Assessment of the Collaborative Reform Initiative in the Las Vegas Metropolitan Police Department

A Catalyst for Change

A report by the Crime and Justice Institute at Community Resources for Justice

COPS
Community Oriented Policing Services
U.S. Department of Justice

CRJ
CRIME AND JUSTICE INSTITUTE

Acknowledgements

We are grateful to the many members of the Las Vegas Metropolitan Police Department who supported this effort by providing data upon request in a timely manner, were responsive to our questions, and were generous with their time. In particular we would like to thank Sheriff Lombardo, Undersheriff McMahill, Captain Andersen, Captain Seebock, Captain Jones, Captain Primas, Lieutenant McMahill, Lieutenant Glaude, Lieutenant O'Brien, Lieutenant Larkin, Lieutenant Bernard, Sergeant Misuraca, Officer Kirkegard, Officer Marzec, Adam Markwell, Katie Zafiris, and the more than 70 individuals who participated in one-on-one or group interviews. We are also thankful for the members of the Multi-Cultural Advisory Council who provided input. Dave Parilla, Sam Packard, and Melissa Hendrian, former Crime and Justice Institute staff, all provided valuable contributions to the early phases of this project.

This work was made possible by the support of the Office of Community Oriented Policing Services at the U.S. Department of Justice. We are thankful for the support and participation of Director Ronald L. Davis, acting Chief of Staff Katherine McQuay, former Chief of Policing Practices and Accountability Initiative Noble Wray, and Senior Program Specialist Nazmia Comrie.

About the Crime and Justice Institute

The Crime and Justice Institute (CJI) at Community Resources for Justice (CRJ) works with local, state and national criminal justice organizations to improve public safety and the delivery of justice throughout the country. With a reputation built over many decades for innovative thinking, unbiased issue analysis, and a client-centered approach, CJI helps organizations achieve better, more cost-effective results for the communities they serve. For more information see: http://www.crj.org/cji.

This report was authored by Megan Collins, Christine Cole, Julie Finn, and Sarah Lawrence of the Crime and Justice Institute.

This project was supported by Cooperative Agreement Number 2014-CR-WX-K005 awarded by the Office of Community Oriented Policing Services, U.S. Department of Justice. The opinions contained herein are those of the author(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific agencies, companies, products, or services should not be considered an endorsement by the author(s) or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

Table of Contents

Report Highlights 5

Introduction 7

Methodology 8

- Data Sources 9
- Limitations 9

What is the evidence that LVMPD is making progress in tactical and verbal de-escalation? 10

- Changes to Use of Force Policy 11
- Trends in Non-Deadly Levels of Force 16
- De-escalation Related Training 17
- Summary of Findings 20

How has LVMPD changed organizationally to increase transparency and improve communication with the community related to OIS? 20

- Training/Policy Adherence in the Field 22
- Summary of Findings 23

What is the evidence that LVMPD is engaging with the community in authentic ways? 23

- Interviews 24
- Embedding Community Engagement and Outreach: Office of Community Engagement 24
- Metro Multi-Cultural Advisory Council (MMAC) 25
- Use of Social Media 26
- Citizen Complaints 27
- Diversity of New Recruits 30
- Summary of Findings 31

How has the number of fatal and non-fatal OIS incidents changed? 31

- Number of Officer Involved Shootings per Year 32
- Officer Involved Shootings Relative to All Use of Force Incidents 34
- Armed Status of Subjects in Officer Involved Shootings 35
- Racial Makeup of Subjects in Officer Involved Shootings 35
- Area Commands in which Officer Involved Shootings Occurred 36
- Summary of Findings 37

What was the impact on officer safety? 37

- Number of Officer Injuries 38
- Summary of Findings 39

Conclusion 40
Committed Leadership 41
Culture Change Regarding OIS and UOF 42
Utilization of Feedback Loops for OIS and UOF 42
Closing 44
Appendix I: List of Source Reports 45
Appendix II: Inventory of Fatal OIS Documents Available on LVMPD Website 47
Appendix III: Inventory of Non-Fatal OIS Documents Available on LVMPD Website 49

Table of Figures

Figure 1: Use of Force Wheel (LVMPD Use of Force Policy, 2007) 13
Figure 2: Use of Force Continuum (LVMPD Use of Force Policy, 2015) 14
Figure 3: Frequency of Non-Deadly Use of Force Tactics (2010–2014) 17
Figure 4: Total Hours of Officer Training Related to De-Escalation (2010-2015) 18
Figure 5: Information Available on LVMPD Website on Officer Involved Shootings (2010-2015) 21
Figure 6: Number of Complaints (2010-2015) 28
Figure 7: Total Number of Complaints (2010-2015) 28
Figure 8: Number of Allegations (2010–2015) 28
Figure 9: Total Number of Allegations (2010-2015) 29
Figure 10: Top Four Statements of Complaint Allegations by Year (2010-2015) 30
Figure 11: Racial and Ethnic Makeup of New Hires (2010-2015) 31
Figure 12: Total OIS Incidents per Year (1999-2015) 32
Figure 13: OIS Incidents per 100,000 Population (2010-2015) 33
Figure 14: OIS Incidents per 1,000 Sworn (2010-2015) 33
Figure 15: Total UOF Incidents, and Percent that were OIS (2010-2015) 34
Figure 16: Armed Status of Subjects in OIS Incidents (2011-2015) 35
Figure 17: Racial/Ethnic Makeup of OIS Subjects, by Year (2009-2015) 36
Figure 18: OIS Incidents Service by Area Command (2011-2015) 37
Figure 19: Officer Injuries during Non-Deadly Use of Force Incidents (2010-2015) 39
Figure 20: Officer Injuries and Fatalities during Deadly Use of Force Incidents (2010-2015) 39

Report Highlights

The Office of Community Oriented Policing Services (COPS Office) at the U.S. Department of Justice launched the Collaborative Reform Initiative for Technical Assistance for Technical Assistance (CRI-TA) in 2012 with the Las Vegas Metropolitan Police Department (LVMPD) as the first site. Under CRI-TA, law enforcement agencies facing significant issues that may impact public trust undergo a comprehensive assessment, are provided with recommendations on how to address those issues, and receive technical assistance to implement such recommendations. Over two years have passed since LVMPD's final CRI-TA report was published in May of 2014 and formal oversight was complete. The COPS Office granted the Crime and Justice Institute (CJI) at Community Resources for Justice an award to assess the extent to which the reforms that were borne of CRI-TA have had an impact and have been sustained since the formal partnership ended. This report reflects the findings of a nine-month assessment of LVMPD which examined existing data from LVMPD and collected input from 74 individuals within the Department representing a range of ranks and perspectives.[1]

In sum, we found that the CRI-TA has been an important catalyst for meaningful and sustained change at the LVMPD. The message and priorities of Collaborative Reform have permeated the entire Department, as the over 70 members of the Department with whom we spoke were generally supportive of the reforms and the work that was done under CRI-TA. Use of force was a key component of the CRI-TA in Las Vegas and the overall sentiment was that the culture of LVMPD related to use of force has evolved positively since the beginning of the CRI-TA process. In addition, the Department has made positive progress in the level of transparency around officer involved shootings. It is also clear that LVMPD is continuing to make genuine and authentic efforts to engage, communicate, and develop personal relationships with a vast cross-section of the community. While some of the changes were underway prior to CRI-TA, CRI-TA provided additional support and motivation to build upon and strengthen such changes.

The LVMPD is focused on being a learning organization. They learn from experience and strive continuously to improve. Once the formal monitoring phase of CRI-TA was completed, the Department not only remained committed to the changes, they continued to further advance the work that was started under CRI-TA. Based on our review of materials, content, and interviews, all provided by LVMPD, it is evident that the Department has been committed to proactively and continuously improving, while supporting officers' and community perspectives.,

We believe that CRI-TA has been a vehicle for organizational transformation, which does not happen overnight and any change in the culture of a police department takes time. Indeed, LVMPD had embarked on a path of reform in 2010 and the Department's participation in Collaborative Reform starting in 2012 further advanced and strengthened their efforts.

Specific key findings are:

1. The Department has made notable and sustained efforts to make progress toward verbal and tactical de-escalation.

[1] For more detail on the approach used and the limitations of this approach see the Methodology section.

2. The Department has made impressive progress toward increased transparency and increased information sharing around officer involved shootings (OIS) and use of force (UOF).
3. The Department has continued to make efforts to engage with the community in authentic ways.
4. The number of OIS has declined notably since the start of CRI-TA (a 36 percent reduction from 25 OIS in 2010 to 16 in 2015). However, study of OIS data over the past two decades demonstrates little long term change in the annual average number of OIS, despite year-to-year variation.
5. There has been no discernable impact on the number of officer injuries. However, the share of injured officers seeking hospital treatment has increased in recent years. The reasons for this increase are unclear as it could be the result of more serious injuries or changes in how injuries and hospital treatment are documented.
6. Strong leadership on the part of the Sheriff, both Sheriff Lombardo and Sheriff Gillespie, has been a critical factor in making many of the positive changes possible.
7. Because Department leadership has worked to ensure that individuals at all levels of LVMPD feel commitment and a sense of ownership, there are high hopes for sustainability.
8. Because the Department has instituted sophisticated systems of review related to OIS that can trigger changes in policy, training, and operations, there are high hopes for sustainability.

Introduction

The Office of Community Oriented Policing Services (COPS Office) at the U.S. Department of Justice launched a new and in many ways, innovative initiative in 2012: the Collaborative Reform Initiative for Technical Assistance (CRI-TA). According to the COPS Office website, the CRI-TA is "a long-term, holistic strategy to improve trust between police agencies and the communities they serve by providing a means to organizational transformation."[2] Law enforcement agencies facing significant issues that may impact public trust undergo a comprehensive assessment, are provided with recommendations on how to address those issues, and receive technical assistance to implement such recommendations. While participation in CRI-TA is voluntary (as distinct from changes necessitated by court order), agencies that are selected to participate in CRI-TA are expected to make meaningful commitment to change and embrace reform.[3] As of the writing of this report, 15 law enforcement agencies have been launched as CRI-TA sites. While most are at varying stages of implementation, only one jurisdiction has formally completed the process: the Las Vegas Metropolitan Police Department (LVMPD).[4]

LVMPD explored the potential to engage with the COPS Office, in part, in response to a November 2011 five-part series in the *Las Vegas Review-Journal*, entitled: "Deadly Force: When Las Vegas Police Shoot, and Kill." After several conversations and meetings the COPS Office and LVMPD under the leadership of then Sheriff Gillespie mutually agreed to engage in Collaborative Reform in January 2012. LVMPD's goals for CRI-TA were to:

1. Reduce the number of officer involved shootings;
2. Reduce the number of persons killed;
3. Change the culture of LVMPD as it relates to deadly force; and
4. Enhance officer safety.

LVMPD worked closely with the COPS Office–funded technical assistance provider, CNA, for the duration of the initiative. An initial report was published in October 2012, an interim report was published in September 2013, and a final report was published in May 2014.[5]

Over two years have passed since LVMPD's final CRI-TA report was published and formal oversight was complete. The COPS Office is interested in understanding the extent to which the reforms that were borne of CRI-TA have had an impact and have been sustained since the formal partnership of Collaborative Reform ended. The COPS Office has granted the Crime and Justice Institute at Community Resources for Justice an award to study selected potential impacts of CRI-TA and assess sustainability of

---

[2] http://www.cops.usdoj.gov/technicalassistance.

[3] For more on the Collaborative Reform Initiative for Technical Assistance see: http://www.cops.usdoj.gov/pdf/technical_assistance.pdf.

[4] The CRI-TA sites include Las Vegas Metropolitan Police Department, Spokane Police Department, Philadelphia Police Department, St. Louis County Police Department, Fayetteville Police Department, Salinas Police Department, Calexico Police Department, San Francisco Police Department, Milwaukee Police Department, North Charleston Police Department, Chester Police Department, Commerce City Police Department, Memphis Police Department, and Fort Pierce Police Department. Baltimore was launched as a CRI-TA site but is now engaged with the Civil Rights Division in a Pattern and Practice review.

[5] For full copies of all three reports go to: http://www.cops.usdoj.gov/collaborativereform.

the efforts launched in 2013 and 2014.[6] While in some instances, the data used here are drawn from the previously published reports, the tasks and activities associated with this assessment were done independently of the previous work by CNA.

This report is organized around five assessment questions. They are:

1. What is the evidence that LVMPD is making progress in tactical and verbal de-escalation?
2. How has LVMPD changed organizationally to increase transparency and improve communication with the community related to OIS?
3. What is the evidence that LVMPD is engaging with the community in authentic ways?
4. How has the number of fatal and non-fatal OIS incidents changed?
5. What was the impact on officer safety?

The Conclusion of this report identifies themes that emerged when looking across questions and highlights key findings. It is our intent that the experiences of LVMPD that are presented below can provide useful learning to other CRI-TA sites and other law enforcement agencies that are engaged in reform work.

Methodology

The above-listed assessment questions guided the overall work. The questions were developed in collaboration with the COPS Office and reviewed and approved by the leadership at LVMPD. A mixed-methods approach using both quantitative and qualitative data was used. For each of these assessment questions the project team identified several performance indicators and, where feasible, compiled existing data. All of the quantitative data used were secondary data, mostly collected and compiled by various divisions within LVMPD and no primary data were collected for this project. The qualitative components included several phone interviews with LVMPD personnel and a site visit, which are further detailed below.

It is worth noting that this study does not represent a formal outcome evaluation. As will be detailed below in the Limitations section, there are several reasons why a rigorous outcome evaluation was not feasible. Rather, the intent here was to compile information and analyze existing data that could help shed light on the extent to which efforts borne of CRI-TA have been sustained and may have had an impact. This report does not present a detailed account of the reforms and changes that have taken place under Collaborative Reform. Please see the *Final Assessment Report of the Las Vegas Metropolitan Police Department* for specifics on implementation.[7]

[6] The Crime and Justice Institute has completed a related but distinct assessment of the Collaborative Reform Initiative for Technical Assistance that examines the process and implementation of CRI-TA at seven sites. For a copy of that report, go to http://ric-zai-inc.com/ric.php?page=detail&id=COPS-W0835.

[7] http://ric-zai-inc.com/Publications/cops-p287-pub.pdf

Data Sources

- **LVMPD website.** Many data elements were obtained online from LVMPD statistical reports including Non-Deadly Use of Force Reports, Deadly Use of Force Reports, LVMPD Annual Reports, and Office of Internal Oversight Reviews (see Appendix I for links to the source reports).
- **Data requests.** CJI submitted formal data requests to LVMPD through the Sheriff's Office. The various requests were then forwarded to different divisions within LVMPD. Data and information was provided to CJI by the Office of Internal Oversight and Constitutional Policing, the Academy, Internal Affairs Bureau, Human Resources, and the Office of Community Engagement.
- **CRI-TA reports.** Three reports were published by the COPS Office and the technical assistance provider, CNA, as part of CRI-TA: an initial report, a six-month progress report, and a final report.
- **Media coverage.** Various media related to officer involved shootings, use of force, and community engagement.
- **Site visit.** CJI staff conducted a site visit to LVMPD between June 20 and 23, 2016. Over the course of three days, staff met with 74 individuals from the Department to discuss the impacts of CRI-TA. The interviewees represented a cross-section of LVMPD including varying ranks, divisions, and opinions. The meetings included one-on-one interviews, small group interviews, and larger group discussions with up to 16 people participating. Interviewees included:
    - Nearly 20 members of the Executive Staff including Sheriff Lombardo,
    - Seven captains of Area Commands,
    - Seven members of the Office of Internal Oversight,
    - Two members of the Office of Community Engagement,
    - Eight instructors from the Training Academy,
    - Sixteen members of the Multi-cultural Advisory Committee (MMAC),
    - Seven sergeants involved in the Critical Incident Review Process (CIRP),
    - Eight officers involved in the CIRP process, and
    - Seven leaders from two officer and one civilian associations.
- **Phone interviews and phone communication.** CJI staff was in frequent phone communication with many representatives of LVMPD for the purpose of gathering additional information, learning about their data collection systems, and obtaining clarification on data received.

