalent)	10	11%
K. None of the above	31	34%

\*% is based on 90 respondents

<b>Q3: In general, how familiar are you with issues surrounding law enforcement misconduct?</b>	<b>Count</b>	<b>%</b>
Very familiar	48	53%
Moderately familiar	24	27%
Slightly familiar	16	18%
Not at all familiar	2	2%
Grand Total	90	100%

<b>Q4: Based on your role in law enforcement or in the community, do you believe a law enforcement accountability database would be beneficial?</b>	<b>Count</b>	<b>%</b>
Yes	86	96%
No	4	4%
Grand Total	90	100%



<b>Q5: How often do you inquire about the misconduct history of any officers?</b>	<b>Count</b>	<b>%</b>
At least once a week	15	17%
At least once a month	18	20%
At least once a quarter	10	11%
At least once a year	15	17%
Never	32	36%
Grand Total	90	100%

<b>Q6-1: How much do you agree or disagree with each of the following statements? A law enforcement accountability database would help to make informed hiring decisions</b>	<b>Count</b>	<b>%</b>
Strongly agree	58	64%
Somewhat agree	25	28%
Somewhat disagree	4	4%
Strongly disagree	3	3%
Grand Total	90	100%

<b>Q6-2: How much do you agree or disagree with each of the following statements? A law enforcement accountability database would help to Build trust between law enforcement and community members</b>	<b>Count</b>	<b>%</b>
Strongly agree	50	56%
Somewhat agree	27	30%
Somewhat disagree	10	11%
Strongly disagree	3	3%
Grand Total	90	100%

<b>Q6-3: How much do you agree or disagree with each of the following statements? A law enforcement accountability database would help to reduce the number of cases of law enforcement misconduct</b>	<b>Count</b>	<b>%</b>
Strongly agree	38	42%
Somewhat agree	39	43%
Somewhat disagree	10	11%
Strongly disagree	3	3%
Grand Total	90	100%

<b>Q6-4: How much do you agree or disagree with each of the following statements? A law enforcement accountability database would help to inform and improve training for law enforcement (re)certification</b>	<b>Count</b>	<b>%</b>
Strongly agree	45	50%
Somewhat agree	36	40%
Somewhat disagree	4	4%
Strongly disagree	5	6%
Grand Total	90	100%



<b>Q6-5: How much do you agree or disagree with each of the following statements? A law enforcement accountability database would help to encourage adherence to an officer code of conduct</b>	<b>Count</b>	<b>%</b>
Strongly agree	46	51%
Somewhat agree	33	37%
Somewhat disagree	8	9%
Strongly disagree	3	3%
Grand Total	90	100%

<b>Q6-6: How much do you agree or disagree with each of the following statements? A law enforcement accountability database would help to improve trust among law enforcement colleagues</b>	<b>Count</b>	<b>%</b>
Strongly agree	30	33%
Somewhat agree	38	42%
Somewhat disagree	14	16%
Strongly disagree	8	9%
Grand Total	90	100%

<b>Q7: In your opinion, what are the risks to a law enforcement officer if their name is disclosed in a law enforcement accountability database? Please choose all that apply</b>	<b>Count</b>	<b>%</b>
No harm	15	17%
Concern for physical harm to the officer or their family/friends	32	36%
Reputational harm	62	69%
Other harm (Please specify)	9	10%
"Doxing"		
Confidentiality/Legal Rights Harm		
Economic harm related to job loss and/or inability to find new job		
False accusations are problematic and some sort of safeguard needed to protect officers falsely accused of misconduct. State laws and contractual language prohibit release of identifying information		
Reputational harm IF PUBLIC		
Reputational harm to the employing agency		
Risk to future employment		
Some officers may shy away from interacting with the public in certain situations if they think their actions will be reflected in a public database		
The only harm consideration that has to be worked through is the officer's right to privacy in these matters.		

