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Effects Department of Justice Investigations have on Violent Crime and Arrest Rates

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Walden University
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MA, University of California, Irvine, 2015

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Dissertation Submitted in Partial Fulfillment

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Doctor of Philosophy

Criminal Justice

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Abstract

In 1994 Congress enacted the Violent Crime Control and Law Enforcement Act, which in part gave the Department of Justice, Civil Rights Division (DOJCRD) the power to investigate local law enforcement agencies for Constitutional and civil rights violations. Researchers have found these investigations are expensive, time consuming, and highly intrusive to a law enforcement agency. To understand how these investigations are impacting communities, data were gathered on cities with local law enforcement agencies that have experienced an investigation by the DOJCRD. Using a quasi-experimental, multiple time-series research design with a paired samples *t*-test, the dependent variables (violent crime and arrest rates) were analyzed for any differences before and after the introduction of the independent variable (the commencement of a DOJCRD investigation). With an established $a = .05$, adjusting for non-reported crime, and comparing to a non-equivalent control variable (national crime rate), the research findings indicate increased violent crime with the commencement of these investigations. The results also show that arrest rates significantly decreased indicating the possibility of de-policing. The negative impact to communities with increased violent crime rates and decreased arrest rates calls into question the efficacy of DOJCRD investigations. By supporting the recommendation for Congress to repeal this power given to the DOJCRD, this research can lead to positive social change by preventing federal government intrusion into local government that is negatively impacting communities.

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Dedication

This is dedicated to the honorable men and women who stand the line between good and evil in our communities. The selfless dedications you and your families make to better the lives of others are inspirational. If nobility is defined by one's actions, you are the noblest of them all.

Without order, there is no government, or freedoms guaranteed under the Constitution. Without order, there is no military, independence, or international security. Without order, there is no economic stability, wealth or prosperity. Without order, there is no education system. Without order, there are no feelings of safety and security. Without law enforcement, there is no order.

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To my parents who were alive when I began this journey, your picture sits next to me at my desk, and I find strength in your presence. I believe you are proud of this moment. To my siblings, thank you for letting me relish in my successes each step of the way. It was upon those successive steps that I come to this point. To my children, thank you for supporting me through this endeavor. The time away from all of you is the costliest part of the journey. My hope is through this sacrifice you will see no limitation in what you can accomplish. I'm proud of all of you.

Lastly, to my beloved wife, I will never be able to thank you enough. If you weren't proof-reading a paper for me, you were providing input and recommendations. Your support never wavered in all these years and you believed in me even when I didn't believe in myself. You have incredible patience and the ability to listen beyond that of an angel. My achievement would not be possible without you. Thank you, I love you.

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Chapter 1: Introduction to the Study

Introduction

In 1994, Congress enacted the Violent Control and Law Enforcement Act (VCCLEA), which in part granted the Department of Justice the authority to investigate local law enforcement agencies for patterns and practice of Constitutional and civil rights violations. This enabled the Department of Justice, Civil Rights Division (DOJCRD) to examine all facets of a local law enforcement agency to determine if there were systemic, rather than isolated incidents of officers violating the Constitutional rights or civil rights of the citizens they serve. This type of investigation is highly intrusive to a law enforcement agency and can last months, and in some cases years. If the DOJCRD investigation determines there are patterns and practices of Constitutional or civil rights violations by a local law enforcement agency, they have the power to seek court enforceable mandates against them. Mandates can create a monetary burden on an agency and subject it to years of further oversight by the court. Although at first this seems like a way to provide oversight of local law enforcement agencies to prevent aggressive or rogue policing, there is evidence that this Congressional act is harming some communities.

Analyses of a small sample of agencies that have undergone scrutiny by the DOJCRD has indicated negative outcomes. Preliminary findings indicated soaring violent crime rates and dramatically reduced arrest rates in the wake of these investigations. In some cases, communities are under siege with the commencement of DOJCRD investigations. In this study, I analyzed agencies that have come under the scrutiny of the

DOJCRD for multiple alleged patterns and practice investigations. The positive social change aspects of this research can lead to safer communities and could save lives.

Chapter 1 provides the background of the problem and then a deeper understanding of the issues in the problem statement. By forming this basis, I will then define the purpose of the study, moving into the research questions and hypothesis. After some discussion of the assumptions, limitations, and delimitations of the study, I conclude the section with a look at the significance of the study and a final summary.

Background

The Department of Justice, Uniform Crime Report (UCR) for 2016 indicates a 5.3% increase in violent crime in the United States from 2015 (Department of Justice, 2017). Some areas of the country; however, have seen greater increases. For instance, Ferguson, Missouri experienced a 65% increase in violent crime between 2014 and 2015. Chicago experienced a 58% increase in homicides between 2015 and 2016 (Peters, n.d.) and in Baltimore, shootings increased by 72% between 2014 and 2015 (Bidgood, 2016). These increases have prompted researchers to look for causation.

Ferguson, Chicago, and Baltimore have some similar attributes that have led researchers to consider correlations among the cities. For instance, all three cities endured an event involving local law enforcement officers that triggered civil unrest. Some have speculated that because these events became highly publicized in the media, officers might be pulling back from preventative enforcement and this is leading to increased violent crime. This theory, coined the Ferguson effect, has been examined by several researchers. Pyrooz, Decker, Wolfe and Shjarback (2016) analyzed crime rates in large

cities throughout the country to explain the uptick in the national crime rate. They hypothesized the Ferguson effect was influencing all law enforcement and not just those in Ferguson, Missouri. Using a sample of large cities across the country, they found no correlation with Ferguson, Missouri or the national crime rate. Nix and Wolfe (2016) considered what they called the role of managerial, organizational justice as an influencing factor to the Ferguson effect. In their qualitative study, they analyzed officers' perceptions and attitudes in the Ferguson area. They found that officers were willing to address community issues when they felt their agencies would support them. The findings opened the door for the possibility that upper command decisions within a law enforcement agency are causing de-policing, and responsible for the uptick in crime.

To date, there is only one study on the DOJCRD as an influence on violent crime rates. Rushin and Edwards (2017) looked at how DOJCRD adjudicated mandates were influencing crime rates in cities under scrutiny. They found increases in several crime categories with the introduction of external regulation or mandates. However, as mentioned earlier, investigations are lengthy and crime rates begin to increase long before the influencing factors of mandates. For example, Chicago is experiencing significant increases in violent crime rates since the onset of the DOJCRD investigation and mandates have yet to be adjudicated or implemented as of this writing.

In my review, no study has been conducted on the effects of the commencement of a DOJCRD investigation on local crime and arrest rates. There is not much dispute that crime rates are significantly rising in areas where the DOJCRD has conducted a patterns and practice of Constitutional or civil rights violations investigation. What did not appear

in the literature is how the commencement of this investigation, rather than the applied mandates, may be leading to substantial increases in crime and lower arrest rates in these communities. If a correlation exists between the commencement of a DOJCRD investigation and crime rates that are leaving some communities vulnerable, a review of this policy must follow. The importance of this not only affects the day-to-day suffering of these cities, but it could save lives.

Problem Statement

After years of falling violent crime rates (Department of Justice, 2016), the FBI has released its 2016 Preliminary Semiannual UCR, which indicates a 5.3% increase in violent crime in the United States from 2015 (FBI, 2017). Some areas of the country are experiencing greater increases in their crime rates. Ferguson, Missouri has experienced a 65% increase in violent crime in the last 2 years (Department of Justice, 2015). Chicago went from 415 murders in 2014 to 478 in 2015 (Department of Justice, 2017), which further increased by 58% in 2016 (Peters, n.d.). In Baltimore, there were 637 shootings in 2015, a 72% increase from 2014 (Bidgood, 2016). The common thread among these three cities is that violent crime has significantly increased, and the local law enforcement agencies are under scrutiny by the DOJCRD.

Acknowledging the increase in violent crime, Doyle Sam Dotson III, the Chief of the St. Louis Police Department, theorized that officer "pull-back" might be the cause, and he attributed this to what he called the "Ferguson effect" (Beyers, 2017). Under this theory, officers are experiencing a polarizing effect due to media sensationalism and subsequent manifestations surrounding encounters with African Americans. To test this

theory, Wolf and Nix (2016) surveyed officers around Ferguson, Missouri. They concluded that officers who have confidence in their authority or perceive their agency as fair are more willing to partner with the community to solve problems, regardless of the potential effects derived from negative publicity. Their findings unveil the possibility that something other than officer fears may be responsible. If officers are "pulling back," and this is causing crime rates to increase, it could be that agency administrative decisions are the cause. The DOJCRD has the power to establish court enforceable mandates on law enforcement agencies, and this may be the impetus for administrators to direct their efforts and resources to other, less provocative areas.

The objective of this research was to analyze secondary data sources for the before and after effects on violent crime and arrest rates of all agencies that have come under DOJCRD scrutiny since their inception in 1994. This is a quantitative, quasi-experimental, time-series design, with two continuous dependent variables (violent crime rate and arrest rate) and one categorical independent variable measured before and after the commencement of a DOJCRD investigation of a law enforcement agency. The analysis also includes the use of a nonequivalent control variable, the national crime rate.

Purpose of the Study

The purpose of this quantitative study was to analyze crime rates and arrest rates before and after the commencement of a DOJCRD investigation of a local law enforcement agency. I sought to determine if the independent variable, the commencement of a DOJCRD investigation, has an impact on the dependent variables violent crime rate and arrest rate. Preliminary analysis using data from Ferguson,

Baltimore, and Chicago indicated significant changes were occurring to violent crime rates and arrest rates, and the changes were negatively affecting the communities involved.