Limitations

As noted above, this project cannot be considered a formal outcome evaluation. This assessment was completed in a nine-month timeframe, putting constraints on what could be accomplished during the project period. While CJI is confident in the findings presented in this report, highlighting certain limitations of the process and activities is warranted. Notable limitations include:

- The lack of baseline data related to several of the assessment questions limits our ability to measure change over time;
- The short follow up period of just a few years since CRI-TA oversight formally ended and the relative rarity of OIS incidents each year made it difficult to identify statistical trends over time with any confidence;

- The time and resources available for this assessment did not allow for wide-scale community input;
- The time and resources available for this assessment did not allow for any primary data collection and all data were provided by LVMPD; and
- Because LVMPD has launched reforms, started new programs, and made notable changes to how the Department is organized (i.e., decentralization) that are not related to CRI-TA it is difficult to establish causality and attribute any observed impacts directly to participation in Collaborative Reform.

What is the evidence that LVMPD is making progress in tactical and verbal de-escalation?

In an effort to sustain the goals set out in CRI-TA, LVMPD has adopted de-escalation as a strategy to reduce reliance on the use of deadly force. Changes have been made to LVMPD's Use of Force Policy, training curriculum, and post-incident review processes to include de-escalation as a core component. While some of the changes were underway prior to CRI-TA, CRI-TA provided additional support and motivation to build upon and strengthen such changes. The Use of Force Policy has been revised to include elements such as a statement on an officer's duty to intervene, and definitions of different levels of subject resistance. Additionally, current trainings emphasize slowing incident momentum, not closing the distance with suspects, and waiting for more officers to arrive to incident scenes. Post-incident review mechanisms, such as the Critical Incident Review Team (CIRT), which was established prior to CRI-TA in 2010, and the Force Investigation Team (FIT), which was established as part of CRI-TA, assess training gaps and other areas for improvement. Both are described later in this section. Thus, LVMPD has embraced de-escalation through the revision of policy, training, and review processes. The following section explores these changes further, and the extent to which they are represented in opinions and behavior within the Department.

Conversations and interviews with LVMPD across ranks revealed that personnel hold different perceptions regarding whether the changes related to de-escalation resulted in a departmental "culture change". Some expressed that they believed that de-escalation has been successfully integrated into the Department's culture and training with more purpose, attention, and accountability than in the past. Through the use of Reality-Based Training (RBT) and other forms of instruction, officers are being encouraged to slow down, think, and try to de-escalate situations, rather than just react.[8] While officers generally agree that these sentiments about de-escalation are pervasive, not all agree that they are good. Some fear that the administration has become too "nit-picky" about this and others worry that a slowing down could impact their own safety.

[8] The Reality-Based Training (RBT) program, as described in the LVMPD CRI-TA six month report prepared by CNA, "trains officers individually, as well as in squads, and focuses on decision-making and coordination. LVMPD designed the program to address emerging issues, as identified through LVMPD's reviews of their deadly force incidents, as well as incidents from other agencies."

Some LVMPD personnel debated whether the use of the phrase "culture change" is appropriate to describe the shifts that they observed in the Department, but did agree that there was an observable change in some officer behavior. For example, interviewees noted that officers have begun referring to de-escalation to describe events in written reports; and that officers have been directed to explain how they used de-escalation in their contacts, so that it becomes instilled in their thought process. Additionally, some interviewed pointed out that it is unlikely that new recruits will display any type of "culture change" as they are being taught about de-escalation in the Academy, and therefore have buy-in from the beginning of their career with LVMPD.

Others interviewed by our team believed that the Department was engaging in de-escalation prior to Collaborative Reform. Rather than observing large-scale substantive changes, these individuals felt that behaviors and trainings that were already standard practice were being repackaged as elements of de-escalation. For example, while the focus on de-escalation is much more explicit today, elements of de-escalation such as slowing down momentum, getting more support on site when possible, and communicating with others during critical incidents, were components of extant trainings prior to CRI-TA, according to some of the individuals that we spoke with. That said, at present there is a much stronger focus on de-escalation in much of the training the Department offers, such as Advanced Officer Skills Training (AOST), RBT, and command and control instruction.[9] Similarly, attention to de-escalation by supervisors, trainers, and commanders seems to be more focused and stronger than in the past.

Changes to Use of Force Policy

The Use of Force Policy employed by LVMPD has been greatly modified in recent years. Initial revisions to the Policy were instituted prior to Collaborative Reform and additional revisions were instituted as part of the Collaborative Reform process.[10] Our team reviewed the Department's policies from 2007 and 2012, as well as the 2015 Policy that is currently in place. Differences between these three versions appear to reflect a departmental commitment to de-escalation. While many changes were technical and semantic, we present some of the more substantive revisions across these three versions of the Use of Force Policy:

- All three versions of the Use of Force Policy include a statement acknowledging the dignity and liberty of all persons, and minimal reliance on use of force. In 2012, the language regarding when to use force changed. In 2007 the policy read: "the total level of force must reflect the totality of circumstances surrounding the immediate situation." In 2012, this statement was revised to say: "the Department respects the value of every human life and that the application

[9] Advanced Officer Skills Training (AOST) is a mandatory annual training for all LVMPD officers rank sergeant and below. Based on the *Review of Officer-Involved Shootings in LVMPD* (2012) conducted by CNA, AOST encompasses quarterly firearms qualification, ECD recertification, class-room based use of force training, and reality based decision making scenarios with simulated ammunition. Following recommendations made through CRI-TA, this training also includes de-escalation training components.

[10] The most recent iteration of the Use of Force Policy was published in 2015 and is the version that is being enforced at the time of this writing.

of deadly force is a measure to be employed in the most extreme circumstances." This wording remained unchanged in 2015.

- The revised Use of Force Policy in 2012 included a section on reasonableness, in reference to the *Graham v. Connor* ruling.[11] This section, which remains in the 2015 version, details eight factors that may be used to determine objectively reasonable force. Further, both the 2012 and 2015 versions of the Use of Force Policy include the following expectation surrounding reasonable force: "when use of force is needed, officers will assess each incident to determine, based on policy, training, and experience, which use of force option will de-escalate the situation and bring it under control in a safe and prudent manner." The 2007 version provided a definition of "reasonable force" and made mention of the *Connor* decision, but in much less detail.

- The 2012 version included a statement on one's duty to intervene: "any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force."

- The 2012 version of the Use of Force Policy transitioned the Department from utilizing a wheel-based use of force model (Figure 1), to a continuum (Figure 2). The continuum use of force model placed an emphasis on de-escalation, including double-sided arrows along the spectrum, indicating that force could be both increased and decreased.

[11] In *Graham v. Connor*, the Court held "…that all claims that law enforcement officers have used excessive force—deadly or not—in the course of an arrest, investigatory stop, or other *seizure* of a free citizen should be analyzed under the Fourth Amendment and its objective reasonableness standard…"

Figure 1: Use of Force Wheel (LVMPD Use of Force Policy, 2007)

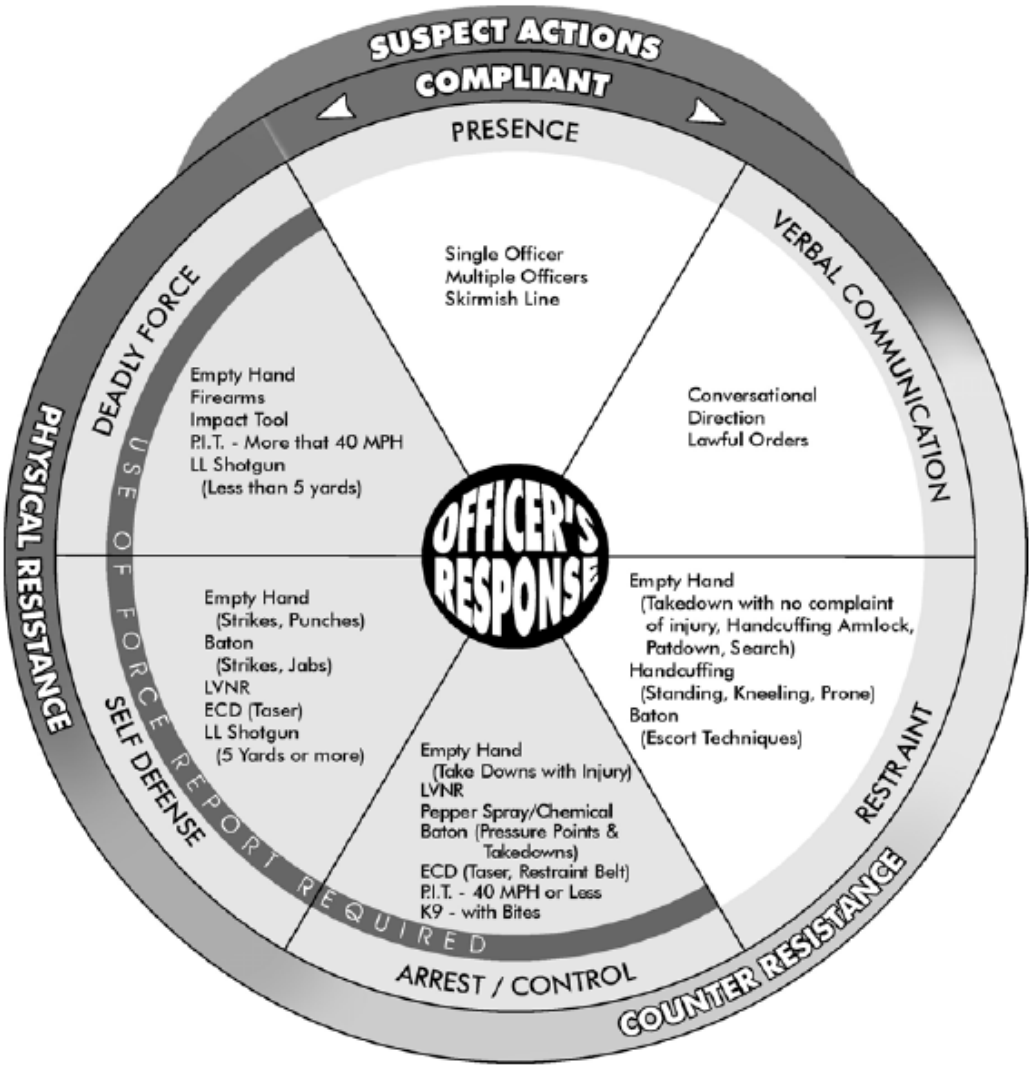
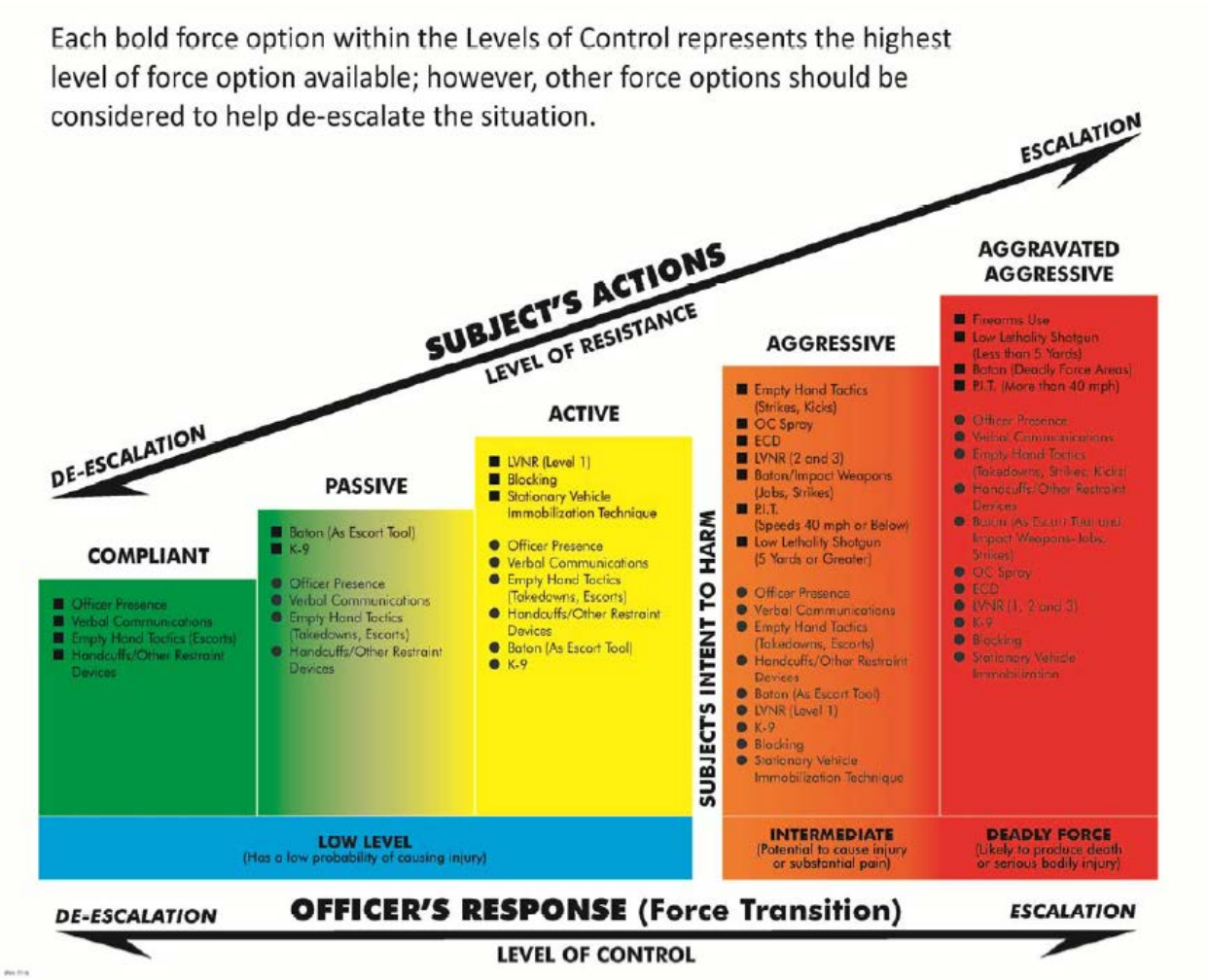


Figure 2: Use of Force Continuum (LVMPD Use of Force Policy, 2015)



- In 2012 an entire section on de-escalation was added to the Use of Force Policy, and remains in the 2015 version.