<b>Q8: If a law enforcement accountability database existed, at what level should the database be operated (e.g., determines fields/access, provides the central repository, etc.)?</b>	<b>Count</b>	<b>%</b>
Federal (manages data from all states)	30	35%
State (manages data from all agencies within a state)	40	47%
Local jurisdiction (manages data from 1 or more agencies within a local jurisdiction)	15	18%
Subtotal	85	100%
No answer provided	5	
Grand Total	90	



Q9: If a law enforcement accountability database existed, would you expect the administrator of that database to regularly publish insights from the database data?	Count	%
Yes	65	76%
No	20	24%
Subtotal	85	100%
No answer provided	5	
Grand Total	90	

Q10: Please select the TOP 3 priorities for establishing a successful law enforcement accountability database.	Count	%
What types of misconduct to include	57	68%
What information to include for each misconduct record	52	62%
Whether to include substantiated AND unsubstantiated complaints	44	52%
The timeliness of records being available within a database after the date of the incident	43	51%
Who has access to the database	40	48%
The incentives for compliance with submission	16	19%

% Based on 84 respondents

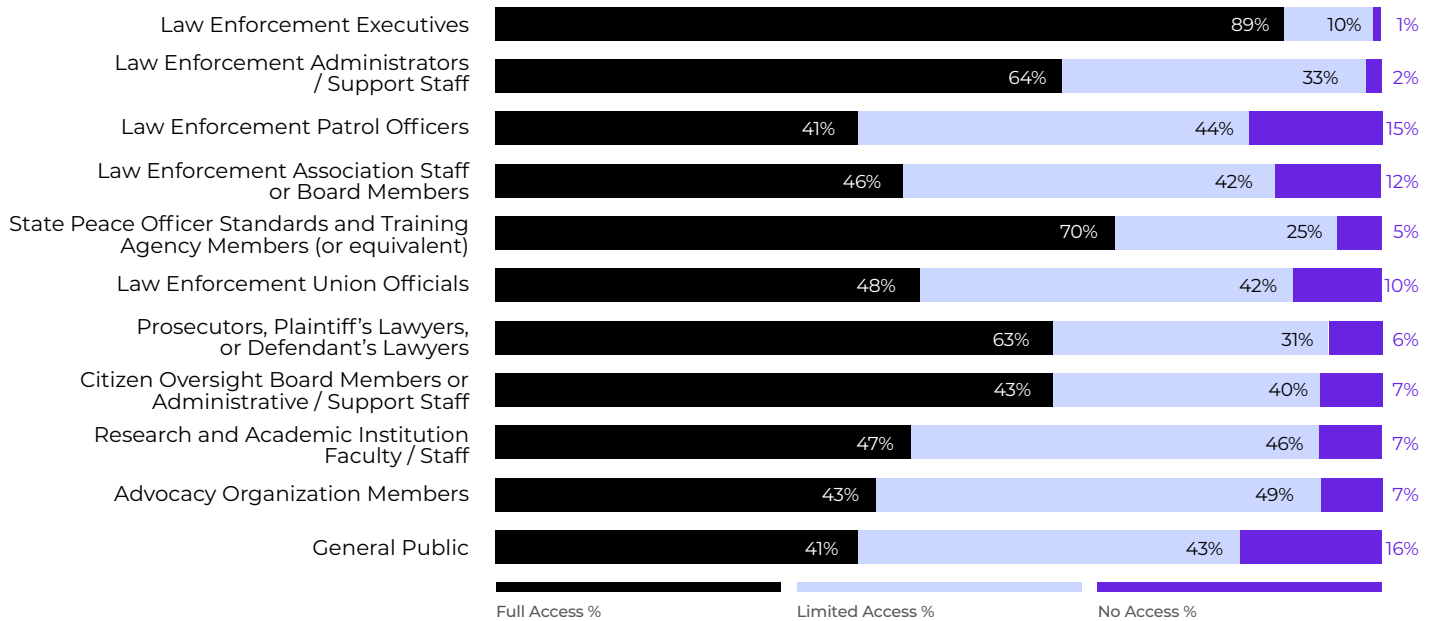
Q11: If policy was passed requiring each law enforcement agency to submit misconduct records on a recurring basis... How would you rank the following hurdles in terms of being able to meet compliance requirements for reporting? 1 being the most significant hurdle for compliance and 6 being the least significance hurdle for compliance.						
Hurdles	# choose Most Significant or 2	% chose Most Significant or 2	# choose neutral (3/4)	% chose neutral (3/4)	# choose 5 or least significant	% choose 5 or least significant
Lack of staff resources	22	27%	43	52%	17	21%
Nonexistent, outdated, or inadequate technology	24	29%	35	43%	23	28%
Inconsistent recordkeeping	32	39%	30	37%	20	24%
Lack of incentive to comply	33	40%	30	37%	19	23%
Fear of negative consequences for officers	28	34%	14	17%	40	49%
Concern over health and safety of officers	25	30	12	15%	45	55%