The importance of law enforcement working within the guidelines of the Constitution cannot be overstated. This research is not an attempt to endorse any position regarding investigations conducted by the DOJCRD or the agency under scrutiny. However, I recognize that a law enforcement agency's primary purpose is to protect its citizens. There are indications that when the DOJCRD commence their investigations, crime rates increase to levels that put communities in danger. In Ferguson, Baltimore, and Chicago, the DOJCRD left rising violent crime rates and dramatically reduced arrest rates. If these three cities are representative of the whole, this calls into question the efficacy of DOJCRD investigations. As stated earlier, in Chicago, mandates by the DOJCRD have not yet been adjudicated or implemented, and the investigation alone has led to increased violent crime rates and reduced arrest rates.

I analyzed the before and after effects on the dependent variables, violent crime rates and arrest rates, with the introduction of the independent variable, DOJCRD investigations into local law enforcement agencies. Increased violent crime rates and decreased arrest rates were not the intention of Congress when they granted this authority to the DOJCRD.

Theoretical Framework

The National Institute of Justice (2009) has identified several theories for crime causation: routine activity theory, situational crime prevention theory, broken windows

theory, crime opportunity theory, social disorganization theory, and crime pattern theory. These theories establish why crime occurs in some places and not others. Of these theories, I considered the routine activity theory and situational crime prevention theory.

Both routine activity theory and situational crime prevention theory include an element of guardianship and help posit that the mere presence of a person deters perpetrators of crime. The essence of this research supports the idea that internal policy changes have led to law enforcement officers pulling back from otherwise high crime areas, and this factor is contributing to increased violent crime rates. The question of what triggered this phenomenon is the foundation of this study. The first step in this process is to identify if a small sample is representative of the entire population of agencies that have endured an overarching, multiple allegation, patterns and practice of Constitutional and civil rights violations investigation by the DOJCRD.

Research Questions and Hypothesis

RQ1: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and violent crime rates?

$H_0$1: The violent crime rate does not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$1: The violent crime rate does differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

RQ2: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and arrest rates?

$H_0$2: Arrest rates do not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$2: Arrest rates do differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

Nature of Study

This quantitative study involved a quasi-experimental, multiple time-series, nonequivalent control group design. I analyzed violent crime rates and arrest rates before and after the commencement of a DOJCRD investigation into local law enforcement agencies. I analyzed changes to the dependent variables, violent crime rate and arrest rate, after the introduction of the independent variable, the commencement of an investigation by the DOJCRD on a local law enforcement agency. The analysis includes the use of a nonequivalent control variable, the national crime rate, during the same time periods that each city has come under scrutiny of the DOJCRD. Multiple time-series was used to determine violent crime rates, arrest rates, and the national crime rate before and after the commencement a DOJCRD investigation into a local law enforcement agency.

Definitions

The following are Part I crimes as defined by the FBI for UCR data and are characterized as violent crimes. The data for this study includes only Part I offenses.

Criminal homicide: Includes murder and nonnegligent manslaughter: the willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to the killing of a felon by a law enforcement officer in the line of duty or the killing of a felon, during the commission of a felony, by a private citizen. Criminal homicide also refers to manslaughter by negligence: the killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities are not included in the category Manslaughter by Negligence (FBI, 2017).

Forcible rape/legacy rape: The carnal knowledge of a female forcibly and against her will. Rapes by force and attempts or assaults to rape, regardless of the age of the victim, are included. Statutory offenses (no force used—victim under age of consent) are excluded (FBI, 2017).

Revised rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Attempts or assaults to commit rape are also included; however, statutory rape and incest are excluded. In December 2011, the UCR program changed its definition of SRS rape to this revised definition. This change can be seen in the UCR data starting in 2013. Any data reported under the older definition of rape will be called "legacy rape." (FBI, 2017).

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear (FBI, 2017).

Aggravated assault: An unlawful attack by one person upon another for inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or bodily harm. Simple assaults are excluded (FBI, 2017).

Assumptions

I made the following assumptions for this research. First, I assumed the data from the UCR was accurate. The FBI gathers data from approximately 18,000 law enforcement agencies across the country. Despite rules and regulatory procedures for agencies reporting to the UCR, there could be differences in how they report their data. My second assumption was that the UCR has not made mistakes in reporting the data provided. To reduce the threats to internal validity I limited the data to only Part I, violent crime offenses. There is less ambiguity in the definitions of these crimes and agencies are more likely to report this data accurately. I further address this issue by using a time-series design and collecting data for 3 years before and after the introduction of the independent variable. My third assumption was the use of quantitative, time-series methodology as the appropriate design for this study. In this case, I used an interrupted time-series design with a series of observations made before and after the introduction of the independent variable. My fourth assumption was that the UCR accurately reports the national crime rate, which I used to strengthen the design by using it as a nonequivalent control variable.

My fifth and final assumption was that the DOJCRD reports the accurate date for the commencement of their investigation in their investigation findings report.

Scope and Delimitations

This study includes all agencies that have come under scrutiny of the DOJCRD for multiple allegations of patterns and practice of Constitutional and civil rights violations. Other inquiries made by the DOJCRD are not as invasive. For instance, in three cases the DOJCRD investigated how local organizations handled sexual assault cases. To look at only one facet of an organization is not nearly as intrusive as an overarching, multiple allegation, patterns, and practice investigation. This type of investigation is highly intrusive, time consuming, and costly to the agency involved. This study encompasses the entire population of agencies that fall under these criteria, thus improving validity and generalizability.

Limitations

This study includes the entire population rather than a sample. By doing this, I strengthen validity; however, because the study includes violent crime and arrest rates, there may be confounding variables. I addressed this issue by looking at a specific point in time and measuring before and after that point. Maxfield and Babbie (2011) argue that validity issues are problematic with time-series designs unless they include a long series of observations before and after the introduction of an independent variable. For this study I used the commencement date provided by the DOJCRD and included data for 3 years before and 3 years after the introduction of the independent variable. I considered

the year the investigation commenced as Year 1 after the introduction of the independent variable.

I found UCR data to be mostly accurate and complete, but there were many instances where it was not. Rather than to decrease sample size, I contacted several agencies directly to gather all the data available. I found some agencies had all the data I needed, others had crime data but not arrest data, and in some cases they were missing all the data I was requesting. In some instances, I analyzed crime data on a city and not arrest data because it was unavailable. If both the UCR and agency were missing years I could not include them in the analysis. I provide a table in Chapter 4 outlining data issues specific to all agencies under consideration.

Significance

If a correlation exists between the commencement of a DOJCRD investigation into local law enforcement agency, increased violent crime rates, and reduced arrest rates, this is not likely to be the intention of Congress when they empowered the DOJCRD in 1994. If these three communities (Ferguson, Chicago, Baltimore) are typical of the results when local law enforcement agencies are under scrutiny by the DOJCRD, communities are vulnerable to high violent crime rates. To date, there is no multiple time-series research into the before and after effects on violent crime rates, and arrest rates, from the commencement of a DOJCRD investigation into a local law enforcement agency.

This study could contribute to positive social change by unveiling a policy put in place that may be contributing to substantially increased violent crime rates. If a correlation exists between violent crime rates, arrest rates, and the DOJCRD investigating

a local law enforcement agency, further research and a review of current policies must follow. The primary responsibility of law enforcement, including the Department of Justice, is the protection of its citizens. If policies are in place that undermines this responsibility, positive social change would equate to the preservation of life.

Summary

Walden University's commitment to positive social change includes the evaluation of current public policies and their impact on society. I hypothesized that the well-intentioned policy of DOJCRD investigations may be the impetus for increasing violent crime rates and declining arrest rates in communities. By uncovering a correlation between the commencement of a DOJCRD investigation into local law enforcement agencies and an increase in violent crime rates and decline in arrest rates, this research can lead to improving the quality of life in these communities and could help save lives.

Chapter 2: Literature Review

Introduction

In response to the public outcry of perceived police brutality in 1994, Congress granted the DOJCRD the authority to investigate state, county, and municipal law enforcement agencies for patterns and practice of Constitutional or civil rights violations. If substantiated, the DOJCRD can obtain court-ordered mandates to effect change within those agencies. This policy is well-intentioned and holds law enforcement accountable to the public they serve. However, an analysis of a small sample of agencies that have withstood the lengthy and invasive nature of these investigations unveil a negative trend. Upon the initiation of a formal investigation by the DOJCRD, violent crime rates increase and arrest rates dramatically fall, leaving communities at risk. This has been somewhat evident in Ferguson, Missouri, Chicago, Illinois, and Baltimore, Maryland. This study was conducted to examine whether this small sample is representative of the entire population of agencies subject to scrutiny by the DOJCRD.

Literature Search Strategy

There is little current research on correlations between violent crime and arrest rates post DOJCRD investigations. Most research has been on the mandates placed on law enforcement agencies and the effect they have had on the organization. The focus of the research thus far includes changes within the agency and whether they have implemented the mandates agreed to in the consent decree. The bulk of the research has been an attempt to find causes for significant increases in certain areas of the country. Theories such as the Ferguson effect and de-policing are at the forefront of the research.

Although there is evidence to support these theories, there is no research that has considered the effect of DOJCRD investigations on crime rates and arrest rates.

I used Walden University's library database as well as criminal justice and psychological search engines. I used ProQuest, EBSCO, and SAGE Journals but also LexisNexis from both Walden University and University of California, Irvine. I found Google Scholar helpful in some instances when I was searching for general ideas or trying to find news articles not related to research. I used Cornell Law when I needed specific definitions on law questions.

The bulk of my references are within the last 5 years. References beyond 5years were necessary in many cases to provide historical information on important points, policy, and law formation. Key search terms included *Department of Justice, federal oversight of law enforcement, 42 U.S.C §14141, consent decrees, federal mandates of law enforcement agencies, Department of Justice, Civil Rights Division, Judiciary Committee, LAPD, Ferguson Effect, de-policing*.