> *Policing requires that at times an officer must exercise control of a violent or resisting subject to make an arrest, or to protect the officer, other officers, or members of the community from risk of imminent harm. Clearly, not every potential violent confrontation can be de-escalated, but officers do have the ability to impact the direction and the outcome of many situations they handle, based on their decision-making and the tactics they choose to employ.*
>
> *When reasonable under the totality of circumstances, officers should gather information about the incident, assess the risks, assemble resources, attempt to slow momentum, and communicate and coordinate a response. In their interaction with the subjects, officers should use advisements,*

warnings, verbal persuasion, and other tactics and alternatives to higher levels of force. Officers should recognize that they may withdraw to a position that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of Force Options. Officers shall perform their work in a manner that avoids unduly jeopardizing their own safety or the safety of others through poor tactical decisions.

The prospect of a favorable outcome is often enhanced when supervisors become involved in the management of an overall response to potential violent encounters by coordinating resources and officers' tactical actions. Supervisors should possess a good knowledge of tactics and ensure that officers under their supervision perform to a standard. As a good practice, supervisors will acknowledge and respond to incidents in a timely manner where police use of force is probable.

- The 2015 policy included multiple additional levels of departmental oversight and review into OIS and use of force.[12] Unlike the 2012 version, the Use of Force Policy currently in place includes:
    - Critical Incident Response Team (CIRT): "a team put in place to conduct an administrative examination of uses of deadly force and other high-risk law enforcement operations, for the purpose of improving both individual and the agency's performance."
    - Force Investigation Teams (FIT): "conducts a criminal investigation to determine whether the use of deadly force was legally justified under criminal law. FIT also directs the investigation against a subject who either committed crimes which led to the use of deadly force or who has committed crimes against an officer."

- The 2015 Use of Force Policy also includes a section that distinguishes different levels of subject resistance that include compliant, passive resistance, active resistance, and aggressive resistance. The terminology is present in the use of force model in both the 2012 and 2015 policies; however, the 2012 version of the Policy does not define what each level looks like.

In total, these changes to the Use of Force Policy provide evidence that the Department has continued to make efforts to increase reliance on de-escalation. For example, the transition from a use of force wheel to a continuum, which is still present in the 2015 version illustrates how officers may incorporate de-escalation into how they approach potential critical incident situations. There is an ongoing debate about the utility and appropriateness of use of force continuums, such as the one included in LVMPD's revised policy. Some have argued that these models are too mechanical and do not allow for the individual judgments of reasonableness that are inherent in the *Graham v. Connor* decision (e.g. Bostain

[12] While CIRT and FIT were not included in the 2012 Use of Force Policy, they were established in 2012 as a part of the Collaborative Reform Initiative for Technical Assistance. This was documented as a milestone in the six month CRI-TA report.

2006), while others argue that they are necessary to define what reasonableness is, and set department standards (e.g. Fridell et al. 2011).[13,14] While this debate remains unsettled, what is most important in the present context is that the model, combined with language changes to departmental policy and procedures reflects a commitment to engaging in de-escalation during situations of subject resistance. That the 2015 version further refines how levels of subject resistance are defined also demonstrates progress on this front, as it allows for the appropriate level of force to be determined more easily.

The Department's increased reliance on de-escalation was also demonstrated between 2007 and 2012 with the addition of the section of the policy titled "De-escalation," where it is indicated that officers are expected to use "alternatives to higher levels of force," such as verbal warnings, persuasion, and other tactics. The current policy compels officers to hold one another accountable with regard to deploying appropriate levels of force. Overall, even following a large scale overhaul of LVMPD's Use of Force Policy in 2012, the continued review and revision of this policy in the time since then is a promising sign that the Department is committed to de-escalation.

Trends in Non-Deadly Levels of Force

As the Department adjusted its Use of Force Policy and training to emphasize de-escalation, one might reasonably expect to see an increase in the frequency of non-deadly force tactics starting in 2012, as officers reduce their reliance on higher levels of force. Counter to this hypothesis, LVMPD reported gradually decreasing levels of most recorded non-deadly force between 2010 and 2014 (Figure 3). For example, in this five year period the reported use of oleoresin capsicum (OC) spray declined by 59 percent, electronic control devices (ECD) by 50 percent, and handcuffs by 42 percent. Conversely, the use of canines increased 79 percent during this time period, and 105 percent between 2013 (n=21) and 2014 (n=43) alone. However, the use of canines is still relatively infrequent compared to other tactics. The rate of lateral vascular neck restraints (LVNR) was relatively consistent over the five years, with a low of 53 uses in 2010, and a high of 61 in 2011. Overall it is unclear if changes in the use of non-deadly force, such as the increase in use of canines and LVNR have impacted LVMPD's use of deadly force.

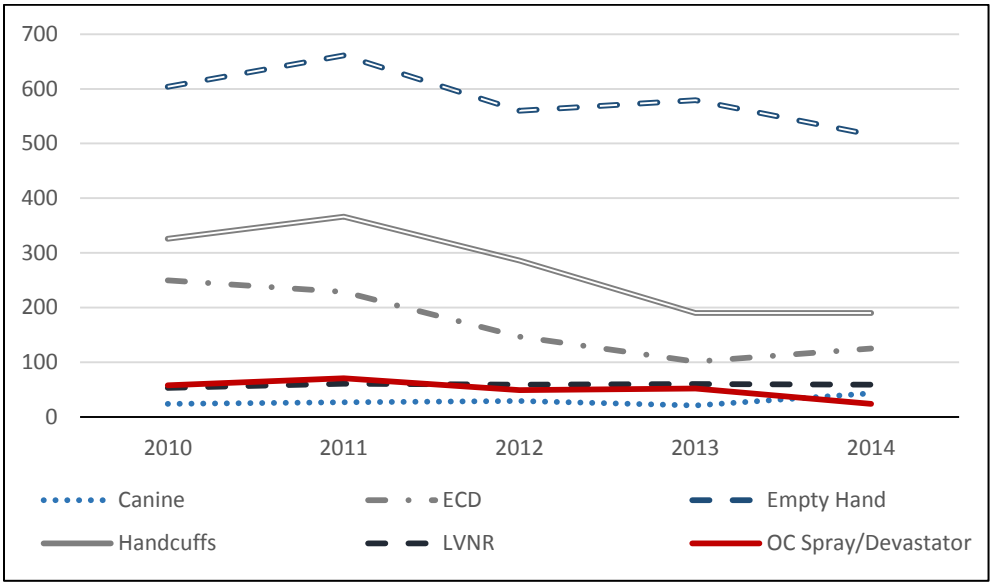
While the specific tactics and intermediate weapons mentioned above appear to be on the decline, a change in how LVMPD recorded "empty hand" force in 2014 may explain some of the decrease. Specifically, LVMPD began documenting "takedown/escort," which had previously been included in the "empty hand" counts, as a separate non-deadly use of force category in 2014; takedown/escort was reported 180 times in 2014. Therefore, the decline observed in empty hand more likely reflects a change in measurement than an actual reduction in that type of contact. Further, communication with some at LVMPD indicate that they believe officers are more likely to go "hands on" as the Department works to reduce reliance on more severe levels of force.

---

[13] Bostain, John. 2006. Use of force: Are continuums still necessary? *FLETC Journal,* 33-34.

[14] Fridell, Lorie, Steve Ijames, and Michael Berkow. December 2011. Taking the straw man to the ground: Arguments in support of the linear use-of-force continuum. *The Police Chief.*

Figure 3: Frequency of Non-Deadly Use of Force Tactics (2010–2014)[15]



Data Source: LVMPD *Non-Deadly Use of Force Analysis, 2010-2014*

De-escalation Related Training

A critical element in LVMPD's adoption of de-escalation is through Academy training and ongoing instruction. Conversations with Training Academy Instructors suggested that there is a strong emphasis on de-escalation across many of the different trainings offered. For example, components of de-escalation are included in communication (e.g. "verbal judo"), veteran in distress, body-worn camera, and Crisis Intervention Team (CIT) instruction, offered at the Academy.

New recruits going through the Academy are required to complete a number of different trainings, many of which provide instruction on dealing with special populations or critical situations. The number of new recruits varied over the time period of observation, with 31 in 2010, 26 in 2011, 37 in 2013, 106 in 2014 and 161 in 2015 (Figure 4).[16] Every new recruit between 2010 and 2015 completed Crisis Intervention Team (CIT) instruction, which was a six hour training, until 2014 when it became POST certified and was expanded to 36 hours. This training, based on a model developed by the Memphis Police Department, teaches officers skills for managing situations with mentally ill and possibly dangerous individuals. Every new recruit between 2010 and 2015 also completed Defensive Tactics instruction, which was a 60 hour training that gradually increased to 75 hours. Whereas the CIT training focuses in large part on managing high risk situations and subjects, Defensive Tactics training provides instruction on hand-to-hand combat skills and the use of other less-lethal tools. One-hundred percent of new recruits were required to complete these two trainings, and were successfully trained. As such,

[15] Non-deadly use of force data were not recorded in the same manner in the most recent LVMPD use of force report, *Use of Force Statistical Analysis: Deadly and Non-Deadly Use of Force* 2011-2015. As a result, 2015 frequencies were not included in this figure.

[16] There was no new Academy class in 2012.

there was no change in the rate of successful completion following the implementation of CRI-TA, though the total number of CIT and Defensive Tactics training hours completed by recruits did increase.

Figure 4: Total Hours of Officer Training Related to De-Escalation (2010-2015)

	2010	2011	2012	2013	2014	2015
CIT Training -- Recruits						
Recruits Trained	31	26	-	37	106	161
Training Hours	6	6	-	6	36	36
Total Hours of Training	186	156	-	222	3,816	5,796
CIT Training -- Certification						
Officers Trained	150	156	133	118	207	236
Training Hours	36	36	36	36	36	36
Total Hours of Training	5,400	5,616	4,788	4,248	7,452	8,496
CIT Training -- Recertification						
Officers Trained	-	-	163	178	429	253
Training Hours	-	-	4	7	7	7
Total Hours of Training	-	-	652	1,246	3,003	1,771
Defensive Tactics Training -- Recruits						
Recruits Trained	31	26	-	37	106	161
Training Hours	60	63.5	-	75	73.5	75
Total Hours of Training	1,860	1,651	-	2,775	7,791	12,075
Defensive Tactics Training						
Officers Trained	1,664	1,836	1,909	1,956	2,061	2,178
Training Hours	8	8	8	8	8	8
Total Hours of Training	13,312	14,688	15,272	15,648	16,488	17,424
Advanced Officer Skills Training						
Officers Trained	1,932	2,005	2,092	2,075	2,006	2,013
Training Hours	9	9	9	9	9	9
Total Hours of Training	17,388	18,045	18,828	18,675	18,054	18,117
Reality-Based Training						
Officers Trained	-	318	749	716	1,579	1,911
Training Hours	-	4	4	4	4	4
Total Hours of Training	-	1,272	2,996	2,864	6,316	7,644

Data Source: LVMPD Training Academy Data Request

Beyond Academy training, LVMPD reports that the Department exceeds the requirements of Nevada Peace Officers Standards and Training (NVPOST)[17] with regard to the amount of training required of

[17] NVPOST is the state government office that certifies, develops and delivers training to Nevada peace officers and their agencies that comply with the Nevada statutes and regulations. See www.post.nv.gov for more information.

their officers annually. As this relates to de-escalation, officers must demonstrate a minimum level of proficiency in at least one of the following instruments, if they are carrying them: Expandable straight baton (ESB), OC spray, electronic control devices (ECD), and/or low lethality shot gun. Additionally, personnel must annually review arrest and control tactics such as applying handcuffs, taking down suspects, self-defense, retention of weapons, and LVNR (if certified and using skill). Finally, personnel must review the Use of Force Policy annually.

In 2012, a CIT recertification class was implemented. This recertification course was initially four hours, but increased to seven hours from 2013 onward. In 2012, 163 officers were recertified, followed by 178 in 2013, and 429 in 2014. The abrupt increase in the number of officers trained in CIT between 2013 and 2014, reflects a change to the Department's training policy and exceeded the projection in the CRI-TA Final Report (Stewart et al. 2012) that up to 400 officers would be trained each year under the CIT Recertification Program.[18,19] AOST involves nine hours of training and is required annually. Approximately 2,000 officers completed the training each year between 2010 and 2015 (ranging from 1,932 in 2010 to 2,092 in 2012). The training completion rate, for those officers for whom AOST is required, has gradually increased from 76 percent in 2010 to as high as 90 percent in 2014.

RBT was first taught in LVMPD in 2011 with four hours of training. From 2011 to 2013, RBT was mandatory for Area Command first line sergeants and below, annually. This training includes a combination of in-classroom Knowledge Based Training, Advanced Defensive Tactics, and scenario-driven Reality-Based Training (Stewart et al. 2012). By 2014 this training became mandatory for all sergeants and below annually, and by 2015 RBT became mandatory for all lieutenants and below annually.[20] The completion rates have fluctuated year-to-year, with 40 percent of those required completing the training in 2011, 93 percent in 2012, 92 percent in 2013, 71 percent in 2014, and 86 percent in 2015. Conversations with LVMPD personnel suggest that the completion rates may be of limited reliability due to: the training schedule being set on an 18 month rotation (despite completion being reported annually), changes in requirements regarding who has to complete RBT, and promotions, light duty status, and military deployment throughout the calendar year. The latter issue may cause the completion rate reported to be off by as much as eight to 11 percent.

During the period from 2010 through 2015, Defensive Tactics Training was eight hours, and mandatory annually for lieutenants and below. In 2010, 1,664 officers completed this training, in 2011, 1,836 officers, 1,909 officers in 2012, 1,956 in 2013, 2,061 in 2014 and 2,178 in 2015. The completion rate for officers who were required to complete Defensive Tactics Training has increased from 67 percent in 2010 to 95 percent in 2015.

---

[18] http://www.cops.usdoj.gov/pdf/e10129513-Collaborative-Reform-Process_FINAL.pdf

[19] Per LVMPD Training Academy personnel: "CIT is not mandatory for all Commissioned members. It only became mandatory in 2014 for the Academy to train all recruits. It is required for all newly promoted Sergeants and Field Training Officers, within one year of promotion/activation to become CIT certified. Due to the fluctuating numbers of promotions and FTO activations, it is very difficult to provide a solid percentage of those trained verses those required to be trained. We currently have 1,075 certified CIT officers in patrol. This includes all Area Commands, Airport, and our Traffic Bureau."

[20] Some specialized units, such as undercover, are exempt from these RBT requirements.

Summary of Findings

In sum, there is evidence to suggest that LVMPD has continued to make progress in tactical and verbal de-escalation. Since the initial revision in 2012, the Department's Use of Force Policy has continued to evolve to further embrace elements of de-escalation and proportionate use of force. Furthermore, training protocols and completion rates suggest that instruction related to managing critical situations and using lower levels of force has been implemented and sustained.

How has LVMPD changed organizationally to increase transparency and improve communication with the community related to OIS?