# of Participants Responding: 82

Q12: Following an incident or allegation, when should records be made available within the database?	Count	%
When the investigation is complete	27	33%
Within 1 month	27	33%
Within 3 months	23	28%
Within 6 months	4	5%
Within 12 months	1	1%
Subtotal	82	100%
No answer provided	8	
Grand Total	90	



**Q13: If a law enforcement accountability database existed, what level of access should the following groups have to the information in that database?**



**Q14: If law enforcement has access to a law enforcement accountability database, how long should records be accessible to them once the investigation/review has been completed?**

	Count	%
Less than 1 year	2	2%
1-2 years	4	5%
3-4 years	1	1%
5-6 years	6	7%
9-10 years	3	4%
Until the investigated officer leaves the police force/retires	24	30%
Permanently	41	51%
Subtotal	81	100%
No answer provided	9	
Grand Total	90	

**Q15: If the general public has access to a law enforcement accountability database, how long should records be accessible to them once the investigation/review has been completed?**

	Count	%
Less than 1 year	5	6%
1-2 years	8	10%
3-4 years	2	2%
5-6 years	6	7%
9-10 years	4	5%
Until the investigated officer leaves the police force/retires	23	28%
Permanently	33	41%
Subtotal	81	100%
No answer provided	9	
Grand Total	90	



<b>Q16: How much do you agree or disagree with the following statement? A database needs a common definition of misconduct across all records.</b>	<b>Count</b>	<b>%</b>
Strongly agree	67	83%
Somewhat agree	11	14%
Somewhat disagree	2	2%
Strongly disagree	1	1%
Subtotal	81	100%
No answer provided	9	
Grand Total	90	

<b>Q17: What types of law enforcement misconduct would you classify as serious?</b>	<b>Count</b>	<b>%</b>
Planting or destroying evidence	80	99%
Sexual assault	80	99%
Falsifying a law enforcement report	77	95%
Witness tampering	77	95%
Excessive force	76	94%
False arrest and malicious prosecution	76	94%
Corruption	74	91%
Physical assault	73	90%
Bribery	72	89%
Perjury or dishonesty	72	89%
Violating constitutional rights	70	86%
Unlawful search and seizure	68	84%
Hate group affiliation	67	83%
Bias or discrimination	63	78%
Domestic violence	62	77%
Harassment	62	77%
Failure to intervene if another officer uses unnecessary force	62	77%
Substance abuse while on job	60	74%
Deliberate indifference to a serious medical condition	51	63%
Failure to cooperate with an investigation	49	60%
Administrative misconduct (e.g. tardiness)	9	11%

% Based on 81 respondents



<b>Q18: What fields should be included in database?</b>	<b>Count</b>	<b>%</b>
Date of incident	79	99%
Category of incident (e.g. use of force, sexual harassment)	79	99%
Outcome of investigation (e.g. exonerated, disciplinary action, ongoing)	78	98%
Status (investigation ongoing, investigation closed)	73	91%
Detailed description of incident	68	85%
Officer name	67	84%
Officer ID number or badge number	65	81%
Officer demographics (e.g. race, gender, age)	57	71%
Rationale for outcome	57	71%
Complainant demographics (e.g. race, gender, age)	52	65%
Number of legal settlements associated with each officer	50	63%
Additional investigation documentation	44	55%
Dollar amount of legal settlements associated with each officer	42	53%
Date of investigation resolution	0	0%