History of 42 U.S.C. § 14141

In 1991, a subcommittee on Civil and Constitutional Rights of the Committee on the Judiciary called a hearing to discuss the issue of police brutality. This was in response to the public outcry stemming from the videotaped beating of Rodney King by Los Angeles Police Department officers, publicized in the national media. The Federal Government having statutory jurisdiction under Title 18, U.S.C., Section 241, Conspiracy Against Rights, and Title 18, U.S.C., Section 242, Deprivation of Rights Under Color of Law, wanted to examine how widespread police misconduct is, not just in Los Angeles,

but nationwide (FBI, n.d.; House of Representatives, Subcommittee on Civil and Constitutional Rights, 1991). The emphasis of the committee was to examine how effective the Federal Government's response is to police misconduct and to assess the need for strengthening federal laws to address recalcitrant law enforcement agencies. At that time, the Department of Justice and private citizens could do little to effect change in a law enforcement agency because they did not possess the required statutory authority. Congress rejected granting this authority in 1957, 1959, and again in 1964 with the acclaimed Civil Rights Act. Congress considered this authority an inappropriate power for the Department of Justice (House of Representatives, Subcommittee on Civil and Constitutional Rights, 1991). Two separate cases, the *United States v. the City of Philadelphia* and *City of Los Angeles v. Lyons,* were to test this lack of authority.

In the *United States v. City of Philadelphia*, 187 F.2d, (1980), the U.S. government alleged that the city of Philadelphia and its police department engaged in a patterns or practices of depriving persons of rights protected by the due process clause of the 14th amendment. The District Court dismissed the suit, finding that the attorney general had no authority to bring a lawsuit to advance the civil rights of a third person. The U.S. Court of Appeals, Third Circuit, reviewed the case and agreed with the findings of the District Court (*The United States v. City of Philadelphia*, 187 F.2d, 1980). This decision would summarily remove any possibility of federal government intervention in a law enforcement agency while lacking statutory authority.

In the *City of Los Angeles v. Lyons* 461 U.S. 95 (1983) case, Adolph Lyons sought damages against officers from the LAPD for injuries sustained from the use of a

chokehold. Lyons alleged that the officers applied the chokehold despite Lyons offering no resistance to an illegal arrest. The chokehold rendered Lyons unconscious and damaged his larynx. Lyons also sought an injunction against the city of Los Angeles barring any future use of chokeholds. The U.S. District Court for the Central District of California ultimately entered a preliminary injunction against the use of chokeholds except in circumstances where there was a threat of death or serious bodily injury. The U.S. Court of Appeals for the Ninth Circuit reviewed the case and affirmed the decision of the lower court. The U.S. Supreme Court granted certiorari and ultimately disagreed with the lower courts. They found federal courts on behalf of private citizens were without jurisdiction to entertain claims for injunctive relief. Although Lyons may have a claim for damages based on injury, absent a real and immediate threat of officers targeting him in the future, injunctive relief was not possible (*City of Los Angeles v. Lyons,* 461 U.S. 95, 1983).

Based on the testimony before the House Subcommittee on police brutality, the Judiciary Committee created the Police Accountability Act of 1991, granting authority to the Department of Justice to pursue patterns and practice cases against recalcitrant law enforcement agencies. Congress again voted against giving the Department of Justice this power. However, in 1994 Congress enacted the VCCLEA and the only part of the Police Accountability Act of 1991 not included in the VCCLEA was a private citizen's right to pursue injunctive relief for police malfeasance.

Title XXI of the VCCLEA, 42 U.S.C. § 14141 (Section 14141; re-codified at 34 U.S.C. § 12601) authorized the U.S. attorney general to investigate and litigate cases

involving law enforcement agencies for patterns or practices of Constitutional or civil rights violations (Civil Rights Division U.S. Department of Justice, 2017). Under this provision, the DOJCRD could obtain court-ordered mandates in the form of consent decrees on state and local law enforcement agencies to address institutional pattern and practice failures causing systemic police misconduct. Isolated instances are not enough to establish a pattern or practice of institutional failures; investigation findings must unveil systemic violations of peoples' rights. Typically, investigations include the use of excessive force; unlawful stops, searches, or arrests; and discriminatory policing. Other considerations include bias based on race, ethnicity, national origin, gender, and sexual orientation. The DOJCRD established the Special Litigation Section in 1995 to enforce the police misconduct provision of the VCCLEA.

Investigations Under 42 U.S.C. § 14141

The first case brought under U.S.C. § 14141 was in Pittsburg, Pennsylvania in 1997. Since then, the DOJCRD has opened 69 formal investigations that led to 40 court ordered, mandated reform agreements or consent decrees (Civil Rights Division U.S. Department of Justice, 2017). Decisions to initiate an investigation into a law enforcement agency begin with preliminary inquiries stemming from complaints made by community members, advocacy groups, attorneys, judges, legislators, police officers, other law enforcement agencies, or local government officials. Although preliminary inquiries are confidential, they are extensive and can involve research into nearly any aspect of a law enforcement agency. Pending the results of the preliminary inquiry, the DOJCRD can decide to take no further action or consider other forms of intervention

such as providing guidance to effective community policing operations. If the inquiry points toward a more significant problem, the DOJCRD director can decide to allocate the resources toward a formal investigation of the agency. The decision to pursue an official investigation includes the high cost associated with the project. In 2000 the Department of Justice requested an additional $100 million in funding to increase the number of investigations allowed (Budget Staff Justice Management Division, 1999). Rushin (2014) estimated the Department of Justice averaged three investigations per year since the inception of U.S.C. § 14141. If the director decides to move forward with the investigation, the DOJCRD notifies the jurisdiction's chief executive officer and chief legal officer in advance of a public announcement.

Formal investigations of law enforcement agencies are extensive and highly intrusive to the organization under investigation. Investigators review hundreds and sometimes thousands of pages of internal documents, reports, officer training, and personnel files (Rushin, 2014). Although the length of investigations varies, many will take over a year to complete. For instance, the investigation into the Chicago Police Department began on December 7, 2015 and concluded January 13, 2017 (United States Department of Justice Civil Rights Division & United States Attorney's Office, 2017).

From the perspective of the DOJCRD, police leaders set the tone for the law enforcement agency's approach to an investigation, particularly in the early stages (Civil Rights Division U.S. Department of Justice, 2017). Because of this, they begin by gathering perspectives from rank and file officers and interact with representatives of police labor organizations and affinity groups such as the Black, Latino, female, and

LGBTQ officer associations. They explain the purpose and general structure of the planned investigation and answer questions that arise. There is no established timetable to completion, and there is no set agenda as to what they will review next. These investigations are costly and disruptive, and are likely to have a profound effect on any agency, especially a small organization like the Ferguson Police Department.

The investigation of the Ferguson Police Department began September of 2014 and concluded March 4, 2015. According to the investigation findings, investigators interviewed all top-ranking officials from the City of Ferguson, municipal court judges and clerks, and half of the sworn officers from the Ferguson Police Department. They participated in ride-a-longs with officers, reviewed over 35,000 pages of police records, and thousands of emails and other electronic materials. Using statistical experts, they analyzed officer stops, searches, citations, arrests, and data collected by the municipal court. They met with 10 neighborhood associations, community groups, and advocacy organizations and conducted both in-person and telephone interviews from people that reside in Ferguson or who had interactions with the Ferguson Police Department (United States Department of Justice Civil Right Division, Investigation of Ferguson Police Department, 2015). This did not include any preliminary work they completed or the on-going monitoring resulting from the investigation.

Upon completion of an investigation, the DOJCRD notifies the agency of the findings and whether they have found sufficient evidence to support a finding of a pattern or practice of conduct in violation of the Constitution or federal law. Of the 69 investigations conducted by the DOJCRD since the enactment of U.S.C. § 14141, 26

resulted in no further action required. The others resulted in recommendations for some form of intervention, up to and including court mandated consent decrees (Civil Rights Division U.S. Department of Justice, 2017).

Consent Decrees Under 42 U.S.C. § 14141

Consent decrees are an order of a court based on an agreement made between parties in a lawsuit. They are subject to approval by the court and cannot be appealed except in instances of fraud (Legal Information Institute, n.d.). Consent decrees are preferable in most cases to avoid the publicity and potential damaging exposure from a lengthy court trial. Some critics of consent decrees argue that federal courts assert too much power on defendants and contend they impose conditions on local and state government that usurp state power (Farlex, n.d.). Typically, the DOJCRD petitions the federal court to order the department to end the misconduct and change policies and procedures that have contributed to the misconduct. From these petitions, negotiations commence between the DOJCRD and the law enforcement agency that lead to consent decrees, which place mandates on agencies to effect change. The federal court then reviews the consent decree, and if accepted, will order the terms of the consent decree. In most cases, law enforcement agencies have a time frame to complete the changes, and some form of monitoring is ordered that will update the court on the agencies progress. Consent decrees can vary in length but will typically be in place for 5 years or longer (Rushin & Edwards, 2017, p. 748). Consent decrees affect many aspects and operations of a law enforcement agency as evidenced in the City of Ferguson mandated decree.

The consent decree for the City of Ferguson addresses community policing and engagement, reform of the municipal code, policies and training, bias-free police and court practices, voluntary contacts, stops, searches, citations, and arrest assessment and improvement, first amendment protected activity assessment and improvement, crisis intervention, school resource officer program, body-worn and in-car camera program, supervision assessment and improvement, officer assistance and support assessment and improvement, recruitment assessment and improvement, performance evaluations and promotions assessment and improvement, supplemental recruit and in-service training programs, municipal court reform, accountability assessment and improvement, civilian oversight, data collection, reporting and transparency, monitoring, compliance assessment and enforcement of the consent decree. The decree affects nearly every operation of the Ferguson Police Department and will not terminate until the city has been in full and active compliance for 2 years. Remarkably, crime rates, arrest rates and public safety are not a consideration of the investigation or mandated consent decree (*United States of America v. The City of Ferguson*, 2016).