Prior to Collaborative Reform, the 2007 LVMPD News Media and Public Information Policy did not contain explicit guidance on how the Department's Office of Public Information should address deadly force incidents. The current version of this policy, which went into effect in March of 2013, contains a section titled "Response to Deadly Force Incidents," with ten instructions for the Public Information Officer (PIO)'s on-scene response. The on-scene response to deadly force incidents directives are as follows:

1. The PIO will notify the media via e-mail or media advisory when a use of deadly force incident occurs;
2. The PIO/PIO sergeant will coordinate and manage on-scene media for briefing;
3. The PIO will establish a media staging area;
4. The PIO/PIO sergeant will attend the incident briefing;
5. It is the duty of the Internal Oversight and Constitutional Policing (IOCP) Bureau Commander to gather all relevant information and coordinate with the PIO/PIO Sergeant to develop a final media response;
6. The IOCP Bureau Commander, or in his absence, the PIO sergeant, will be responsible for providing the initial statement to the media at the scene;
7. The IOCP Bureau Commander, or in his absence, the PIO sergeant, will also provide follow up information and or interviews to the media;
8. The PIO will video record a statement from the IOCP Bureau Commander/PIO sergeant and post it on the LVMPD YouTube site, as soon as feasible, following the incident;
9. The PIO will coordinate with ANSEC (Analytical Section) to have the video uploaded to Patrol Briefing as soon as practical;
10. The PIO will notify the media that a videotaped statement is available on-line.

Based on an inventory of files available on the Department website, it appears that elements related to sharing information and transparency in this policy are being followed (Figure 5).[21] (See Appendices II and III for an inventory of OIS files available on the LVMPD website.) This inventory depicts a transition toward publishing more information online following events, to include officer identification information, press releases, and videos of incident briefings on scene and to the media. Per the policy, these videos are shared on a publicly accessible YouTube page. It appears from the data in Figure 5 that more information about each incident is being shared than has been in the past, with gradually more reports being shared per incident with each successive year.

Figure 5: Information Available on LVMPD Website on Officer Involved Shootings (2010-2015)

	2010	2011	2012		2013		2014		2015	
OIS Incident Outcome	Fatal[22]	Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal
District Attorney Decision	3	11	3	-	3	-	7	1	1	-
Force Investigative Team Report	3	11	3	4	3	7	7	5	2	3
Office of Internal Oversight Review	3	11	3	4	3	7	7	6	1	2
Officers Identified	-	-	-	-	-	-	2	1	11	5
Initial Press Release	-	-	-	-	-	-	2	1	11	4
Final Press Release	-	-	-	-	-	-	2	1	11	5
Video: On Scene Briefing	-	-	-	-	-	-	4	2	11	4
Video: Media Briefing	-	-	-	-	-	-	3	2	11	5

Data Source: LVMPD Website, accessed on September 7, 2016

The Department also appears to be sharing much of the OIS information in a timely manner. To date, the average time between an OIS incident, fatal and non-fatal, and the on-scene briefing video being posted on YouTube is less than one day.[23] The average time between the OIS and subsequent media briefing being posted is 5.75 days for fatal events (n=16, June 2014 – April 2016), and 4.4 days for non-fatal events (n=10, December 2014 – May 2016). Additionally, written press releases that are posted to the Department website are dated within one day of the event, for both fatal and non-fatal OIS incidents. That said, it is not possible to tell from the date on the release when the document was uploaded to the website, but it is likely that at the very least, the statement was released to the press close to the time it was dated. Similarly, the statements issued that identify officers involved in the fatal

[21] This is not to suggest that other elements of the policy are not being followed. At this point in time it would be difficult to reliably determine if elements such as "PIO will establish a media staging area" or "PIO/PIO sergeant will attend the incident briefing" are adhered to at the time of each incident.

[22] Non-fatal reports were not published until 2012.

[23] This finding is based on a comparison of the OIS event date and the date that the video was uploaded to YouTube.

and non-fatal incidents were consistently issued within three days of the OIS. Lastly, the final press releases were each issued within eight days of the OIS incident, with one exception, when the final press release was issued 24 days after the incident.

FIT reports, which are also posted to the website, are typically issued within three to four months of the OIS incident. The median length of time between a fatal OIS incident and the FIT report was 86 days, and the median length of time between a non-fatal incident and FIT report was 108 days.[24]

Training/Policy Adherence in the Field

The Office of Internal Oversight and Constitutional Policing (IOCP) posts reports online following officer involved shooting incidents, which include Force Investigation Team (FIT) Reports and Office of Internal Oversight (OIO) Reviews. These documents provide detailed descriptions of the events preceding and during fatal and non-fatal officer involved shootings, in addition to the outcomes of the Use of Force Review Board (UOFRB) review, and a review of Department standard tactics and training. Thus, although the Department does not share statistics regarding adherence to policy, we may infer general trends from these documents published on the IOCP webpage. However, it must be noted that the cases available on the webpage are not comprehensive, as the publication of these reports online began in 2012. As such, there is no baseline and we are unable to make any comments regarding trends over time. Additionally, the same depth of information is typically not available for non-fatal incidents relative to fatal incidents. For example, the District Attorney does not review and publish reports on non-fatal incidents.

Use of Force Review Board reports from November 2010 through July 2015 were available for 29 fatal incidents and 22 non-fatal incidents. According to these reports, nearly all of the incidents (27 fatal or 93 percent, 18 non-fatal or 82 percent) were considered "within policy;" one fatal incident and two non-fatal incidents were outside policy; one fatal incident was deemed justified with training recommendations; and two non-fatal incidents showed flaws in decision making. The internal review of standardized tactics and training findings, which were available for 25 fatal incidents and 15 non-fatal incidents, were generally consistent with the UOFRB findings: most of the incidents (18 fatal, 12 non-fatal) were considered "within policy;" four fatal incidents and one non-fatal incident had some exceptions; two fatal incidents had training issues; and one fatal incident and two non-fatal incidents were "outside policy".[25]

In nearly one-third of fatal incidents with OIO Reports published to the LVMPD website (29.6 percent, n=8), additional training was requested for personnel involved. This included training on: communication among call takers, police dispatch, and officers; proper use and deployment of certain weapons (e.g. shotgun, ECD); foot pursuit policy; and incident/barricaded subject plans. These trainings were not all targeted at line officers; some were required of supervisory staff and communications personnel. Training required of LVMPD personnel that stemmed from involvement in non-fatal

[24] The median was used here rather than the average, as it appears some reports may have either been misdated, or submitted before complete. Using the median reduces the amount of influence these outliers or potentially erroneous numbers have on the estimate.

[25] There are fewer Department standardized training and tactics reviews than UOFRB reviews, as they were not explicitly mentioned in every OIO Incident Report, particularly in non-fatal incidents, which were often quite brief.

incidents was not documented as consistently in these reports. However, there were some instances in which officers were instructed to receive additional training dealing with: high risk vehicle stops, stop sticks (i.e., tire deflation devices), ambush situations, and high risk entries.

In addition to individual training, department-wide policy and/or training recommendations were highlighted in 37 percent (n=10) of the OIO Reports for fatal incidents. These recommendations included the addition of: new scenarios to AOST and RBT to reflect incidents encountered in the field; further restricting the vehicular precision intervention technique (PIT) and updating the policy on stationary vehicle immobilization technique (i.e., vehicle pinching); changing SWAT communication protocols; and updating shotgun and ECD deployment policies. Some recommendations for departmental changes were also generated by non-fatal incidents, including: updating training on conducting complete and thorough searches; updating protocol regarding citizen observers/ride-alongs; reviewing of hospital radio transmissions; and integrating situations from the field into future training scenarios

Summary of Findings

Over time the proportion of incidents with at least one document on the Department website has increased, such that 100 percent of fatal and non-fatal incidents from 2013 and 2014 have corresponding reports available on the LVMPD website. As such, the public can read incident descriptions and Use of Force Review Board findings and recommendations for each of these critical incidents. This suggests that the Department is providing a level of transparency that not only improves upon previous levels, but also reduces the effort required to access this type of information.

What is the evidence that LVMPD is engaging with the community in authentic ways?

First, what is *authentic?* In some ways it is easier to describe for the purposes of this assessment, what authentic is *not.* Recognizing that successful community policing and community engagement is built on partnerships of trust, authentic is not simply possessing a list of community members by name and phone number. It is not merely a list of service providers with addresses and service descriptions. Authentic relationship for the purposes of this assessment is a proxy to describe a depth of relationship. Relationships take work, there is often disagreement on points large and small, and there is respectful dialogue to better understand the opinion of the other. Individual actors in authentic relationships have serious conversations, they know how to contact each other, may share personal information, glories and challenges. Authentic is sincere, real and actual, not false or imitation according to Merriam-Webster dictionary and we expect an authentic relationship between the police and the community to have those characteristics and to be bi-directional. When the police are in trouble, do they have partners that will be advocates or who will feel safe challenging them? It is in this vein, this spirit that we looked at the relationships of the LVMPD.

To assess whether there is evidence that LVMPD engages with the community in authentic ways, individual and group interviews were conducted, both in person and by phone, media and social media was scanned, and citizen complaint data were analyzed. While this effort was largely qualitative, there are clear indications of a continued focus on engaging with the community and building relationships

since the end of CRI-TA. From the many interviews, the team learned about myriad efforts that are both independent of and connected to the Office of Community Engagement that LVMPD utilizes to work with a full range of community based stakeholders. It is worth noting that for this assessment, the aim was to identify outreach efforts on the part of LVMPD, and it was not to draw any conclusions on effectiveness and how the community perceives such outreach.

Interviews

As mentioned in the Methodology section, we spoke to numerous individuals representing all ranks of sworn personnel, including: administrators, civilian personnel, association leaders, community focused officers, and representatives of policy, training, and UOF investigative units. We also attended a Metro Multi-Cultural Advisory Council (MMAC) meeting and following the meeting engaged in candid conversation, without LVMPD members present, with those MMAC members in attendance. Each of these groups was asked about LVMPD's efforts to engage parts of the community into the business of the Department. Based on the individuals with whom we spoke, there was a general consensus that LVMPD has made community engagement a priority and that it is embraced throughout the Department. While interviewing captains of Area Commands, it was noted that there has been a clear shift in the departmental philosophy and that the expectations of a captain are different than just a few years prior. Diplomacy and outreach are both expected of captains, as well as being proactive in engaging political, business, and religious leaders to develop personal relationships. One interviewee explained that Area Commands are now "mini state departments" and that "captains are now ambassadors." Interviewees also noted that engagement efforts are now initiated by the officers rather than exclusively by captains who previously were directing the officers to conduct community outreach activities. Every officer seems to be expected to participate in a range of events, activities and experiences that include non-enforcement related interaction with the public.

It is obvious there is a commitment to community policing and partnerships. Conversation with the Academy staff revealed that the training hours for community policing training since the conclusion of CRI-TA has increased substantially to 40 hours, along with new programs in cultural competency and 40 hours of Crisis Intervention Training. The community policing training now includes the six pillars of the *Final Report of the President's Task Force on 21st Century Policing*. The facilitator of MMAC teaches Cultural Awareness/Community Communications in the LVMPD Academy.

While our interviews yielded a general consensus that community engagement is a Department priority, some concerns were expressed related to the level of work needed to maintain close community engagement and that it can sometimes present challenges when balancing responsibilities.

Embedding Community Engagement and Outreach: Office of Community Engagement

The Office of Community Engagement (OCE) was created in 2015 to focus on awareness, education, outreach, and engagement – its core principles. There is an extensive amount of programming and outreach that falls under OCE's umbrella. OCE organizes and attends many events with all segments of the community and has been instrumental in linking under-represented groups to the Department. There are different programs and initiatives that work to reach religious communities, LGBTQ communities, refugees, immigrant populations, and Hispanic and African American communities. OCE reaches out to individuals who may live in areas prone to violence or individuals who may be perpetrators or victims of violence. OCE works to build and strengthen relationships where community

members get to know the individual, not just the officer. According to OCE representatives, these connections have helped officers prevent violence, as well as enabled them to call on the community for help in responding to criminal activity.

There are many programs, activities, strategies and efforts at both the level of the Area Command and centrally coordinated by the Office of Community Engagement. A much abbreviated list follows as a sampling of the programs at LVMPD.

- First Tuesday – conversations convened in a variety of locations to access those who are unlikely to attend a community meeting such as employees in casino lunchrooms;
- Social Media Engagement via Facebook – a virtual photo album of community engagement and visual evidence of the connection officers have with the community;
- Adopt A Cop – engagement designed to connect and acquaint officers and community members first as people and then the officer in uniform is revealed;
- RECAP, Reclaiming Every Community Around Peace – a partnership with faith based leaders who work to prevent and suppress activity in the aftermath of violent crime through positive engagement with potential victims, offenders, and family members;
- HOPE For Prisoners, a reentry program to help returning individuals be successful in their reintegration into the Las Vegas community; and
- Lunches, trainings, and awareness sessions with taxi drivers, Lyft and Uber drivers, religious leaders, and recent immigrants to explain policing in the US, to develop positive relationships before negative stereotypes or encounters occur.

These efforts give no appearance of being superficial. During interviews with OCE, staff were honest that truly engaging and understanding different religious, ethnic, and racial groups, and sexual orientations can be challenging, but this admission only underscores the fact that the Department is genuine in its efforts. As one person noted, "most of the time, we live in our own paradigm, and it's uncomfortable to go places where we don't understand people and may not agree with them. It's weird or scary." OCE uses opportunities elsewhere to identify areas of need and for new partnerships and relationships. As an example, after the shooting in Orlando earlier in 2016, OCE visited a number of LGBTQ clubs to ensure that managers and owners knew that LVMPD should be called and will respond to any issue. The initiative cultivated additional trust and confidence in the Department. This example, combined with those recorded in a lengthy news article in the *Washington Post* are examples of the extra effort required and made by the OCE to reach and connect with as many of the LVMPD stakeholders as possible.[26]

Metro Multi-Cultural Advisory Council (MMAC)

The Metro Multi-Cultural Advisory Council (MMAC) is another unique component of LVMPD's commitment to community engagement. This Council formed in 2003 and has continued to be a vital body for police-community communication and relationship-building. The Council includes 30 members from diverse backgrounds, including Hispanic, African-American, Asian-American, Arab-American, the Gay/Lesbian community, and American Civil Liberties Union (ACLU) representation. MMAC meets

[26] Glionna, John, "Police in Las Vegas forge close ties to the city's Muslim community," *The Washington Post*. May 22, 2016.

monthly with LVMPD representatives consistently attending, almost always including the Sheriff.[27] Based on a review of meeting agendas over the last several years, the meeting content is wide-ranging with the Sheriff and facilitator developing the agendas. It appears that the Council acts as a platform for soliciting feedback from the community and providing them an opportunity to inform the LVMPD. When asked to what extent the Department makes changes based on input received at MMAC meetings, one member responded that:

> *We work with law enforcement on training, community engagement, and hate crimes. No other department is doing what LVMPD does with MMAC. They work with us and get back to us. We've definitely seen positive changes in the past three years. There have been more positive changes with Sheriff Lombardo….The focus is more on training, especially to decrease OIS.*

Additionally, subcommittees have been formed within MMAC to review and recommend revisions to policies and practices. Participants were largely positive about their role in advising the command staff on policy. Recommendations solicited from members have been implemented and policies have been rewritten including the gang notification policy, social media policy, and violence responder policy.