% Based on 80 respondents

<b>Q19: For the individual misconduct record data elements you selected in the previous question, which should the general public have access to?</b>	<b>Count</b>	<b>%</b>
Category of incident (e.g. use of force, sexual harassment)	75	94%
Date of incident	73	91%
Outcome of investigation (e.g. exonerated, disciplinary action, ongoing)	70	88%
Status (investigation ongoing, investigation closed)	62	78%
Officer name	55	69%
Officer ID number or badge number	48	60%
Detailed description of incident	48	60%
Officer demographics (e.g. race, gender, age)	44	55%
Complainant demographics (e.g. race, gender, age)	40	50%
Rationale for outcome	38	48%
Number of legal settlements associated with each officer	37	46%
Dollar amount of legal settlements associated with each officer	32	40%
Additional investigation documentation	19	24%
Date of investigation resolution	0	0%

% Based on 80 respondents



<b>Q20: Who should have access to claims where there is a pending investigation of misconduct? These are claims where a review, investigation, or adjudication are still in progress and have NOT been completed. Please select all that apply.</b>	<b>Count</b>	<b>%</b>
General public	23	29%
Advocacy organizations	26	33%
Media outlets	25	32%
Law enforcement	56	71%
Attorneys	52	66%
Research and academic institutions	25	32%
None of the above should have access to claims where there is a pending investigation	15	19%

% Based on 79 respondents

<b>Q21: Who should have access to unfounded/unsubstantiated claims of misconduct? These are claims that were investigated and determined to not be true or to have insufficient evidence to pursue. Please select all that apply.</b>	<b>Count</b>	<b>%</b>
General public	29	37%
Advocacy organizations	36	46%
Media outlets	28	35%
Law enforcement	56	71%
Attorneys	49	62%
Research and academic institutions	44	56%
No one should have access	0	0%

% Based on 79 respondents

<b>Q22: Who should have access to claims where an officer has been cleared or exonerated of any misconduct? These are claims where an officer was cleared after having been initially found guilty. Please select all that apply.</b>	<b>Count</b>	<b>%</b>
General public	50	63%
Advocacy organizations	49	62%
Media outlets	48	61%
Law enforcement	66	84%
Attorneys	61	77%
Research and academic institutions	53	67%
No one should have access to claims where an officer has been cleared of misconduct	0	0%

% Based on 79 respondents

<b>Q23: Regardless of the status of a misconduct claim, should officers who resign or retire while under investigation be included in a law enforcement accountability database?</b>	<b>Count</b>	<b>%</b>
Yes	71	90%
No	8	10%
Subtotal	79	100%
No answer provided	11	
Grand Total	90	





<b>Q24: Should officer commendations and awards be included in a law enforcement accountability database?</b>	<b>Count</b>	<b>%</b>
Yes	45	57%
No	34	43%
Subtotal	79	100%
No answer provided	11	
Grand Total	90	

<b>Q25: How much do you agree or disagree with the following statement? Disciplinary records reported to the database should be audited regularly for completeness and accuracy.</b>	<b>Count</b>	<b>%</b>
Strongly agree	65	82%
Somewhat agree	10	13%
Somewhat disagree	1	1%
Strongly disagree	3	4%
Subtotal	79	100%
No answer provided	11	
Grand Total	90	

<b>Q26: In general, how familiar are you with other professional accountability registries like those for attorneys and medical professionals?</b>	<b>Count</b>	<b>%</b>
Very familiar	13	16%
Moderately familiar	23	29%
Slightly familiar	23	29%
Not at all familiar	20	25%
Subtotal	79	100%
No answer provided	11	
Grand Total	90	

**Please note:** The survey was conducted anonymously. Question 27 provided respondents the opportunity to share thoughts in a free text field. The responses below are anonymous.