Correlation with Violent Crime Rates

Investigations of police agencies by the DOJCRD and subsequent consent decrees, if mandated, are intrusive and disruptive to the normal operations of a police agency. This may be having a significant impact on violent crime rates in those communities. After decades of falling violent crime rates (Department of Justice, 2016), FBI statistics indicate the violent crime rate increased by 3.4% nationwide in 2016 when compared to 2015, the most significant single-year increase in 25 years. The nationwide

homicide rate increased by 7.9%, for a total increase of more than 20% since 2014 (FBI, 2017). Some areas of the country are experiencing even greater increases in their crime rates. Ferguson, Missouri has experienced a 65% increase in violent crime in the last 2 years (Department of Justice, 2015). Chicago went from 415 murders in 2014 to 478 in 2015 (Department of Justice, 2017) and further increased by 58% in 2016 (Peters, n.d.). In Baltimore, there were 637 shootings in 2015, a 72% increase from 2014 (Bidgood, 2016). The common thread among these three cities is that violent crime has significantly increased, and the local law enforcement agency is under scrutiny by the DOJCRD (United States Department of Justice Civil Rights Division, 2015, 2016; United States Department of Justice Civil Rights Division & United States Attorney's Office, 2017).

The DOJCRD investigation of Ferguson Police Department began in September 2014 and culminated with a consent decree filed in March of 2016. In 2014 the violent crime rate in Ferguson per 100,000 inhabitants was 291.6 and increased to 505.7 in 2015 (Department of Justice, 2015). In May 2015, the DOJCRD opened its investigation into Baltimore Police Department, which culminated in a consent decree filed in the U.S. District Court for the District of Maryland on January 12, 2017 (*United States of America v. Police Department of Baltimore*, 2017; Department of Justice, n.d.). During this time, shootings in Baltimore increased by 72% (Bidgood, 2016).

At of the time of this writing, the DOJCRD has not adjudicated mandates on the Chicago Police Department despite the investigation's review of the department. This is an important point toward this study because the findings of the investigation conducted by the DOJCRD found officer morale "profoundly" low (United States Department of

Justice Civil Rights Division & United States Attorney's Office, 2017). The investigation commenced in December of 2015, and in 2016 there were 762 homicides, nearly 300 more than 2015. There were also 1,100 more shootings in 2016 compared to 2015 (Department of Justice, 2017). The findings of the investigation did not consider any correlation between the onset of the investigation and the significant increase in violent crime. They instead looked to the Chicago Police Department to address the mistrust the community has in them to affect the soaring violent crime rates (United States Department of Justice Civil Rights Division, & United States Attorney's Office Northern District of Illinois, 2017). This may be true in Chicago, but the phenomenon is clearly prevalent in more than just one city.

In 2016 the Department of Justice, responding to rising violent crime rates, commissioned Dr. Richard Rosenfeld, Professor at the University of Missouri, to examine the increase in homicides from 2015. Rosenfeld (2016) considered the emerging theories of the Ferguson effect, de-policing, and increased heroin usage as causative factors. He concluded increased heroin usage as the primary cause for the phenomenon, while deemphasizing the impact of the Ferguson effect and de-policing. There was no consideration given to the DOJCRD investigations, and of greater importance, Rosenfeld concluded that if the Ferguson effect or de-policing is the cause for the uptick in homicides, then we should also observe significant reductions in arrests (Rosenfeld, 2016). Uptick in crime and significant reductions in arrests are precisely what is happening in Ferguson, Baltimore, and Chicago.

Ferguson Effect

Doyle Sam Dotson III, the Chief of the St. Louis Police Department, theorized that officer "pull-back" might be the cause of the increase in crime rates and attributed this to what he coined the "Ferguson effect" (Beyers, 2017). Under this theory, officers are experiencing a polarizing effect due to media sensationalism and subsequent manifestations surrounding encounters with African Americans. The impetus for this was when Ferguson police officer Darren Wilson shot and killed an unarmed African American wanted for robbery named Michael Brown. During the arrest, Brown began beating on the officer and attempted to take his gun. Upon reviewing the case, a Grand Jury declined to indict Officer Wilson, and this led to civil discourse and rioting in the predominantly African American community. Officer Wilson wanted to return to the Ferguson police department, and despite his vindication in the shooting, the department and the city considered him too great of a liability and forced him to resign. Due to continual harassment by the media and death threats made to his family, very few people know where he lives with his wife and daughter (Yan, 2015). The finding of justified use of force in this case forever altered the lives of the officer and his family.

Baltimore also had an officer-involved incident that led to civil discourse in a predominantly African American community. In 2015, six officers were subject to arrest when a 25-year-old African American named Freddie Gray died while in police custody. Charges on the officers ranged from second degree depraved-heart murder to illegal arrest. All the officers pled not-guilty, and four of them went to trial. One trial ended in a mistrial, and three others were found not guilty. Prosecutors fearing the same resolve on

the remaining cases dismissed all the charges on the remaining officers. Marilyn Mosby, States Attorney for Baltimore, faced considerable criticism for pursuing charges that many considered baseless. Several officers involved have filed civil litigation against Mosby for malicious prosecution. This encounter severely affected the lives of these officers and their families for a considerable amount of time and has continued well into 2017.

Officers, fearing these types of scenarios, are what some theorize is leading to officer pull-back from proactive policing, or what is coined the Ferguson effect. However, Wolfe and Nix (2016) studied the Ferguson effect phenomenon by interviewing officers from around the Ferguson, Missouri area. Officers reported that regardless of any effects they may endure from negative publicity, if they felt their agency was fair, and they had confidence in their authority, they were willing to work with communities to solve problems. This signals something other than officers' fears being attributable to the Ferguson effect and increased violent crime rates.

Pyrooz, Decker, Wolfe and Shjarback (2016) looked at correlations between the Ferguson effect and pre-and post-crime rates in "large" cities throughout the country. Researchers hypothesized the so-called Ferguson effect did have a chilling effect on law enforcement officers, and this led to crime rate increases in large cities throughout the country. Researchers were unable to substantiate the hypothesis finding no correlation between crime rates and the so-called Ferguson effect. This study focused on large cities throughout the country and did not look specifically at cities with local law enforcement

agencies under DOJCRD investigation. Again, signaling something other than the so-called Ferguson effect could be responsible for the increase in violent crime rates.

De-policing

De-policing is a theory that posits officers are deliberately ignoring crimes and withdrawing from crime prevention services due to fear of accusations of racial profiling. Rushin and Edwards (2017) considered de-policing in their study of agencies subject to consent decrees under U.S.C. § 14141. Using a difference-in-differences estimation strategy they analyzed the crime rates of 61 cities the DOJ has investigated since 1994 and compared them to the 31 agencies that ultimately came under a consent decree. The focus of this study analyzed the effect of the consent decree on crime rates. They found statistically insignificant increases in all index crimes with the introduction of public scrutiny on local law enforcement agencies and statistically significant increases in several crime categories with the introduction of external regulation from a consent decree. Although they are testing for the effect on crime rates, their treatment and control groups came from the same population of agencies that were subject to DOJCRD investigation (Rushin and Edwards, 2017 p. 721).

The timing and effect on violent crime rates in Baltimore, Ferguson, and Chicago when compared to the national crime rate suggest a substantial increase in violent crime with the onset of a DOJCRD investigation. This surge in violent crime cannot be entirely attributable to the consent decree as argued in Rushin and Edwards (2017) because as of now, Chicago is not under a consent decree and crime rates are soaring. Crime rates also

began to increase in Baltimore and Ferguson long before the implementation of their consent decrees.

This same theory holds true when applied to Pittsburg, Pennsylvania, the first investigation completed by the DOJCRD. The investigation commenced in April of 1996, concluded in January 1997 and the city entered a consent decree with the DOJCRD in April 1997. The violent crime rate went from 427.32 in 1995 to 480.30 in 1996 (The Disaster Center, 2016). Again, violent crime rates began to increase at the commencement of the investigation, long before external regulation from a consent decree.

If de-policing is the cause it would manifest itself in other ways besides crime rate increases. Cantora, Lyer, and Restivo (2016) using a qualitative designed study, examined crime in East Baltimore and concluded that people lacked collective efficacy to address several issues in their communities. Specific to law enforcement they found the slow and ineffective response to calls for service leading citizens to believe they [law enforcement] didn't care. This again signals the possibility of de-policing resulting in an increase in violent crime rates. If officers are not proactively working, commanders should recognize this and adjust, unless executive policy changes are the cause of the pull-back. CompStat and the Chicago Police Department may unveil this possibility.

CompStat and the Chicago Police Department

As police resources become scarcer, the need to effectively place valuable resources toward problematic areas has become critical. In 1994, New York Police Department adopted a program called CompStat (Bronstein, 2014). Willis (2011) found

the use of CompStat and community policing as the two most visible reforms of law enforcement to occur in the last quarter century. This strategic control system gathers and disseminates information on crime problems within communities and provides tracking information to commanders of efforts made to address the issues. The intention behind adopting this program is to develop a method for allocating police resources efficiently. This data-driven system maps crime statistics, analyzes the data, and provides real-time information to agency decision makers on where best to place law enforcement resources. Commanders are responsible for the implementation of resources and other programs to address crime in their areas and are required to meet regularly with colleagues and superiors to defend their command decisions. Commanders that fail to address crime in their areas are subject to discipline, up to and including demotion (Bronstein, 2014; Bratton, Malinowski, 2008; Moore, 2003; Moore, Braga, 2003; Weisburd, Mastrofski, McNally, Greenspan, and Willis, 2003).