When MMAC was first formed, it was a collective effort of people who wanted to be involved and the existence of the Council was spread mainly by word-of-mouth. In this way, additional individuals approached the Department to ask about participation. This informal process for becoming a member was somewhat addressed when OCE became involved in the spring of 2015 and with OCE's assistance, the Council began to identify gaps in community participation (e.g. recruiting for Hindu and Sikh representation). This organic evolution of MMAC membership, and the lack of a charter or constitution may be one of MMAC's shortcomings. Without clear membership policies or term lengths for membership, some facets of the diverse community could feel excluded and over time this could decrease the group's legitimacy, despite the efforts of OCE to identify any holes in representation. There was some evidence of this feeling during an interview with MMAC members. One interviewee said that there should be more Latino representation on the Council and another individual felt the Department could still do more with diversity training and youth outreach.

Although there was some concern expressed about representation, the majority of input received during the MMAC interview was very positive. As one member put it, "we've seen positive changes in the way Metro responds to suggestions in the last four years. It has become more of a collaborative process. Sheriff Lombardo has more of a proactive attitude." Future directions for involving a wider array of community members, or involving new participants remain unclear.

Use of Social Media

LVMPD is also using social media to reach a wider audience and engage the community. The Department has active Facebook, Twitter and Instagram accounts. LVMPD has over 100,000 followers on both Facebook and Twitter, and has tweeted over 10,000 times since March 2009. By using multiple modes of communication through social media, LVMPD appears to be making real efforts to reach a

[27] Of the 37 MMAC meetings held between January 2013 and August 2016, the current Sheriff was present at 32 of the 37 meetings.

wide range of groups in the community. This social media outreach also appears to be used for community input. In early September 2016, the Department launched an online "Community Feedback Survey" that is prominently displayed on the LVMPD homepage. Links to the survey were also available through an electronic news article,[28] through the Twitter account, and posted on the Facebook page. The Department does Facebook Live Q&A with a commander. The images and posts on the Facebook page are fun and depict all kinds of events, officers and community members with one another. There are posts for job announcements, Department and community awards, and highlights of community events.

Citizen Complaints

LVMPD's citizen complaint process appears to be transparent and accessible. Complaints fall under the purview of the Internal Affairs Bureau (IAB) and citizens can file complaints either in writing, online, or by fax.[29] Community members may also file a complaint through the Citizens Review Board (CRB) or to both IAB and CRB simultaneously.[30] The Department publishes data on citizen complaints on its website.[31] Studying citizen complaints as a proxy for community trust and engagement is a double edged sword. Being open to accepting complaints and increased confidence of the community in a system of complaint investigation can drive complaints up. Inappropriate conduct on the street can drive complaints up too. And the obverse of both statements is equally true. To interrogate this idea further we obtained 2010 through 2015 complaint data to assess whether there have been changes since participation in CRI-TA.[32]

As defined by the IAB, complaints types include:

- *IAB Statement of Complaints (SOC)* - Complaints received that rose to the level of a policy violation and required an investigation.
- *Citizen Contacts (CC)* - Complaints received that would not rise to the level of a policy violation and closed with the appropriate 'no applicable allegation' finding.
- *Citizen Review Board Investigations* - Complaints received through the Citizen Review Board that are determined to require a full investigation.
- *Citizen Review Board Requests* - Complaints received through the Citizen Review Board that are determined by the Citizen Review Board to not require further investigation.

Figures 6 and 7 include the total numbers of complaints received by IAB and CRB between 2010 and 2015. Since the start of CRI-TA, the number of total complaints have been relatively stable and experienced a modest 3.6% decrease between 2012 and 2015 (1526 to 1471).

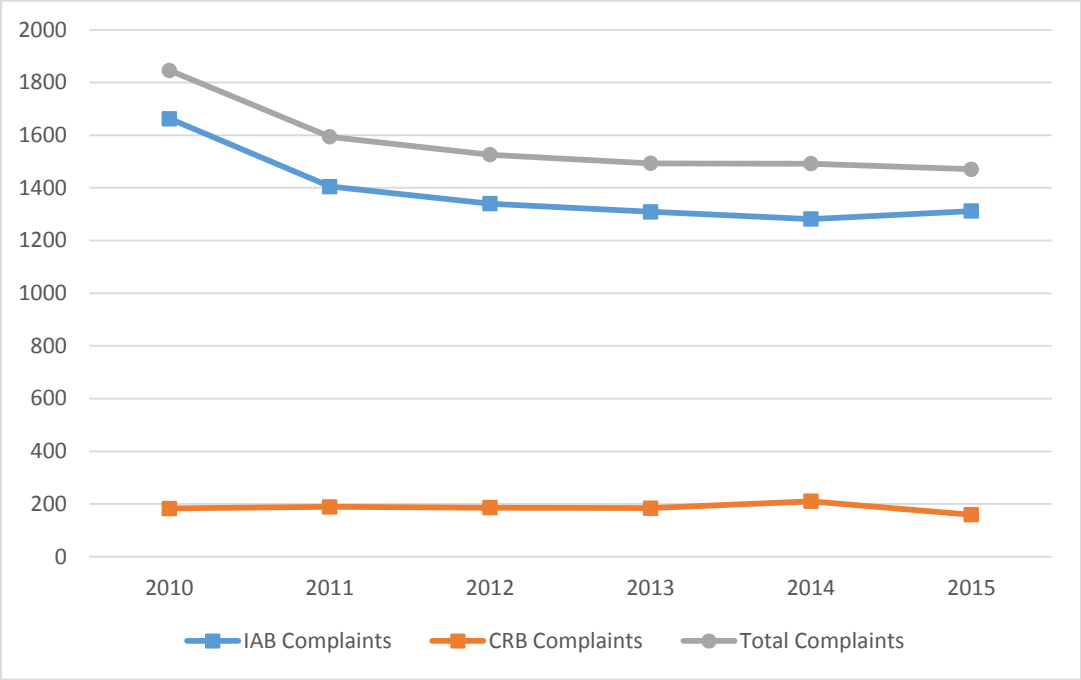
[28] http://lasvegas.cbslocal.com/2016/09/01/las-vegas-police-issue-public-survey-on-department-performance/
[29] http://www.lvmpd.com/Sections/InternalAffairs/Complaints/tabid/296/Default.aspx
[30] Some of the CRB Investigations can be duplicates to Statements of Complaints (SOCs) because if a citizen is not satisfied with an IAB investigation their next recourse could be to file a complaint with CRB.
[31] http://www.lvmpd.com/Sections/InternalAffairs/ComplaintSummary/tabid/297/Default.aspx
[32] LVMPD Internal Affairs Bureau, Complaints Received 2010 – 2015

Figure 6: Number of Complaints (2010-2015)

	2010	2011	2012	2013	2014	2015
IAB Complaints	1663	1405	1340	1309	1282	1312
CRB Complaints	183	189	186	184	210	159
Total Complaints	1846	1594	1526	1493	1492	1471

Data Source: LVMPD Internal Affairs Bureau

Figure 7: Total Number of Complaints (2010-2015)



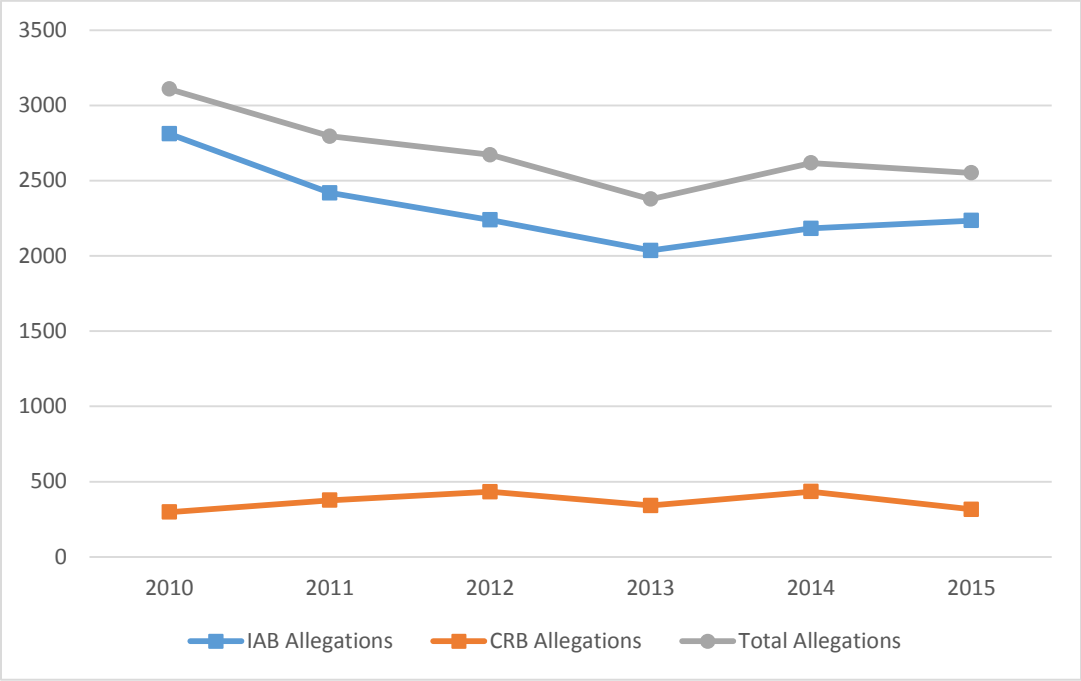
The Department also provided the total number and type of all allegations. In this context, allegations are the categories of misconduct that make up the citizen complaint and there may be multiple allegations per complaint. Figures 8 and 9 depict the total number of allegations between 2010 and 2015. Again, we see no notable trend in the number of allegations, as both year-to-year increases and decreases were experienced in recent years.

Figure 8: Number of Allegations (2010–2015)

	2010	2011	2012	2013	2014	2015
IAB Allegations	2811	2419	2239	2036	2183	2235
CRB Allegations	298	376	433	341	434	316
Total Allegations	**3109**	**2795**	**2672**	**2377**	**2617**	**2551**

Data Source: LVMPD Internal Affairs Bureau

Figure 9: Total Number of Allegations (2010-2015)



The top four statement of complaint (SOC) allegations received by IAB for each year were identified and compared across years.[33] Interaction with the public was consistently the most frequent allegation each year, and by a large margin over the second most common allegation, use of force. As can be seen in Figure 10, there is very little variation in the most common allegations over the past five years, with the one exception in 2014 when the standards of conduct allegation was not among the top four. Although the total number of each type of allegation varies across years, the percentage of each remains fairly stable. For example, while interaction with the public ranged from a low of 26.8 percent of SOC allegations in 2015 to a high of 30.3 percent of SOC allegations in 2010.

[33] Note that only allegations that were part of complaints that resulted in an investigation are included and allegations that were part of a complaint that did not rise to the level of investigation are not included.

Figure 10: Top Four Statements of Complaint Allegations by Year (2010-2015)[34]

	2010	2011	2012	2013	2014	2015
Interaction with the Public	30.3%	29.1%	28.5%	27.1%	27.0%	26.8%
Use of Force	15.5%	11.5%	12.5%	16.7%	17.2%	12.6%
Neglect of Duty	10.0%	8.1%	13.6%	10.7%	7.1%	6.1%
Standards of Conduct	8.5%	7.1%	6.9%	7.7%		8.6%
Neglect of Duty-Failure to Perform Duty					6.5%	

Data Source: LVMPD Internal Affairs Bureau

Diversity of New Recruits

In addition to engaging in positive contact with the community, it is also beneficial for the Department to racially and ethnically represent the community they serve. Doing so can help with community engagement, as a more diverse police force should help to increase LVMPD's legitimacy with the public, and reduce biases both within the Department and in the community.[35] Data provided by the LVMPD Office of Human Resources demonstrate that the Department's recent recruit classes have included higher proportions of individuals identifying as Hispanic (Figure 11). According to the US Census, approximately 31 percent of the LVMPD's jurisdiction identifies as Hispanic, so the increase from zero Hispanic recruits in the 2010 class to 21.4 percent of recruits in the 2015 recruit class shows clear progress.[36]

[34] Please note that for comparison purposes in the table, the top four allegations in 2012 and 2015 are not shown in descending order.

[35] Reasoning behind increased diversification of police forces, and goals for police forces in the future are outlined in the *Final Report of the President's Task Force on 21st Century Policing:* http://www.cops.usdoj.gov/pdf/taskforce/TaskForce_FinalReport.pdf

[36] It is not possible to compare all racial/ethnic categories in the hiring data to the Census data, as the US Census measures whether an individual identifies as Hispanic as a separate category from race. Therefore US Census measures of black and white also include individuals who identify as Hispanic.

Figure 11: Racial and Ethnic Makeup of New Hires (2010-2015)[37]

	2010	2011	2013	2014	2015
American Indian or Alaskan Native	-	-	-	2 1.0%	-
Asian	1 4.5%	2 14.3%	5 16.7%	10 5.2%	5 4.9%
Black	-	-	2 6.7%	10 5.2%	7 6.8%
Hispanic	-	1 7.1%	3 10.0%	31 16.1%	22 21.4%
Native Hawaiian or Pacific Islander	1 4.5%	-	-	2 1.0%	4 3.9%
Two or More	3 13.6%	1 7.1%	1 3.3%	11 5.7%	6 5.8%
White	17 77.3%	10 71.4%	19 63.3%	126 65.6%	59 57.3%
Total	22 100%	14 100%	30 100%	192 100%	103 100%

Data Source: LVMPD Office of Human Resources

Summary of Findings

Based on the information gathered through interviews, media scans, and materials provided by the Office of Community Engagement, it is clear that LVMPD is continuing to make genuine and authentic efforts to engage, communicate, and develop personal relationships with a vast cross-section of the community. A review of the complaint data does not indicate any notable increases or decreases in recent years but the accessibility of filing a complaint and the transparency in which the Department shares the complaint numbers with the public is encouraging. And lastly, 2015 represents the Department's most diverse hiring class in at least the last six years. This progress demonstrates that LVMPD is going to better resemble the community they serve, over time.

How has the number of fatal and non-fatal OIS incidents changed?

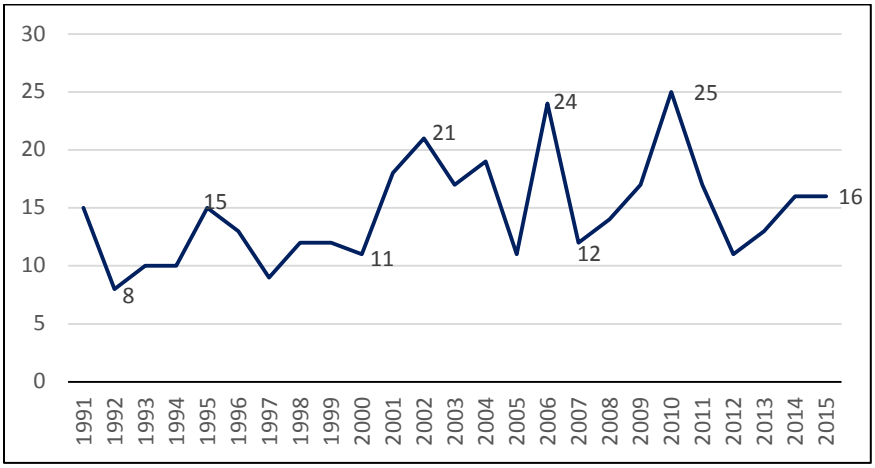
The following section provides a snapshot of Officer Involved Shootings (OIS) that occurred in recent years. The data provided by LVMPD through requests and previously published reports, allow officer involved shooting incidents (OIS) to be tracked over time. This section describes general trends in OIS and use of force incidents, while acknowledging that year-to-year variation is to be expected, even in the absence of major policy changes.