**Q27. If you would like to share any additional feedback that provides more explanation for your responses above, please enter them below (e.g., information about what a law enforcement accountability database should contain, who should have access to the database, additional hurdles for submitting records of misconduct).**

The NDI already exists. I think this is likely a statewide database, as there are nuances to laws/standards that often vary by state. I think that there has to be a way to parse out information about deliberate misconduct versus losing a case in court (constitutional issue or search/seizure issues). Losing a case in court does not mean that the officer is engaged in misconduct. There just isn't any way to compel participation here. We have agencies that are short-cutting the background process for new hires because they are shorthanded. How do you hold them accountable?

The key to stakeholder access (public, law enforcement, media, etc.) is ensuring that the status of each claim is clearly and unambiguously identified in the record. For example, claims should be marked as having been adjudicated or under investigation. It is important that the officer's record be fairly and completely represented in the database so that final decisions and conclusions are distinguished from allegations.

Reporting on recent cases of allegations of police misconduct shows that there is a severe lack of accurate information on police misconduct due to the lack of consistent standards and procedures at the state level. I truly believe that law enforcement agencies need transparent procedures to report alleged misconduct to improve the quality of law enforcement agencies and public confidence in those agencies.

In a functioning system, I understand why law enforcement would like to keep unsubstantiated or exonerated records hidden from the public. However, this takes away from the public's ability to audit their accountability mechanisms and trust that they are working. If the public can only see the substantiated complaints, law enforcement has significant motivation to keep them unsubstantiated. If we are to ever trust the police to police themselves, we have to know they are doing it effectively and we can only do that by seeing all the data. There is a ton of research showing that cases that should have been substantiated are not.



**Q27. If you would like to share any additional feedback that provides more explanation for your responses above, please enter them below (e.g., information about what a law enforcement accountability database should contain, who should have access to the database, additional hurdles for submitting records of misconduct).**

One additional consideration is to determine how (in what format) accountability database records should be made available to the general public.

I think the notion of indexing funds for police oversight budgets to police department budgets would be an interesting addition to the questions asked.

Control, consistency and integrity of a misconduct database must be above reproach to avoid unfair and irreparable harmed to officers and the public at large. The danger in a poorly managed accountability database is the potential for it being used as a weapon against individual officers or groups.

Police departments maintain disciplinary records and POST maintains decertification records subject to public disclosure and judicial records are available, therefore, an accountability database would be redundant and resources necessary to collect and maintain such a database could be better allocated toward a more useful purpose. There is also a risk that such a database may be misused and unnecessarily harm police community relationships unless including evidence of positive efforts and encounters of law enforcement.

Racial/ethnicity data should be included - crimes against Latinx community is often underreported b/c of data inclusion in racial categories (white, black, Native American, etc.) and not disaggregated by ethnicity.

California has an emerging database being created at Berkeley. See: <https://bids.berkeley.edu/california-police-records-access-project>

The point of a database like this should be to increase standards of professional development and behavior among various law enforcement groups, identify trends, and phase out individuals within law enforcement who repeatedly have issues of serious misconduct. While historical data from permanent record retention might be valuable, I believe that could be done with archived data sets rather than a database where data is stored permanently. Care should be taken regarding what data is made publicly available, either to the general public and advocacy groups, or to the media under FOIA. What level the DB is managed is another question: if it were managed locally or at the state level, a process would need to be followed where an individual's record in the database is transferred securely to the new employment location. Regardless, an independent auditor of records should be appointed. The state auditor could potentially take on that task.

I just wanted to add a note about who should have access to unsubstantiated claims vs claims for officers who have been exonerated. I put that law enforcement and attorneys are the only ones who should have access to unsubstantiated claims, because the reputation of an officer should not be harmed if the claim was invalid. However, it may be good for law enforcement leaders to have access to view it, just in case an officer has 10 unsubstantiated claims, it still may flag something to examine why claims keep getting made or how these claims keep going away. With the exonerated officers, I marked that everyone should have access, including media outlets, because in the same way that if a regular citizen was convicted and sent to prison, then exonerated, I believe it's not enough to privately acknowledge the mistake and let the person out of prison. If it were me, I would want everyone to have access to see that I was exonerated, so despite what they may have heard about me during the initial conviction, people would now be able to see that I was innocent. So I believe officers should receive that same opportunity to clear their names if they are exonerated.