Numerous agencies across the country are using CompStat or some other similar quantifiable system to make informed decisions about resource allocation. Chicago Police Department was using the CompStat system but discontinued its use at approximately the same time as the DOJCRD investigation. Garry McCarthy, the former police superintendent of the Chicago Police Department, who was fired by the Mayor of Chicago in December of 2016, told the Daily News that among the reasons for the spike in violent crime in Chicago was the department no longer holds CompStat meetings to focus on crime hot spots, and police stops are down nearly 90% from 2015 (Blau, 2016). This again signals something other than officer fears attributing to the increase in crime

rates. This opens the door for the possibility of upper-level managers and administrators setting policy to address the DOJCRD accusations, instead of attending to crime rates and the effect on the public they serve. Missouri had similar results for police stops with 100,000 fewer stops between 2014 and 2015 the time when Ferguson Police Department was under investigation by the DOJCRD (Shjarback, Decker, Wolfe & Pyrooz, 2017). Baltimore also experienced a reduction in arrests and a spike in crime since the inception of their DOJCRD investigation, (Dewan, 2017). Further evidence of de-policing and the theoretical possibility that DOJCRD investigations are leading to soaring crime rates. This calls into question the efficacy of DOJCRD investigations on local law enforcement agencies.

Efficacy of the Department of Justice, Civil Rights Division

In March of 2017, Attorney General Sessions called for a review of all consent decrees signaling an intention to withdraw from police department investigations by the DOJCRD. Rushin (2014) found Department of Justice internal policy changes either discouraging or encouraging federal involvement in local agencies ebb and flows with the current administration philosophies. This finding sets the stage for inconsistent and selective enforcement of U.S.C. § 14141 by the top law enforcement official in the country who is investigating law enforcement agencies for among other things, inconsistent and selective enforcement of the people in their jurisdictions.

Federal bureaucracy often comes with an exorbitant price tag. The Washington Post found the reform agreement in Los Angeles estimated cost at $300 million. Detroit projected costs at $50 million, and Puerto Rico at $200 million despite both these cities

being in extreme financial hardship. These figures don't include costs associated with the investigations by the DOJCRD that run into the tens of hundreds of millions. In many cases, the salaries and expenses of the federal monitors and their staff after the investigations are among the most significant costs. Some even believe monitors have a financial incentive to prolong the oversight (Kelly, Childress, & Rich, 2015). With this responsibility in the hands of bureaucrats with huge budgets forcing law enforcement agencies to spend huge amounts of money to implement changes, the public should expect the outcome to be excellent.

In 2013 the Police Executive Research Forum assessed the DOJCRD and noted some of the challenges of reform, prompting calls for re-examining some aspects of their work. Although the Forum did not state what this meant, they did acknowledge agencies have improved policies on critical issues such as the use of force, better training of officers, and more advanced information systems in the wake of DOJCRD investigations and subsequent consent decrees (Civil Rights Division U.S. Department of Justice, 2017). The LAPD investigation and subsequent consent decree provide us with a detailed analysis of the entire process.

Within a month of the videotaped beating of Rodney King by LAPD officers, public outcry caused the Mayor of Los Angeles, Tom Bradley, to impanel the Independent Commission on the Los Angeles Police Department, informally known as the Christopher Commission. The Christopher Commission examined problems with excessive force, racism and bias, community policing, recruitment, training, promotion, assignment, and other personnel issues, personnel complaints and officer discipline in the

LAPD. Among the many problems unveiled by the Commission were that racism and bias within the LAPD aggravated the problem of excessive force leading to incidents like the Rodney King beating (Independent Commission on the Los Angeles Police Department, 1991, p. xll). The findings prompted the LAPD to make changes to address the issues found by the Christopher Commission. 5 years later, LAPD convened a study to examine the extent to which they had addressed the recommendations of the Christopher Commission. The results indicated significant progress in some areas but lacking in other areas such as management accountability (Los Angeles Police Dept., 1996).

Despite the impetus for the 1991 police brutality hearings by the Subcommittee on Civil and Constitutional Rights being the public outcry from the LAPD Rodney King beatings, it would take until 1996 before the DOJCRD began a preliminary investigation of the LAPD. For unknown reasons the investigation didn't progress to a conclusion until May of 2000 when the DOJCRD announced they had enough evidence to file a patterns and practice suit against the LAPD (Department of Justice, Civil Rights Division, 2000). The announcement came after officer Rafael Perez unveiled illegal conduct by approximately 70 officers in the Rampart Division of LAPD in 1999. Allegations included shootings, beatings, framing and perjury by officers and led to the dismissal of over a hundred criminal cases and nearly 90 million dollars paid to settle civil suits (Stone, Foglesong, & Cole, 2009, p. 4). For three years before the unveiling of this scandal, the DOJCRD was investigating the LAPD. Other than acknowledging the efforts

of the LAPD and the Police Commission for uncovering the misconduct, the DOJCRD had no part in unveiling this scandal.

In 2009, at the request of Chief William Bratton of the Los Angeles Police Department, Harvard Kennedy School completed a study funded by the Los Angeles Police Foundation, on the change that has occurred in the LAPD under a consent decree (Stone et al., 2009, p. 2). Researchers from Harvard Kennedy school concluded, "we see a staggering scale of change" and that it is unlikely that a consent decree can ever make improvements without strong and effective police leadership. (Stone et al., 2009, p. 68) Among many other assertions made in the study, they considered "de-policing" as a possibility given the restraints put on officers with the implementation of the consent decree. The study found that in every instance where the Department of Justice entered a consent decree with a state or local government to address an alleged patterns and practice of police misconduct, concerns were raised about de-policing (Stone et al., 2009, p. 19). Through interviews and focus groups with officers, they found many officers insisting that the consent decree remained an impediment to effective policing and a deterrent to the work necessary to reduce crime in communities (Stone et al., 2009, p.19). This echoed a study conducted by LAPD in 2003 showing 79% of officers believed the consent decree impeded their ability to reduce crime, 89% agreed that because of fear of being unfairly disciplined, officers are not being proactive, and 93% agreed that the threat of community complaints prevents them from being proactive (Stone et al., 2009, p.19). These findings are closely related to an LAPD study completed in 1999, before the implementation of a consent decree. In that study, 15% of officers felt the disciplinary

system was fair and 79% of officers were afraid of being punished for making an honest mistake. The Harvard Kennedy study concluded that distrust in the departments' accountability system may have diminished during the period of the consent decree rather than increase. What we don't know however, is if the distrust levels are just returning to normal because they are only comparing to data from the 1999 study which is 3 years into the DOJCRD's investigation (Stone et al., 2009, p. 21).

Despite officers expressing feelings of timidity and fear while engaging certain segments of the community, Harvard Kennedy researchers concluded; "the statistics refute any claim of de-policing in Los Angeles today as a result of the consent decree." (Stone, Foglesong & Cole, 2009, p. 30). However, on page three of the study, the report states, "In the first years, when the Department was led by officials who failed to implement the decree, perhaps because they had resisted and resented it from the start, crime in Los Angeles increased" (Stone et al., 2009, p. 30). This finding was echoed in a Department of Justice report in 2017 (Civil Rights Division U.S. Department of Justice, 2017).

The Civil Rights Division report from the Department of Justice in 2017 acknowledges this increase in crime in Los Angeles also dismissing it because agency officials were not embracing the spirit of the consent decree. In the entire Department of Justice report of 2017, this one instance is the only time where crime rates and de-policing are mentioned in assessing their efficacy. The report does state the Division typically tracks data such as the rate of stops, searches, and arrests; including the location, the subject's race, ethnicity, gender, and age, but it makes no mention of

monitoring overall effect on crime or arrest rates in communities under investigation by the DOJCRD. Without reviewing all cities under DOJCRD scrutiny, we cannot conclude if the results in Los Angeles are an accurate representation of the outcome of DOJCRD investigations.

Alpert, McLean, and Wolfe (2017) considered DOJCRD investigations and consent decrees and the effect they had on police accountability and reform. They found that when it comes to issues of evaluation and sustainability not only is there no measure of compliance or sustainability, but once monitors leave, there is no requirement to maintain any features of the consent decree. They further conclude there is no convincing evidence of long-term improvements in agencies under consent decrees. This report focuses on the consent decree and how it has impacted the law enforcement agency and questions the sustainability of the DOJCRD mandates. There is no discussion about crime rates, arrest rates or the impact to the community.

If communities are experiencing dramatic increases in their violent crime rate and equally dramatic decreases in arrest rates when the DOJCRD initiates their investigation, this is going to have a significant impact on communities. De-policing may be the cause for this, but we must first look at all investigations by the DOJCRD rather than just a small sample. If officers are no longer engaging in preventative work, this may explain the substantial increase in violent crime rates based on routine activity and situational crime prevention theory.

Theoretical Basis

There are numerous theories for crime that date back to when crime was first documented. 18th century Europe considered crime in more individual terms, often blaming the power of Satan over a person as causation. Positivism theories deemed societal influences are leading to human behavior and similarly, biological approaches analyzed nutrition, diet, and physical attributes as contributory to criminal behavior. In the 19th century, Cesare Lombroso considered criminals as atavists, born to be criminals and attempted to relate certain physical characteristics such as facial features to criminal psychopathology (Sabbatini, 1997). Phycological theories try to explain crime as a sickness, from psychological abnormalities, psychopathic personalities or mental illness. There is certainly no evidence to suggest that any one of these theories explains crime causation any more than another.