[37] No new recruits were hired in 2012.

Number of Officer Involved Shootings per Year

A review of historical data reveals that between 1991 and 2015, there was an average of 14.6 total OIS incidents per year. A focus on the six years immediately preceding and following CRI-TA, 2010-2015, reveals a slightly higher average of 16.3 OIS incidents per year, with approximately 46 percent of these OIS incidents resulting in the death of the subject. There is not a discernable trend regarding the frequency of OIS incidents during this period, or when considering the broader historical context (Figure 12), as the total number of OIS incidents has fluctuated over time. During the six years before and after CRI-TA, there were as few as 11 (2012), and as many as 25 OIS incidents in a single year (2010). While there was a notable decrease following 2010, when historical data are considered we recognize that 2010 was not typical with regard to the number of OIS incidents in a single year. The proportion of OIS incidents that were fatal also varied over time, ranging from 23 percent (2013) to 70 percent (2011) of all OIS incidents. When OIS incidents are standardized per 100,000 residents, so that they may more accurately be compared across years, this year-to-year fluctuation does not change (Figure 13); this is also true when OIS incidents are standardized by the number of sworn LVMPD staff across years (Figure 14).[38] In other words, this variation does not disappear when fluctuations in the jurisdiction population or Department strength are accounted for.

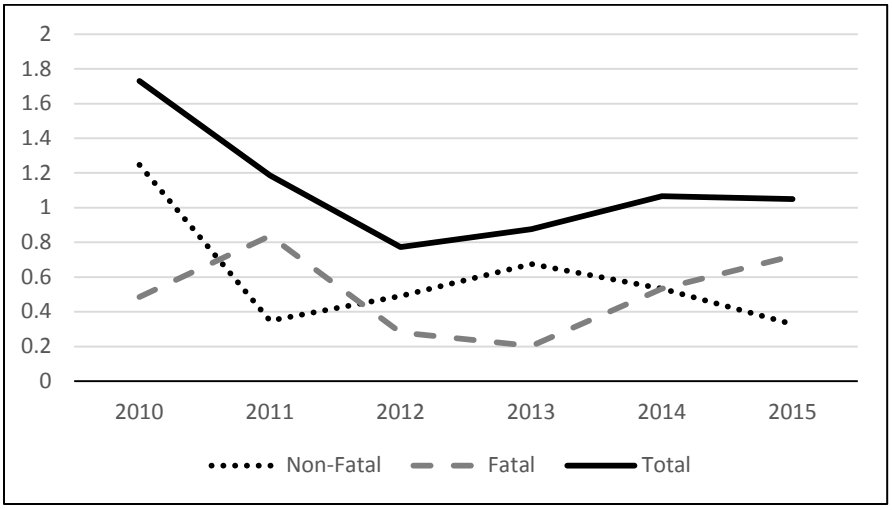
Figure 12: Total OIS Incidents per Year (1999-2015)



Data Source: LVMPD *Deadly Force Statistical Analysis* 2009-2013, 2010-2014; *Use of Force Statistical Analysis: Deadly and Non-Deadly Use of Force* 2011-2015*; Collaborative Reform Model: Final Assessment Report of the Las Vegas Metropolitan Police Department,* 2014.

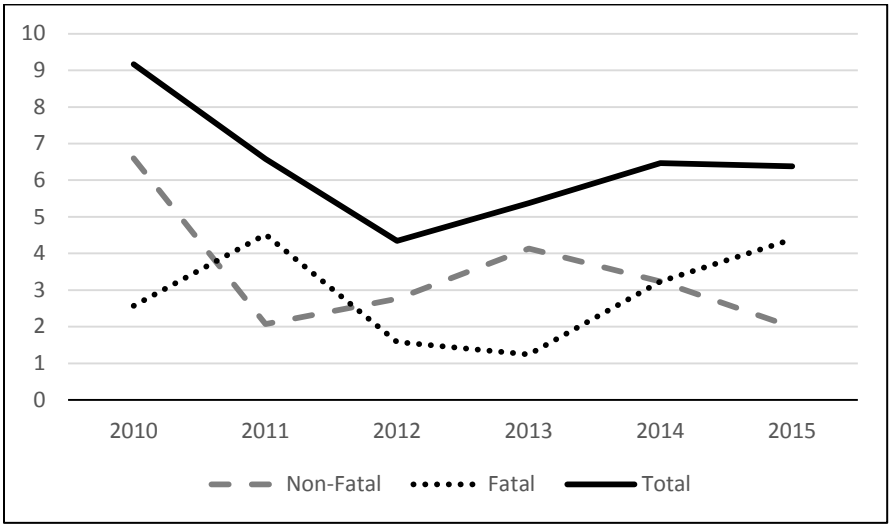
[38] Population data were gathered from LVMPD Annual Reports. The sworn staff data in Figure 14 were received as part of a larger data request to the LVMPD Office of Human Resources.

Figure 13: OIS Incidents per 100,000 Population (2010-2015)



Data Source: LVMPD *Deadly Force Statistical Analysis* 2009-2013, 2010-2014; *Use of Force Statistical Analysis: Deadly and Non-Deadly Use of Force* 2011-2015*; LVMPD Annual Reports*

Figure 14: OIS Incidents per 1,000 Sworn (2010-2015)



Data Source: LVMPD *Deadly Force Statistical Analysis* 2009-2013, 2010-2014; *Use of Force Statistical Analysis: Deadly and Non-Deadly Use of Force* 2011-2015; sworn staff data provided by the LVMPD Office of Human Resources

The LVMPD's Office of Internal Oversight and Constitutional Policing was created in February 2012 in a commitment to reduce deadly force incidents and increase accountability. By year end 2012, the total number of OIS incidents was down 37 percent from 2011, with the total number of fatal OIS incidents down 67 percent. However, this finding cannot be interpreted as clear evidence that the establishment of IOCP or other CRI-TA-related policies directly caused this decrease in fatal OIS events between 2011

and 2012, as we do not know what would have happened if these and other deadly force initiatives had not been implemented. Additionally, the decreasing trend for fatal OIS incidents was not sustained; between 2012 and 2015 the total number of OIS incidents increased 45 percent, and the number of fatal OIS incidents jumped 175 percent (from four fatal OIS incidents in 2012 to eleven in 2015).

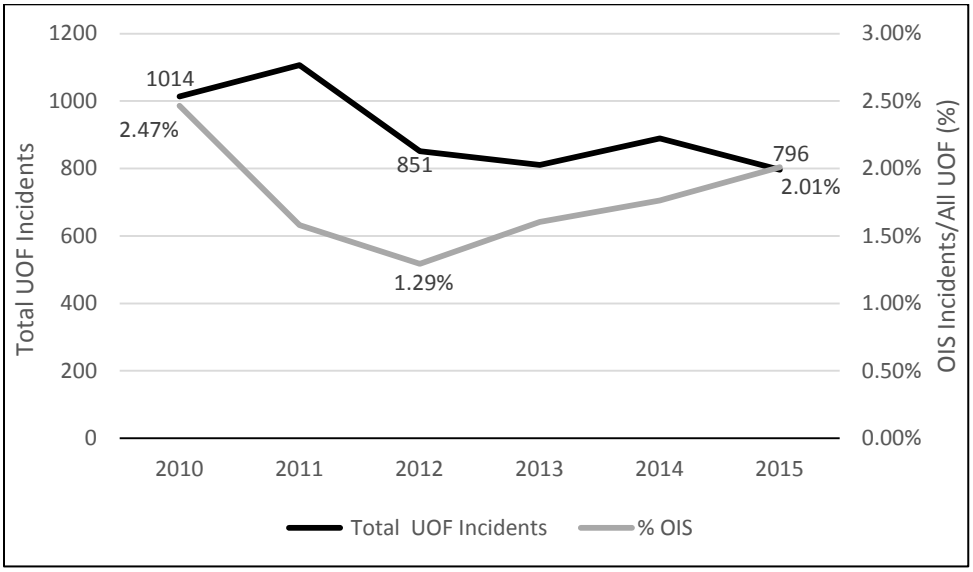
In sum, the number of OIS incidents has in fact changed over the period of interest. However, this change was not one-directional or sustained. While the net number of OIS incidents in 2015 was down from 2011, it was up from 2013, making projections regarding future trends difficult.

Officer Involved Shootings Relative to All Use of Force Incidents

As with OIS, the frequency of non-deadly use of force incidents was not stable over time. Non-deadly incidents increased between 2010 (n=989) and 2011 (n=1,090), decreased in 2012 (n=840) and 2013 (n=798), and then experienced an uptick in 2014 (n=889) and another decrease 2015 (n=796). These trends in non-deadly use of force typically mirrored OIS frequency, with the exception of 2013 when OIS increased and non-deadly use of force incidents decreased.

Deadly and non-deadly use of force incidents were summed to estimate a total use of force estimate for each year; OIS incidents comprised between 1.3 and 2.5 percent of all use of force incidents between 2010 and 2015 (Figure 15). On average, 1.8 percent of all use of force incidents were officer involved shootings.

Figure 15: Total UOF Incidents, and Percent that were OIS (2010-2015)

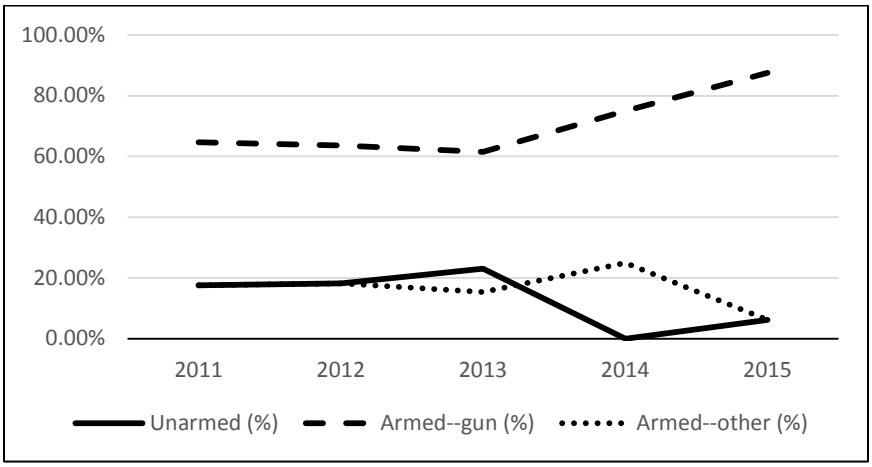


Data Source: LVMPD *Deadly Force Statistical Analysis, 2009-2013, 2010-2014; Non-Deadly Use of Force Report, 2010-2014; Use of Force Statistical Analysis: Deadly and Non-Deadly Use of Force* 2011-2015

Armed Status of Subjects in Officer Involved Shootings

Between 2011 and 2015 the large majority of OIS incidents involved subjects who were armed (88 percent).[39] Of those who were armed, most (81 percent) were armed with a gun. OIS subjects were unarmed in 12 percent of incidents between 2011 and 2015. The proportions of OIS subjects' armed statuses (unarmed, armed with a gun, and armed with a weapon other than a gun) were relatively stable between 2011 and 2013, with "armed with a gun" representing a growing majority of OIS suspects over time (Figure 16).

Figure 16: Armed Status of Subjects in OIS Incidents (2011-2015)



Data Source: Data provided by the LVMPD Office of Internal Oversight

Between 2013 and 2014, and between 2014 and 2015 the number (and proportion) of OIS subjects armed with a gun increased. Conversely, the number of unarmed subjects in OIS incidents decreased from three incidents in 2013 to zero in 2014; there was one incident with an unarmed subject in 2015.

Racial Makeup of Subjects in Officer Involved Shootings

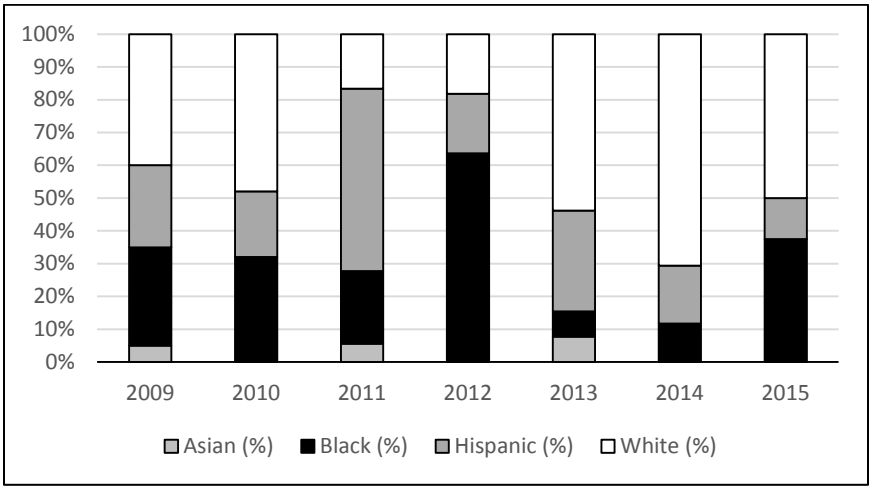
Between 2009 and 2015, officer involved shooting subjects were most often white (43.3 percent), followed by black (28.3 percent), and Hispanic (25.8 percent). Asian subjects were relatively rare, in only 2.5 percent of all officer involved shootings.[40] However, the distribution of subject race/ethnicity fluctuated from year-to-year (Figure 17). The racial/ethnic group that was most represented amongst OIS subjects was not consistent. For example, in 2011 55.6 percent of OIS subjects were Hispanic, in 2012 63.6 percent were black, and in 2013 53.8 percent of OIS subjects were white.[41]

[39] Data from 2010 were excluded from this analysis, due to a discrepancy in the number of unarmed subjects.

[40] Data Sources: LVMPD *Deadly Force Statistical Analysis* 2009-2013 and data provided upon request by the LVMPD Office of Internal Oversight.

[41] It is not possible to compare the racial/ethnic makeup of OIS subjects to the racial/ethnic makeup of jurisdictions because LVMPD and the US Census capture race/ethnicity differently. Whereas LVMPD measures "Hispanic" as a racial/ethnic group, the US Census captures whether an individual identifies as Hispanic in a measure separate from their racial identity.