I think there should be limitations to all levels of "viewers" of this system (e.g., officer names can be protected while precincts can be viewed holistically for how many incidents they have open while attorneys may only be able to see certain amount of information without a judge's warrant / approval, etc.).

There should be Federal Codes or some Executive Orders to follow. The regulations of the database to include all reporting is done sufficient, accurate and will hold the ones whom are responsible for reporting, accountable for what is reported. Also, I strongly suggest this whom do the reporting list their name and rank for whatever reason. The general public should have access to this sort of database because after all, We are the ones dealing with the misconduct and we should be able to include a statement to be included. Being there is an on going investigation to give any facts of misconduct any one may have to incorporate from the same officer(s) and misconduct. There should be no time limit or restraint on when misconduct happened. There should be measures taken and serious consequences for any false allegations. There should be serious consequences for officers whom are found guilty and they should be responsible for their actions.

The process has to balance of officer's privacy rights involving the investigation of misconduct and discipline handled administratively. Additionally, some officers retire or resign to avoid accountability. This information should be maintained in the database. Just because an officer left service before the investigation was complete or before the imposition of discipline does not mean the misconduct did not occur.

Maintenance would be paramount as this could have reputational impact on the officers. For example, the status of the case should be clearly expressed so people understand whether the claim has been proven or not.

Information should be public at all stages. The path of complaints, what they settle for, what kind of officers get what kind of deals, what kind of complaints are routinely not sustained - all of this information is valuable data in looking at how we are policed and how police are held accountable.

I believe that exonerated, not sustained and unfounded allegations should be made public in the aggregate and not by individual officer. I believe that releasing all complaints or incidents that are unfounded, not sustained, or exonerated by officer will likely have a chilling effect on proactive policing.



## **GENERAL DISCLAIMER**

CEO Action for Racial Equity officially ceased operations as of September 30, 2024. The resources available on this website are intended as general guidance only and given the passage of time and the changing nature of laws, rules and regulations, and the inherent hazards of electronic communication, there may be delays, omissions or inaccuracies in information contained therein. Each resource was created as of the date of its publication and has not and is not being maintained or updated since that time. No additional materials will be uploaded. Furthermore, the resources are provided with the understanding that the authors and providers are not herein engaged in rendering legal, accounting, tax, or other professional advice or services. As such, it should not be used as a substitute for consultation with professional accounting, tax, legal or other competent advisers. Before making any decision or taking any action, you should consult an appropriate professional.

## **NO WARRANTY**

The resources are provided “as is” with all faults. PwC US Group LLP (and its affiliates, together “PwC”) and CEO Action for Racial Equity and signatory organizations make no warranty whatsoever, express or implied, with respect to the resources, including any warranty of condition, quality or suitability, warranty of merchantability, warranty of fitness for a particular purpose, warranty of title, or warranty against infringement of intellectual property rights of a third party, whether express or implied by law, course of dealing, course of performance, usage or trade or otherwise.

## **LIMITATION OF LIABILITY**

To the full extent permissible by law, User hereby expressly releases, waives, and forever discharges PwC and CEO Action for Racial Equity and signatory organizations and their present and former, direct and indirect, parents, subsidiaries, affiliates, employees, officers, directors, partners, principals, agents, representatives, permitted successors, and permitted assigns (collectively, the “Releasees”) of and from any and all claims, actions, causes of action, suits, losses, expenses, liabilities, obligations, damages, and demands, of every kind and nature whatsoever, whether now known or unknown, foreseen or unforeseen, matured or unmatured, suspected or unsuspected, in law, or in equity arising out of or in connection with this resource except for any claims and liabilities that cannot be released or waived under federal, state, or local law.