The National Institute of Justice (2009) has identified the following theories of crime causation: routine activity theory, situational crime prevention theory, broken windows theory, crime opportunity theory, social disorganization theory, and crime pattern theory. These theories establish why crime occurs in some areas and not others. Both routine activity theory and situational crime prevention theory include an element of guardianship and help posit that the mere presence of a person deters perpetrators of crime (Clarke, 1980).

Cohen and Felson's (1979) seminal work on routine activities theory introduced a model that attempted to explain why crime occurs. The key ideas of routine activities theory posit the commission of a crime requires not only the existence of a motivated

offender, but also the availability of a suitable target and the absence of a capable guardian. Hollis, Felson, & Welsh (2013) argue the concept of guardianship has evolved and been redefined to a guardian keeps eye on the potential target of crime. “Someone is watching and could detect untoward behaviors that deters the likely offender from committing a criminal act.” (Hollis, Felson & Welsh, 2013, p. 71)

Skeptical of singular techniques for controlling situational precipitators of crime, Wortly (2001) argues that reducing deindividuation also contributes to crime prevention and emphasizes the importance of intervention methods at the point which he claims comes before routine activities and situational crime opportunity theories. He does conclude however that controlling situational precipitators of crime and reducing opportunities for crime should not be understood as competing prevention approaches to deindividuation (Wortley, 2001, p. 28).

Clarke (2012) looks back to 1998 when he asserted that opportunity makes a thief and assessed transformations in crime fighting perceptions that have occurred since that time. His findings led to much bolder claims about the role of opportunity in crime. Among the claims by Clarke is, “the more opportunities for crime that exist, the more crime there will be” (Clarke, 2012, p. 6).

These theories present the possibility that if de-policing is occurring and law enforcement officers are pulling back from otherwise high crime areas, this factor may be contributing to increased violent crime rates. Sir Robert Peel regarded as the father of modern British policing produced the nine “Principles of Law Enforcement of 1829.” The ninth principle states, “The test of police efficiency is the absence of crime and

disorder, not the visible evidence of police action in dealing with them". Although situational crime prevention and routine activities theories include an element of guardianship, this doesn't necessarily mean only police; security guards, video cameras, and just simply someone being home could also qualify for guardianship. The police however, are the most visible manifestation of power and authority in society.

Summary and Conclusion

Crime rates in Pittsburg, Ferguson, Baltimore, and Chicago increased at the same time the DOJCRD began their investigation. Researchers have attempted to explain this phenomenon with various theories such as the Ferguson effect, de-policing, and increased heroin usage. Rushin and Edwards (2017) found statistically significant results in increased crime rates when the DOJCRD consent decrees went into effect. However, in a small sample of three cities, (Pittsburg, Ferguson, and Baltimore) consent decrees were not adjudicated for at least a year after the DOJCRD investigation began yet crime rates increased, and arrest rates fell well before then. In Chicago, despite the DOJCRD's scathing review of the Chicago Police Department, no consent decree is in place, and yet the crime rate is soaring, and officer productivity is falling.

For the communities of Pittsburg, Ferguson, Baltimore, and Chicago, they have endured increased violent crime from the time the DOJCRD announced they were going to investigate their local police department. This might be coincidence and justifies why it is necessary to examine the violent crime and arrest rates of all cities the DOJCRD has investigated. First and foremost, local law enforcement and the Department of Justice has a duty to protect communities and assist in making them safe. No study has considered

what happens to violent crime and arrest rates when the DOJCRD begin their investigation, but there are indicators that sound the alarm of concern.

Chapter 3: Research Method

Introduction

The goal of this study was to analyze data from agencies that have come under scrutiny by the DOJCRD and any effect this had on their violent crime rates and arrest rates. The hypothesis considers the commencement of an investigation conducted by the DOJCRD into a local law enforcement agency as the impetus for increasing violent crime rates and falling arrest rates.

In this section I begin by restating the research questions and hypothesis. I then provide the research design and rationale I used to answer the research questions. My methodology section will follow where I will define the population and data that were analyzed. I will then provide the statistical analysis I used with SPSS and the assumptions for proper analysis. I conclude with a discussion of the threats to validity and summary of the research method.

Research Question's and Hypothesis

RQ1: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and violent crime rates?

$H_0$1: The violent crime rate does not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$1: The violent crime rate does differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

RQ2: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and arrest rates?

$H_0$2: Arrest rates do not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$2: Arrest rates do differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

Research Design and Rationale

For the study I used a quantitative, quasi-experimental, multiple time-series research design. This design was selected because it allowed me to study a phenomenon that cannot be controlled or is unethical to be controlled (Campbell & Stanley, 1963). Quasi-experimental designs are distinguished from experimental designs primarily because they lack random assignment of subjects to experimental and control groups (Babbie, 2017). This research involved all agencies that have come under the scrutiny of the DOJCRD, so random assignment was not needed. This study also included the national crime rate as a nonequivalent control group. I chose this type of control group because the national crime rate differs significantly from the experimental groups (i.e., local violent crime rate and local arrest rate; Babbie, 2017). Using existing data, I analyzed violent crime rates and arrest rates as the dependent variables and any correlation they had with the independent variable, the commencement of a DOJCRD investigation. I analyzed the nonequivalent control variable, national crime rate, during the same time frame that each agency came under the scrutiny of the DOJCRD. The time

series includes 3 years before and after the commencement of a DOJCRD investigation as identified in the investigation findings.

Methodology

Population

The population for this study includes all agencies that have come under DOJCRD scrutiny for multiple alleged patterns and practice of Constitutional or civil rights violations. Because the entire population is well defined and manageable in size, I was able to use the entire population, which will go toward generalizability and eliminate sampling bias threats.

The DOJCRD posited that the number of investigations they have completed since their inception in 1994 is 69. However, not all DOJCRD investigations are as intrusive to an agency. For instance, the DOJCRD investigated the Missoula Police Department, the University of Montana Police Department, and the Missoula County Attorney's Office for failing to properly investigate and prosecute sexual assault cases. These investigations are not nearly as intrusive as an overarching investigation that looks at all facets of a law enforcement agency. There is a difference between the number the DOJCRD posits as investigations they have completed and those included in this study. In some instances, the DOJCRD investigated state patrols or county sheriff departments. Because I looked at violent crime rates specifically in cities, these agencies were not included in my assessment. I provide a table in Chapter 4 detailing decisions made for each agency.

Data

For the study I used data from the FBI, Uniform Crime Rate (UCR). The UCR collects statistics from law enforcement agencies, compiles the information, and reports the findings. I gathered data for 3 years before and after the commencement of a DOJCRD investigation. The date the investigation commenced is available in the findings report and made public by the DOJCRD. I considered the year of commencement of the investigation and the subsequent 2 years as part of the "after" analysis, and the preceding 3 years in the "before" analysis. The analysis considered the before and after effects on violent crime rates and arrest rates using the national crime rate, provided by the UCR, as a nonequivalent control variable.

The data included Part I, violent crime offense rates, arrest rates, and the national crime rate. Part I, violent crime offenses include; murder and nonnegligent homicide, rape (legacy and revised), robbery, and aggravated assault. (See definitions in Chapter 1 on how each crime is defined by the UCR) The violent crime rate was calculated by dividing the number of reported violent crimes by the total population of the city under analysis and then multiplying the result by 100,000.

$$RVC \div TP * 100{,}000 = \text{Violent Crime Arrest Rate}$$

RVC = Reported Violent Crime, TP = Total Population

Arrest rates include all reported arrests made by an agency in the time frame under consideration. The purpose of using all arrests is to tease out the possibility of de-policing. The arrest rate was calculated by dividing the number of reported arrests by the population of the city under scrutiny. The result is then multiplied by 100,000.

$$RA \div TP * 100{,}000 = \text{Arrest Rate}$$

RA = Reported Arrests, TP = Total Population

Statistical Analysis and Assumptions

Using SPSS, I used a paired sample *t*-test to determine the mean difference between paired observations. This within-subjects design can analyze a continuous dependent variable, with one categorical independent variable on two levels, before and after an event. Despite the low sample size for each city, $n = 3$, Winter (2013) found the paired sample *t*-test can be applied with *n*'s as low as two when effect size is expected to be large. This assertion held true even in circumstances where combinations of unequal variance and sample size were present (Winter, 2013) For this study, three separate tests were run to determine relationships between the dependent variables, i.e., violent crime rate, arrest rate, and national crime rate, and the independent variable, the commencement of a DOJCRD investigation. The calculation included a point estimate and confidence interval of the mean difference between the two related groups, the statistical significance of the difference, and a measure of the effect size. The necessary assumptions for this analysis included:

1) Dependent variables measured at the continuous level. Violent crime rate and arrest rate are all measured at the continuous level and are the dependent variables. I used a nonequivalent control variable, the national crime rate, for comparison which is also measured at the continuous level.
2) Independent variables with two related groups measured at the categorical level. The independent variable is the commencement of the DOJCRD

investigation and the two related groups will be the dependent variables measured before and after the investigation commences.

3) There should be no significant outliers in the differences between the two related groups. I did find outliers in the data and after finding neither a data entry or measurement error, I compared the results of the paired-samples t-test with and without the outliers. I found a small difference in significance result and made the decision to continue using all data points despite the outliers.
4) The distribution of the differences in the dependent variable between the related groups should be approximately normally distributed. Because the paired-samples t-test is robust to violations of normality, especially when using the entire population, violations of this assumption can somewhat be tolerated and still provide valid results. To test for this assumption, I used the Shapiro-Wilk test of normality (i.e., $p > .05$) and reported the skewness values when I analyzed individual cities. When I analyzed the data in the aggregate I used a Q-Q Plot to determine normality and reported both the skewness and kurtosis values.
5) I reported the mean, standard deviation, and 95% confidence intervals, which establish the magnitude of the mean difference and its likely range. For significance I considered the obtained *t*-value, degrees of freedom and the significance 2-tailed *p*-value. Findings of $p < .05$ indicated the mean difference between the two related groups was statistically significant, and the null hypothesis was rejected. Alternatively, findings of $p > .05$ indicated the

mean difference between the two related groups was not statistically significant, and the null hypothesis was accepted. I reported the results at 1, 2, and 3-year intervals to establish any pattern that may exist in change over time.