Figure 17: Racial/Ethnic Makeup of OIS Subjects, by Year (2009-2015)



Data Sources: LVMPD *Deadly Force Statistical Analysis, 2009-2013*;
Data provided by the LVMPD Office of Internal Oversight

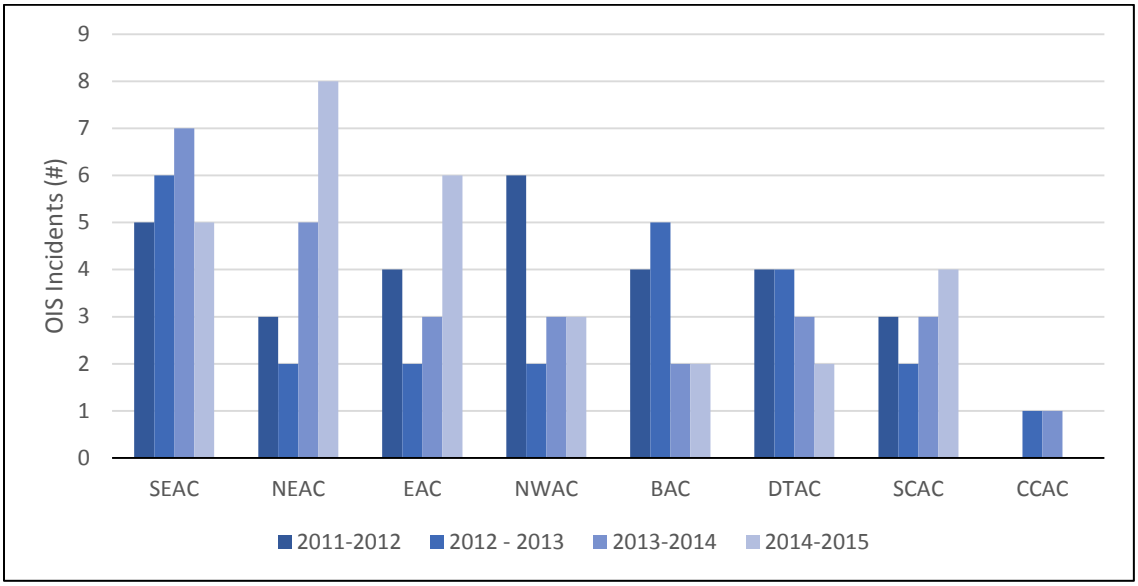
Area Commands in which Officer Involved Shootings Occurred

Between 2011 and 2015, officer involved shooting incidents occurred across ten different LVMPD jurisdictions; this included eight Area Commands in addition to the LVMPD classifications of "resident" and "other." Approximately one-fifth of OIS incidents during this time period occurred in the Southeast Area Command (20.2 percent). More than 60 percent of OIS incidents occurred in just four Area Commands: Southeast (20.2 percent), Northeast (15.8 percent), Enterprise (13.2 percent), and Northwest (12.3 percent).[42, 43] The number of officer involved shooting incidents in each Area Command was somewhat stable over time, although there were some exceptions (Figure 18). The Southeast Area Command was typically among the most common location for OIS during this time period. However, there is some variation in where these incidents occurred from year-to-year. In general, OIS incidents were the least common in the Convention Center Area Command, which includes the Las Vegas Strip Corridor.

[42] Data Sources: LVMPD *Deadly Force Statistical Analysis* 2009-2013, and data provided upon request by the LVMPD Office of Internal Oversight.

[43] The remainder of incidents in this time period were spread between the Bolden Area Command (11.4 percent), Downtown Area Command (11.4 percent), South Central Area Command (10.5 percent), "Resident" (3.5 percent), and Convention Center Area Command (1.8 percent).

Figure 18: OIS Incidents Service by Area Command (2011-2015)[44]



Data Sources: LVMPD *Deadly Force Statistical Analysis, 2009-2013*; Data provided upon request by the LVMPD Office of Internal Oversight

Summary of Findings

The data and findings presented in this section provide evidence that OIS incidents are not time stable, and instead exhibit a lot of variation from year-to-year. This lack of a clear trend, and large fluctuations over time reinforces how rare OIS events are—comprising less than 2.5 percent of all use of force incidents. In particular, dramatic jumps in fatal OIS, such as the 267 percent increase between 2013 (n=3) and 2015 (n=11) may be due to: (1) the relative infrequency of these events (even an increase of n=1 will represent a sizable percent), and (2) the extent to which chance, aim, and medical care influence which OIS events are fatal, and which are not. There is also notable variation with regard to the racial makeup of OIS suspects, with different racial/ethnic groups making up more than half of suspects in different years. Similarly, OIS incidents varied across Area Commands, with different areas experiencing more or fewer incidents year-to-year. The most consistent findings across years were that OIS incidents generally comprised between one and two percent of all use of force incidents, and most OIS suspects were armed with a gun.

What was the impact on officer safety?

The following section reviews measures of officer safety before and after CRI-TA was implemented. As with the data presented in the previous section, we cannot say for certain if any changes are direct

[44] The Las Vegas Area Commands are: Southeast (SEAC), Northeast (NEAC), Enterprise (EAC), Northwest (NWAC), Bolden (BAC), Downtown (DTAC), South Central (SCAC), and Convention Center (CCAC). Additionally, LVMPD opened a ninth Area Command, Spring Valley (SVAC) in August 2016.

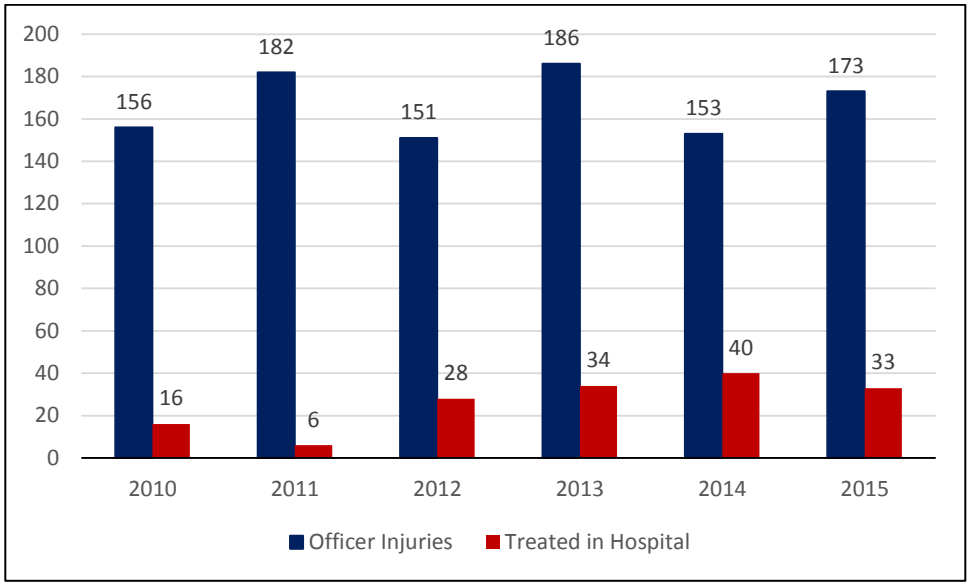
results of CRI-TA, but we can discuss year-to-year changes and observable trends. Although the changes central to Collaborative Reform focused largely on police use of force against civilians, measures of officer safety are directly relevant. Conversations with staff and leadership at LVMPD made it clear that while de-escalation is a priority, it is critical that reducing officer reliance on force not come at the cost of officer safety. In particular, it appears that the Department wishes to have officers work toward slowing momentum, making space, seeking cover, and utilizing additional support during critical incidents, but doing so without causing officers to hesitate in situations where force is necessary. This balance between reducing force while preserving officers' wellbeing during interactions with civilians has been the subject of a larger national discourse in recent months, and is a continued subject of debate.[45] Data provided by the LVMPD Office of Internal Oversight and Constitutional Policing, published Department reports, and interpersonal correspondence with LVMPD personnel were each utilized to estimate trends in officer safety from 2010 through 2015.

Number of Officer Injuries

The number of officer injuries during incidents involving non-deadly use of force averaged 167 injuries per year (Figure 19). Approximately 16 percent of these injuries resulted in the officer being treated at a hospital. The net number of injuries during non-deadly use of force incidents neither increased nor decreased in a consistent direction between 2010 and 2015. However, the proportion of incidents that resulted in police being treated in a hospital did increase from 2010 (n=16) and 2011 (n=6) to an average of 34 officers being treated in a hospital per year across 2012 through 2015. Correspondence with LVMPD personnel suggest that the increased reports of being treated in a hospital may reflect a number of different changes that accompanied CRI-TA. For example, it is possible that the Department's increased focus on de-escalation in the revised use of force policy and training may have caused officers to go "hands on" with suspects more often than in the past, starting in 2012. As such, it is possible that officers were experiencing a higher volume of injuries requiring some level of treatment. Additionally, it is possible that there may have been a change with regard to how officer injury was recorded; for example, in 2006 the Department shifted from allowing officers to record a number of treatment options (e.g. first aid, treated and released, hospitalized) to only including treated in hospital. Another change in how treatment was recorded may at least partially explain the large jump in hospital treatment between 2011 and 2012. In sum, this increase in officer treatment in hospitals may be due to actual increased seriousness of injuries, changes in documentation, or a combination of the two.

[45] Concern over finding a balance between utilizing de-escalation and keeping officers safe is not unique to Las Vegas. National policing organizations and think tanks are also currently working through this issue (e.g. https://www.washingtonpost.com/local/public-safety/move-to-reduce-police-shootings-draws-sharp-backlash-from-unions-chiefs-group/2016/03/30/03c81e6a-ec55-11e5-bc08-3e03a5b41910_story.html)

Figure 19: Officer Injuries during Non-Deadly Use of Force Incidents (2010-2015)



Data Source: LVMPD *Non-Deadly Use of Force Analysis, 2010-2014; Use of Force Statistical Analysis: Deadly and Non-Deadly Use of Force* 2011-2015

Nevertheless, officer injuries during incidents involving deadly use of force were infrequent (Figure 20). On average, there was less than one OIS officer wounded or injured and less than one on-scene officer wounded or injured during deadly use of force incidents each year between 2010 and 2014. There has been one incident in recent years, in which officers were killed during an OIS incident. In the apprehension of the assailants in the 2014 shooting deaths of Officer Alyn Beck and Officer Igor Soldo, an OIS occurred.[46] Thankfully, the deaths and injuries of officers during an OIS are exceptionally rare.

Figure 20: Officer Injuries and Fatalities during Deadly Use of Force Incidents (2010-2015)

	2010	2011	2012	2013	2014	2015
OIS Officer Wounded or Injured	1	1	1	0	0	2
On-Scene Officer Wounded or Injured	1	0	1	0	2	2
OIS Officer Killed	0	0	0	0	2	0

Data Source: LVMPD *Non-Deadly Use of Force Analysis, 2008-2012*; IOCP Data Request

Summary of Findings

The frequency of officer injury during incidents in which non-deadly force was utilized appears to be relatively stable from 2010 through 2015; however, the rate at which these injuries resulted in being treated in a hospital has increased. The increase in officers receiving treatment in hospitals may be due to actual increased seriousness of injuries, changes in documentation, or a combination of the two. The

[46] For more information on Officers Beck and Soldo, and the related incident, please see the Officer Down Memorial Page: https://www.odmp.org/agency/2076-las-vegas-metropolitan-police-department-nevada

total number of officers injured during use of deadly force incidents ranged between zero and four per year from 2010 to 2015. As use of deadly force is so infrequent, and officer injury during these events is also uncommon, it is difficult to make projections or draw conclusions about any direct impact the increased emphasis on de-escalation might have had on officer safety.

Conclusion

As we look across the data and feedback we received to address the five assessment questions it is clear to us that LVMPD is focused on being a learning organization. They learn from experience and strive continuously to improve. As one interviewee noted, "The keys to sustainment are structure, process, and people." We agree and believe that LVMPD has made structural changes (e.g., establishing IOCP), has instituted processes (e.g., FIT review), and has done an excellent job putting the right people in the right place to effectuate change. The totality of our assessment, in looking at a variety of different data sources and talking to numerous positions and ranks within the Department, can be summarized in the following eight key findings:

1. The Department has made notable and sustained efforts to make progress toward verbal and tactical de-escalation.
2. The Department has made impressive progress toward increased transparency and increased information sharing around OIS and UOF.
3. The Department has continued to make efforts to engage with the community in authentic ways.
4. The number of OIS has declined notably since the start of CRI-TA (a 36 percent reduction from 25 OIS in 2010 to 16 in 2015). However, study of OIS data over the past two decades demonstrates little long term change in the annual average number of OIS, despite year-to-year variation.
5. There has been no discernable impact on the number of officer injuries but the share of injured officers seeking hospital treatment has increased in recent years. However, the reasons for this increase are unclear as it could be the result of more serious injuries or changes in how injuries and hospital treatment are documented.
6. Strong leadership on the part of the Sheriff, both Sheriff Lombardo and Sheriff Gillespie, has been a critical factor in making so many of the positive changes possible.
7. Because Department leadership has worked to ensure that individuals at all levels of LVMPD feel commitment and a sense of ownership, there are high hopes for sustainability.
8. Because the Department has instituted sophisticated systems of review related to OIS that can trigger changes in policy, training, and operations, there are high hopes for sustainability.

Our support and evidence behind the first five key findings are presented above in the body of the report and our discussion of the five assessment questions. The final three key findings (6, 7, and 8) are more thematic and emerged as we looked across the evidence compiled. We believe the final three key findings are crucial to the positive impacts and sustained change being experienced at LVMPD. In many

ways these themes can be considered foundational to reform. It is hard to imagine the successes that have taken place to date without the following factors:

- Committed leadership,
- Cultural change related to OIS and UOF, and
- Utilization of feedback loops related to OIS and UOF.

Committed Leadership

In our view, the success of CRI-TA can largely be attributed to strong department leadership spearheading the reform. At the zenith of OIS in 2010 and the peak of community concern provoked by the news story in the *Las Vegas Review-Journal*, Sheriff Doug Gillespie's ask for assistance of the COPS Office – showing courage and humility – was the first sign of committed leadership. He had the vision for an alternative reality, a vision for change in which the LVMPD could lead and participate. He is credited by many in the Department for setting the table for change. Both Sheriff Gillespie, and the current Sheriff, Joe Lombardo, and their Executive Staffs were and are committed to change and are committed to the sustainment of change. The existence of the Executive Staff twice weekly meeting is one example of the commitment. The way the meeting is facilitated, ensuring participation of all present, illustrates the expectations of leadership. Further, there is a belief that connections must be made between and across commands to specialty and administrative units around all areas of operation including strategic crime control, adherence to policy and accountability structures, as well as the engagement of community and a commitment to de-escalation and appropriate use of force.

Both Sheriffs identified commanders who believed in the work and placed them in positions that advanced the reforms and helped to solidify the reforms in the "DNA" of the organization. Not only have smart, committed, progressive leaders been promoted and placed in strategic positions, but also LVMPD administrators have made progressive change everybody's business. Across all levels of the organization - rank, position, sworn and civilian - we found everyone with whom we interacted knowledgeable, conversant and clear about CRI-TA, its vision, goals, and status of implementation. Indeed, Sheriff Gillespie provided every member of the Department with a copy of the Collaborative Reform Initial Assessment report and Sheriff Lombardo includes the report on the reading list for promotional exams.

Leading a department through the Collaborative Reform process is no easy task and is filled with challenges. One interviewee when reflecting on the importance of the Sheriff's role said, "It is critically important to ensure that those engaged in this work have an understanding of the difficulty and challenge that face them professionally and personally when they choose to go this route." Another said, speaking about changing culture, "we have to be comfortable being uncomfortable."