Threats to Validity

The use of data from the Uniform Crime Rate (UCR) is not without its limitations. Each year, more than 18,000 agencies contribute data to the FBI. The FBI recognizes the problems facing local law enforcement agencies and the possibility that for any number of reasons they cannot report. Non-reporting could make a difference, especially in the national crime rate. Another issue is the definitions of state crimes competing with definitions of crime for UCR purposes. Because crime definitions vary from state to state, the FBI requires agencies to report offenses not according to local and state statues, but according to the guidelines of the UCR. Although the FBI believes most agencies make a good faith effort to comply with these guidelines, there is very little follow-through on their part to make sure that guidelines are being followed (FBI, 2017).

Another potential threat to validity is the data are based on reported crime and not necessarily actual crime. In Ferguson, Baltimore, and Chicago an event occurred involving an African American and police and this led to civil discourse. Desmond, Papachristos, and Kirk (2016) found that when highly publicized police use of force events occurred involving African American's there was a significant decrease in the number of calls to 911 for police involvement in the Black community. Over time, the number of 911 calls returned to original levels. They argue that episodic events of highly

publicized police use of excessive force creates legal cynicism within the community and people turn to street justice, rather than to the police when legal intervention is needed.

Pew Research Center reported the Bureau of Justice Statistics (BJS) in 2016 found only 42% of violent crime was reported to police (Gramlich, 2018). This disturbingly high number could certainly impact the findings of this study when it comes to violent crime data. This information is based off UCR data, which later I discuss the many issues surrounding their results, and an annual survey conducted by the BJS which is also fraught with many interpretation issues. Despite these assertions there may be a difference between true and reported crime and this could threaten validity.

Due to potential issues with the data, I chose to only use violent crime rates. Part I, violent crime offenses include; murder and nonnegligent homicide, rape (legacy and revised), robbery, and aggravated assault. I believe the data are much cleaner when limited to only Part I, violent crime offenses because there is less ambiguity in defining Part I offenses as opposed to Part II offenses such as theft and assault. These are also crimes that are seemingly more likely to be reported to law enforcement despite legal cynicism.

I used the national crime rate as a nonequivalent control variable. This decision was based on the variable having the ability to be a neutral indicator for comparison with an agency that has come under scrutiny of the DOJCRD. Others have attempted to look at cities with similar demographics for crime rate comparison, but this is fraught with problems (Rushin & Edwards, 2017). Trying to find two cities with nearly identical characteristics opens the door for validity issues. Just matching economic and race factors

alone creates many questionable data problems. The national crime rate has issues as well, however, fluctuations in the national crime rate occur for similar reasons that a local crime rate will. Multiple time series is used to tease out the differences over time with the emphasis on a specific point in time. If fluctuations are occurring in the local crime rate, before the commencement of a DOJCRD investigation, and they differ significantly from the national crime rate, this may affect the validity gained using a nonequivalent control variable.

Arrest rates will include all arrests made by a local law enforcement agency. The purpose of arrest rate analysis is to tease out information that may point toward de-policing. There may be other reasons for changes in arrest rates, and this does go to validity. However, the theory behind de-policing is that officers are turning a blind eye to crimes they otherwise wouldn't, and ultimately this is leading to more crime occurring. Again, multiple time series will be used to tease out the differences over time with the emphasis on a specific point in time. If decreases in arrest rates occur with the commencement of a DOJCRD investigation, this strengthens the argument of de-policing.

Summary

The intended goal of this study was to analyze the before and after effect on violent crime and arrest rates of cities with law enforcement agencies that have come under scrutiny by the DOJCRD. The population for the study includes all agencies that have come under the scrutiny of the DOJCRD for multiple allegations of patterns and practice of Constitutional or civil rights violations. The data is available through the

UCR, local law enforcement agencies, and the DOJCRD. For the study I used a quantitative, quasi-experimental, multiple time-series research design and SPSS for the analysis. Any changes to the data or analysis methods required the consensus of the Committee members and is thoroughly documented and reported.

Chapter 4: Results

Introduction

The purpose of this study was to consider correlations that may exist between the commencement of a DOJCRD investigation into a local law enforcement agency and violent crime and arrest rates of that city. The null hypothesis is that violent crime and arrest rates do not differ before and after the commencement of these investigations. Alternatively, violent crime and arrest rates do differ before and after the commencement of a DOJCRD patterns and practice investigation. The use of a nonequivalent control variable, the national crime rate, was used for comparison information. Arrest rates were considered to tease out the possibility of de-policing resulting from federal scrutiny.

In this chapter, I present information about data collection and the issues surrounding data cleaning for accurate comparisons. I then present the results of the analysis on two levels, city by city and in the aggregate. Using this information to inform my decision, I present my final determinations regarding null hypothesis testing and my research questions.

Data Collection

Upon IRB approval (02-13-18-0631789), my first step in data collection was to identify the cities and time frames for the analysis. To do this I looked at several sources for verification because the DOJCRD site was ambiguous at best. As the research evolved I found there were some credible sources for cross referencing such as the University of Michigan Law School (Civil Rights Litigation Clearing House, n.d.) and Frontline, Fixing the Force (Frontline's Enterprise Journalism Group, n.d.). Ultimately, I

determined that since given the ability by Congress to investigate law enforcement agencies in 1994, the DOJCRD has conducted 69 investigations. Not all these investigations are multi-faceted patterns and practice investigations. For instance, in one case, a single minority employee alleged discrimination in the promotional process and this prompted the DOJCRD to investigate. I began by examining the cause for each investigation and deciding if it met the requirements for my study.

After exhaustively researching the cause of DOJCRD intervention, I then began looking at cities that I had identified being within the parameters of the research. I had to eliminate some agencies because they are state or county agencies, and I could not assess individual cities violent crime rates based on broad data from these agencies. Once I identified the cities included in the research, I began collecting violent crime and arrest data.

I found data collection more difficult than I had anticipated. I assumed that UCR data was accurate, but I found some instances that it was not. I also anticipated the data were gathered consistently from agency to agency, but I found this was also not the case. In several instances, the UCR had violent crime and arrest data for each month as anticipated, but in many cases, they only had annual data. Another difficulty was that despite DOJCRD over-sight there was no UCR data available for several agencies. Additionally, no consent decree or memo of understanding that I reviewed included a provision requiring an agency to report statistics to the UCR.

To resist reducing my sample size, I contacted many agencies where data was not available through the UCR. Most of the time this required a Freedom of Information Act

form submission. Although all agencies responded to my request, many were unable to provide data because it was not available. I found the older the data I was requesting, the more likely they would not be able to find it. As with the UCR, in many instances, I could get violent crime data but was not able to get arrest data. Just as was found with the UCR, many times the data was only available on an annual basis rather than monthly. Because of this, my analysis changed from considering 36 months before and after the commencement of a DOJCRD investigation to 3 years before and after the commencement. I did have occasions when the data by the UCR was inaccurate, and in these instances, I chose to decrease sample size if I could not confirm the data through the individual agency.

For both research questions, I examined changes in the mean before and after the commencement of the DOJCRD investigation. I used three data points, $n = 3$, at 1, 2, and 3 years before and after the commencement of the DOJCRD investigation. The year listed by the DOJCRD for when the investigation began was used as Year 1 of the post investigation data. Ultimately, I analyzed violent crime rate data from 35 cities individually and 37 cities as a whole. Baltimore and Chicago did not have 2017 data as of the time of this research, so I was limited to data for 2 years in these cities. I analyzed arrest rates for only 25 cities due to unavailable data through the UCR or local law enforcement agency. I have provided a list of agency analysis decisions and any issues with data for all agencies considered in Table 1.

Table 1

Agency Analysis Decisions, Explanations, and Data Issues

Agency	Analysis (Yes, No)	Reasoning	Issues
Torrance, CA, May 1995	No	No action taken by the DOJ and no information available as to the extent of the investigation.	
Adelanto, CA, June 1995	No	No action taken by the DOJ and no information available as to the extent of the investigation.	
Pittsburgh, PA, April 1996	Yes, both crime and arrest data available.		
New Orleans, LA, April 1996	Yes, however only crime data is available.		The UCR has no data currently available for arrests. New Orleans offered the data for a considerable price.
New Jersey State Police, April 1996	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Los Angeles, CA, July 1996	Yes, both crime and arrest data available.		
Steubenville, OH, September 1996	No	No data reported to the UCR and currently unavailable through the agency.	
Illinois State Police	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Montgomery, MD, June 1996	Yes, however only crime data is available.	Arrest data not available through the UCR or MCPD.	
Beverly Hills, Ca, February 1997	No	There is no documentation available through the DOJ on this investigation and its status is closed.	
Orange County Sheriff's Office, FL April 1997	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
New York Police Department (Eastern Dist.), NY, December 1997	No	UCR stats are not broke down by NYPD district. NYPD has the stats but stated there are no specific boundaries.	
Buffalo, NY, December 1997	No	The investigation was for pepper spray use only and not an agency wide patterns and practice investigation.	
Columbus, OH, March 1998	Yes, both crime and arrest data available.		
Eastpointe, MI, March 1998	No	Crime data is currently unavailable for all years prior to the investigation and no arrest data is available.	
Washington, D.C., February 1999	Yes, both crime and arrest data available.		