It is worth noting in this discussion about leadership that the governance structure of LVMPD is different from most major metropolitan law enforcement agencies. The Sheriff is a locally elected official and not beholden to a mayor or city manager. The challenges police chiefs often face in being accountable to, indeed vulnerable to, the interests and priorities of local politics may be much less a factor when the law enforcement executive is him or herself elected. Indeed, election results at the sheriff level in the future could tell us, directly from the community's voting, about its expected role in influencing departmental

policy and procedure. If the DNA of the Department has changed, then have the expectations of the community changed as well about its voice contributing to setting the values of and participation in certain aspects of administration? While examining the extent to which LVMPD's governance structure has played a role in any success the Department has experienced is beyond the scope of this assessment, the difference in governance certainly warrants mention.

Culture Change Regarding OIS and UOF

Perhaps as important as committed leadership, it appears that the message of Collaborative Reform has permeated the entire Department. We spoke with over 70 members of the Department and nearly all of the individuals with whom we spoke were generally supportive of the reforms and the work that was done under CRI-TA. Of course there are some dissenters and others who would impose changes to certain aspects of the reform efforts. However, the overall sentiment was that the culture of LVMPD related to use of force has evolved positively since the beginning of the CRI-TA process. One perspective that we heard repeatedly was that in the past, the expectation was that officers would use force. Now, however, officers of varying rank say that they think about force and about slowing down situations. With a focus on de-escalation, LVMPD does more now to mitigate force before it happens. Leaders across Area Commands were saying things such as, "We have to understand how we ended up in a position that called for force, how could we have avoided that? Did we have an opportunity to change the course of action before we needed to use force?"

One member of the command staff attributed success around buy-in to identifying "informal leaders" and engaging them in the change, involving them in decisions, and tasking them with teaching the change. Similarly, in our conversations with Area Command captains we heard that leadership really comes down to the sergeants and lieutenants and that the first line of supervision is absolutely key to making change happen. The use of shift briefings by sergeants and lieutenants as a forum for mini-trainings and informal discussion of policy is an important element to adopting a change mindset across all ranks. Each level of the organization is involved in these in some way – either participating, conducting, or ensuring that they take place. Unsurprisingly, the quality, frequency and duration of the shift briefings is uneven across the Department and attention to the quality of these and the content could advance the inculcation for change department-wide.

Organizational change of this magnitude does not happen overnight and any change in the culture of a police department takes time. Indeed, LVMPD had embarked on a path of reform in 2010 and the Department's participation in Collaborative Reform starting in 2012 further advanced and strengthened their efforts. According to one interviewee, "It took time for the changes to work its way through, and over time they were able to trust the system, and now there's not the pushback."

Utilization of Feedback Loops for OIS and UOF

The above two discussions, committed leadership and culture change, center around personnel. The third theme that emerged from this work relates to organizational structure and policies. In addition to having the right people lead and implement these efforts, the Department has institutionalized the reforms through training, policy, and accountability. We refer to this collectively as the utilization of feedback loops. As we mentioned at the outset of this report, LVMPD is an organization focused on

learning. They have instituted review processes and systems related to OIS that allow for continued improvement.[47] Our observations reveal that the distinct units of this organization are integrated at the highest levels and that there is regular communication across the organizational units that link through review and feedback from action on the street to policy review and training review and modifications. A few examples include:

- IOCP is integrated with training and with Area Commands as they all meet regularly, debrief together, and are connected to each other's work. In interviews we heard that at the command level, formal and informal processes exist that connect failure of policy to training and to operations. Policies are reviewed for clarity and language amended as needed.
- The implementation of IAPro, a system that tracks and analyzes UOF incidents, enhances the Department's ability to monitor quality. In the early phase of implementation there was rigorous review of the UOF entries by not only the chain of command but also IOCP staff in which they looked for boiler plate language, for written descriptions of efforts to de-escalate, and for indicators such as time between deployments by dispatch to the incident as clues that behavior could have been changed. As further evidence of prioritizing feedback, the IOCP reviews are shared with training and roll call. In our view, if there is an opportunity or a lesson to be learned, LVMPD staff find it, share it and communicate it.
- Detailed forensic investigations of serious incidents are conducted and examined to assess if there was a moment in time when a path could have been redirected. The process is designed to inform, change behavior, and moderate a decision making process.
- The relationships between FIT, CIRT, and OIO (all under the umbrella of the Office of Internal Oversight and Constitutional Policing), as well as their connections to the Department overall, help ensure adherence to policy, and mitigate any confusion or gap between policy and action.
- Supervisors at the command level spoke about identifying patterns and communicating those patterns to the training team.
- The Sheriff, in Executive Staff meetings, asks pointed questions and draws the connection between the incident being discussed, the policy, and the training.

Much of this work related to feedback loops falls under IOCP. That Office is focused on individual accountability but it is also focused on organization-wide learning from every situation and behavior and connecting that with chain of command, training, and policy and to some extent the community. Without this separate Office to manage the reforms, it is hard to imagine how they would have been sustained after the conclusion of CRI-TA. The relentless attention to the detail and the singular focus of IOCP is key to continuing change and monitoring efforts. Three factors support the importance of the Office. First, the location of the Office within the Department's organizational chart. It is led by a captain who reports directly to the highest levels of command. Second, the number of personnel who are dedicated to this work. There are currently six staff members assigned to the Office of Internal Oversight (OIO), which is part of IOCP, who in many ways are serving as a quality control and integrity unit. The number of individuals working in the unit demonstrates its importance. Third, its name (Internal Oversight and Constitutional Policing) communicates clearly the focus and values of this Department.

[47] For an overview of LVMPDs review process related to deadly use of force see: http://www.lvmpd.com/Portals/0/OIO/OIS_Review_Flowchart_090314.pdf

Closing

As noted earlier in this report, this nine-month assessment was not a formal outcome evaluation. However, we believe that the data and feedback that we collected and compiled sheds light on the impacts of CRI-TA at LVMPD several years after formal oversight ended and we are confident in our findings. In short, Collaborative Reform has been a catalyst for reform at LVMPD. There seems to be consistency of voice across key units of LVMPD surrounding the reforms. Leadership continues to prioritize reducing the number and likelihood of deadly force incidents, increasing transparency, and strengthening relationships with the community. The creation of IOCP and its focused attention on the details and the communication with other units within LVMPD is instrumental to policy and practice, policy and procedure reform, and accountability.

As also noted earlier in this report, the number of CRI-TA sites has continued to expand since Las Vegas was launched in 2012, as currently 11 additional sites are at various stages of the Collaborative Reform process. It is unclear how transferrable the findings presented in this report will be to other departments engaged in CRI-TA. We believe that without the "key ingredients" of committed leadership, culture change, and structural and policy changes, other CRI-TA sites will have a hard time replicating the successes of LVMPD.

It has been nearly five years since the Las Vegas Metropolitan Police Department embarked on this process of reform and over two years since formal oversight on the part of the COPS Office ended. At this point we are optimistic about the sustainability of the successes LVMPD has achieved both because of the widespread commitment and buy-in at all levels of the Department and because of the institutional reforms to training, policy, and practices that will endure.

Appendix I: List of Source Reports

Collaborative Reform Initiative for Technical Assistance, CNA Reports

Collaborative Reform Model: A Review of Officer-Involved Shootings in the Las Vegas Metropolitan Police Department (Stewart, Fachner, King, and Rickman, 2012)
http://ric-zai-inc.com/Publications/cops-p273-pub.pdf

Collaborative Reform Model: Six-Month Assessment Report of the Las Vegas Metropolitan Police Department (Fachner and Carter, 2013)
http://ric-zai-inc.com/Publications/cops-p274-pub.pdf

Collaborative Reform Model: Final Assessment Report of the Las Vegas Metropolitan Police Department (Fachner and Carter, 2014)
http://ric-zai-inc.com/Publications/cops-p287-pub.pdf

Deadly Force Statistical Analyses

Deadly Force Statistical Analysis 2010-2014
http://www.lvmpd.com/Portals/0/OIO/Deadly_Force_Statistical_Analysis_2010-2014.pdf

Deadly Force Statistical Analysis 2009-2013
http://www.lvmpd.com/Portals/0/OIO/Deadly_Force_Statistical_Analysis_2009-2013.pdf

Deadly Force Statistical Analysis 2008-2012
http://www.lvmpd.com/Portals/0/OIO/Deadly_Force_Statistical_Analysis_2008-2012_Final.pdf

Deadly Force Statistical Analysis 2010-2011
http://www.lvmpd.com/Portals/0/OIO/2012-07-01_Deadly_Force_Statistical_Analysis_2010-2011.pdf

Non-Deadly Force Statistical Analyses

Non-Deadly Use of Force Report 2010-2014
http://www.lvmpd.com/Portals/0/OIO/Non-Deadly_Use_of_Force_Report_2014.pdf

Non-Deadly Use of Force Report 2009-2013
http://www.lvmpd.com/Portals/0/OIO/Non-Deadly_Use_of_Force_Report_2013_FINAL.pdf

Use of Force Statistical Analysis 2011-2015, Deadly and Non-Deadly Use of Force
http://www.lvmpd.com/Portals/0/OIO/Use-of-Force-Statistical-Analysis_2011-2015.pdf

Officer Involved Shootings

District Attorney Decisions
Force Investigation Team (FIT) Reports
Office of Internal Oversight (OIO) Review
VIDEO: Scene Briefing
VIDEO: Media Briefing
Officers Identified
Final Press Release
http://www.lvmpd.com/AboutLVMPD/OfficeofInternalOversight/OfficerInvolvedShooting/tabid/451/Default.aspx

Use of Force Policy

LVMPD Use of Force Policy, 2015
http://www.lvmpd.com/Portals/0/OIO/GO-008-15_UseofForce.pdf

Use of Deadly Force Flow Chart
http://www.lvmpd.com/Portals/0/OIO/OIS_Review_Flowchart_090314.pdf

Appendix II: Inventory of Fatal OIS Documents Available on LVMPD Website[48]

Date	Location	DA Decision	FIT Report	OIO Review	Officers Identified	Press Release	Final Press Release	Scene Briefing	Media Briefing
December 11, 2010	1001 Hart St.	x	x	x					
November 15, 2010	2280 South Nellis Blvd.	x	x	x					
November 15, 2010	3011 E. Desert Inn Rd.	x	x	x					
February 15, 2011	4786 Fairfax Ave.	x	x	x					
February 23, 2011	9745 Grand Teton Dr.	x	x	x					
March 8, 2011	1987 N. Nellis Blvd.	x	x	x					
April 3, 2011	2985 E. Charleston Blvd.	x	x	x					
April 12, 2011	3916 Grand Meadow St.	x	x	x					
April 19, 2011	Flamingo Rd. and Swenson St.	x	x	x					
May 27, 2011	2917 Theresa Ave.	x	x	x					
July 4, 2011	2842 Taurus Ct.	x	x	x					
July 14, 2011	301 Firestone Dr.	x	x	x					
September 9, 2011	3615 S. Rainbow Blvd.	x	x	x					
November 21, 2011	4450 E. Karen Ave.	x	x	x					
February 1, 2012	1111 N. Michael Way	x	x	x					
April 21, 2012	2333 N. Jones Blvd.	x	x	x					
October 29, 2012	2420 E. Desert Inn Blvd.	x	x	x					
February 8, 2013	4156 Pennwood Ave.	x	x	x					
July 23, 2013	9025 Crystal Rock Circle	x	x	x					
December 7, 2013	3950 Mountain Vista St.	x	x	x					
January 31, 2014	James Bilbray Pkwy/Needles Hwy.	x	x	x					
March 16, 2014	23600 Las Vegas Blvd.	x	x	x					
April 8, 2014	5689 Maceta Ave.	x	x	x					
April 29, 2014	5435 Palm St.	x	x	x					
June 8, 2014	201 N. Nellis Blvd.	x	x	x				x	x
June 25, 2014	7230 S. Las Vegas Blvd.	x	x	x				x	x
July 29, 2014	3899 Almondwood Dr.				x	x	x	x	
December 6, 2014	3700 W. Flamingo Rd.	x	x	x	x	x	x	x	x
February 25, 2015	5300 E. Craig Rd.	x	x	x	x	x	x	x	x
July 10, 2015	5600 W. Sahara Ave.		x		x	x	x	x	x

[48] Accessed on September 7, 2016.

July 25, 2015	3040 E. Charleston Blvd.	x	x	x	x	x
August 7, 2015	6980 Berkshire Pl.	x	x	x	x	x
August 23, 2015	416 Lakehurst Rd.	x	x	x	x	x
August 29, 2015	Losee Rd. and E. Sharp Cir.	x	x	x	x	x
October 15, 2015	3400 South Jones Blvd.	x	x	x	x	x
November 24, 2015	3823 S. Maryland Pkwy.	x	x	x	x	x
December 14, 2015	4564 Aviation St.	x	x	x	x	x
December 14, 2015	3869 King Palm Ave.	x	x	x	x	x
December 31, 2015	8335 Gilded Crown Court	x	x	x	x	x
March 31, 2016	9848 Fast Elk St.	x	x	x	x	x
April 11, 2016	2000 South Paradise Rd.	x	x	x	x	x

Appendix III: Inventory of Non-Fatal OIS Documents Available on LVMPD Website[49]

Date	Location	FIT Report	OIO Review	Officers Identified	Press Release	Final Press Release	Scene Briefing	Media Briefing
March 16, 2012	1213 Wyatt Ave.	x	x					
July 17, 2012	2003 North Jones Blvd.	x	x					
November 3, 2012	5390 South Boulder Hwy.							
November 11, 2012	1650 South Hollywood Blvd.	x	x					
December 17, 2012	1250 South Lamb Blvd.	x	x					
January 6, 2013	21st St. and Sunrise Ave.	x	x					
February 2, 2013	2630 South Buffalo Dr.	x	x					
April 29, 2013	Rainbow Blvd. and Alta Dr.							
May 16, 2013	1741 East Charleston Blvd.	x	x					
June 4, 2013	3040 East Charleston Blvd.	x	x					
June 27, 2013	7100 Pirates Cove	x	x					
August 11, 2013	3850 South Las Vegas Blvd.	x	x					
August 26, 2013	4516 Newton Dr.	x	x					
October 21, 2013	391 North Nellis Blvd.							
December 16, 2013	3217 East University Ave.							
March 3, 2014	US 95 ad Charleston Blvd.							
March 4, 2014	1631 North Rancho Dr.	x	x					
March 21, 2014	3424 Villa Way	x	x					
May 30, 2014	Sahara Ave and Tam Dr.		x					
June 26, 2014	East Carey Ave and Dolly Ln.	x	x				x	x
August 3, 2014	Timberlake and Trout Lake							
August 11, 2014	7652 Calico Fields St.	x	x					
December 21, 2014	3268 Liahona Way	x	x	x	x	x	x	x
February 9, 2015	4855 S. Boulder Hwy.	x	x	x	x	x	x	x
April 29, 2015	6312 Blue Jay Way	x	x	x	x	x	x	x
July 18, 2015	1401 South Las Vegas Blvd.	x		x	x	x	x	x
September 4, 2015	6729 Oveja			x		x		x
December 17, 2015	9145 South Las Vegas Blvd.			x	x	x	x	x
January 22, 2016	3600 South Las Vegas Blvd.			x	x	x	x	x
January 26, 2016	3620 Asbury Hill			x	x	x	x	x
February 29, 2016	134 La Padania Ave.			x	x	x	x	x

[49] Accessed on September 7, 2016.

May 6, 2016	1150 North Buffalo Dr.	x	x	x	x	x