(table continues)

Agency	Analysis (Yes, No)	Reasoning	Issues
New York (Southern District), NY, March 1999	No	UCR stats are not broke down by NYPD district. NYPD has the stats but stated there are no specific boundaries.	
Charleston, WV, March 1999	Yes, however only crime data analysis.	Arrest data through the UCR is unavailable and the agency confirmed no arrest data is available.	
Prince George's County, MD, July 1999	Yes, however only crime data analysis.	Arrest data is not available for two years.	
Riverside, CA, July 1999	No	This investigation was monitored by the DOJ but conducted by a State agency.	
Mount Prospect, IL, April 2000	Yes, both crime and arrest data available.		
Highland Park, IL, May 2000	Yes, however only crime data analysis.	No arrest data available through the UCR or HPPD.	
Cleveland, OH, August 2000	No	This was a use of force complaint and not an agency wide patterns and practice investigation.	
Prince George's County, MD, October 2000	Yes, both crime and arrest data available.		
Tulsa, OK, February, 2001	No	This was an internal investigation brought by one officer alleging discriminatory treatment against him.	
Cincinnati, OH, May 2001	Yes, however only crime data analysis.	Arrest data is only available for one year through the UCR and CPD.	
Detroit, MI, May 2001	Yes, both crime and arrest data available.		
Schenectady, NY, April 2001	Yes, both crime and arrest data available.		
Portland, ME, May 2002	Yes, however only crime data analysis.	Arrest data is not available for two years through the UCR or PPD.	
Miami, FL, May 2002	Yes, both crime and arrest data available.		
Providence, RI, December 2002	No	No action taken by the DOJ and no information available as to the extent of the investigation.	
Villa Rica, GA, December 2002	No	Crime and arrest data not available through the UCR or agency for 2001	
Alabaster, AL, March 2003	No	Crime and arrest data not available through the UCR or agency for years 2000 and 2005	
Bakersfield, CA, June 2003	Yes, both crime and arrest data available.		
Charlotte Amalie, Virgin Island, March 2004	No	Crime and arrest data not available through the UCR or agency.	
St. Croix, Virgin Island, March 2004	No	Crime and arrest data not available through the UCR or agency.	
Beacon, NY, August 2004	Yes, both crime and arrest data available.		
Warren, OH, December 2004	Yes, both crime and arrest data available.		

(table continues)

Agency	Analysis (Yes, No)	Reasoning	Issues
Easton., PA, October 2005	Yes, both crime and arrest data available.		
Orange County Sheriff's Office, FL, January 2007	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Austin, TX, May 2007	Yes, both crime and arrest data available.		
Yonkers, NY August 2007	Yes, both crime and arrest data available.		
Puerto Rico Police Department, July 2008	No	Crime and arrest data not available through the UCR or agency.	
Lorain, OH, November 2008	Yes, both crime and arrest data available.		
Harvey, Illinois, December 2008	Yes, however only crime data analysis.	No arrest data available through the UCR or HPD.	
Escambia County Sheriff's Office, FL, January 2009	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Maricopa County, AZ, March 2009	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Inglewood, CA, March 2009	Yes, both crime and arrest data available.		
Suffolk County, NY, September 2009	Yes, both crime and arrest data available.		
East Haven, CT, September 2009	Yes, both crime and arrest data available.		
New Orleans, LA, May 2010	Yes, however only crime data analysis.		The UCR has no data currently available for arrests. New Orleans offered the data for a considerable price.
Alamance County, NC, June 2010	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Seattle, WA, March 2011	Yes, both crime and arrest data available.		
Colorado City, AZ, April 2011	No	The only data available through the UCR and the agency is from 2009, 2010 and 2011.	
Newark, NJ, May 2011	Yes, both crime and arrest data available.		
Portland, OR, June 2011	Yes, both crime and arrest data available.		
Los Angeles County Sheriffs Officer, Antelope Valley, CA, August 2011	No	The population for this study only includes "cities" that have come under scrutiny of the DOJ.	
Miami, FL, November 2011	Yes, both crime and arrest data available.		
Meridian, MI, December 2001	No	This was not an agency wide patterns and practice investigation this was for juveniles arrested from a high school.	

(table continues)

Agency	Analysis (Yes, No)	Reasoning	Issues
Missoula Police Department, MT April 2012	No	This was not an agency wide patterns and practice investigation. This was for how the agency is handling sexual assault cases.	
University of Montana, MT April 2012	No	This was not an agency wide patterns and practice investigation. This was for how the agency is handling sexual assault cases.	
Albuquerque, NM, November 2012	Yes, both crime and arrest data available.		
Cleveland, OH, March 2013	Yes, both crime and arrest data available.		
Ferguson, MO, September 2014	Yes, both crime and arrest data available.		
Evangeline Parish Sheriff's Office, LA	No	This was not an agency wide patterns and practice investigation. This investigation involved detention hold policies of the local police and sheriff's department.	
Ville Platte, LA, April 2015	No	This was not an agency wide patterns and practice investigation. This investigation involved detention hold policies of the local police and sheriff's department.	
Baltimore, MD, May 2015	Yes, in aggregate analysis only.		Limited to two years because 2017 data is currently unavailable.
Chicago, IL, December 2015	Yes, in aggregate analysis only.		Limited to two years because 2017 data is currently unavailable.
Orange County Sheriffs Officer, FL, December 2016	No	This was not an agency wide investigation. This was concerning the use of jail house informants by the sheriff's department and District Attorney's office.	

Results

The analysis began with testing for the assumptions of no significant outliers and distribution of the differences in the dependent variables, violent crime rate, arrest rate, and national crime rate being approximately normally distributed. Because the assumption of outliers is tested on the difference scores between the two paired observations, I used SPSS to compute the differences. I chose to use boxplots to assess for outliers due to the number of tests being conducted and a low *N*. In all 35 tests I found no outliers in the data as assessed by inspection of the boxplots.

For tests of normality I intended to record kurtosis values due to the value of leptokurtic and platykurtic distribution data; however, individual cities ultimately had < 8 pre- and post-data points due to annual reporting versus monthly reporting. I will report kurtosis values when analyzing data in the aggregate. Skewness results are provided for individual cities and for further support for testing of normality I chose the Shapiro-Wilk test rather than a Normal Q-Q Plot because the sample size on each test was < 50. For the Shapiro-Wilk test, I used the commonly accepted $p > .05$ indicating the data is normally distributed and accepting the null hypothesis. Alternatively, if I found $p < .05$ the data was considered not normally distributed thus rejecting the null hypothesis and creating the need for addressing violations of normality. In testing the individual cities, the $df = 3$ in all the Shapiro-Wilk tests and $df = 2$ in all paired samples *t*-test so this information was excluded from the table. In all, I found seven tests where $p < .05$ from the Shapiro-Wilk test of normality. Considering there are multiple tests being conducted on each city, and

then again in the aggregate, and the fact that the paired samples *t*-test is considered robust to violations of normality, I chose to continue without transforming the data.

Table 2

Tests for Distribution Normality

City	Variable	Skewness	Shapiro-Wilk Statistic	Shapiro-Wilk Sig.
Pittsburgh, PA, April 1996	CR	-1.73	.765	.034
	AR	.108	1.00	.960
	NCR	.696	.981	.737
New Orleans, LA, April 1996	CR	1.17	.940	.527
	AR	NA	NA	NA
	NCR	1.49	.981	.737
Los Angeles, CA, July 1996	CR	1.14	.944	.543
	AR	-1.67	.825	.176
	NCR	.696	.981	.737
Montgomery, MD, June 1996	CR	.542	.989	.797
	AR	NA	NA	NA
	NCR	.696	.981	.737
Columbus, OH, March 1998	CR	1.73	.754	.009
	AR	NA	NA	NA
	NCR	-.627	.985	.764
Washington, D.C., February 1999	CR	-.310	.996	.886
	AR	.345	.996	.872
	NCR	-1.42	.901	.388
Charleston, WV, March 1999	CR	-1.60	.853	.248
	AR	NA	NA	NA
	NCR	-1.42	.901	.388
Prince George's County, MD, July 1999	CR	-1.67	.826	.177
	AR	NA	NA	NA
	NCR	-1.42	.901	.388
Mount Prospect, IL, April 2000	CR	-.413	.994	.847
	AR	-.729	.979	.723
	NCR	-.318	.996	.882
Highland Park, IL, May 2000	CR	1.73	.757	.015
	AR	NA	NA	NA
	NCR	.173	.999	.936
Prince George's County, MD, October 2000	CR	1.73	.760	.021
	AR	-1.38	.908	.411
	NCR	.173	.999	.936
Cincinnati, OH, May 2001	CR	1.29	.924	.467
	AR	NA	NA	NA
	NCR	1.06	.952	.579
Detroit, MI, May 2001	CR	1.60	.853	.249
	AR	-1.49	.887	.344
	NCR	1.06	.952	.579
Schenectady, NY, April 2001	CR	-1.32	.918	.446
	AR	.987	.960	.614
	NCR	1.06	.952	.579
Portland, ME, May 2002	CR	-1.59	.856	.257
	AR	NA	NA	NA
	NCR	1.68	.819	.160
Miami, FL, May 2002	CR	-.961	.962	.625
	AR	.677	.982	.744
	NCR	1.68	.819	.160
Bakersfield, CA, June 2003	CR	1.02	.957	.599
	AR	-1.68	.819	.161
	NCR	-1.35	.914	.432
Beacon, NY, August 2004	CR	.996	.959	.610
	AR	1.16	.942	.535
	NCR	-.087	1.00	.968

(table continues)

City	Variable	Skewness	Shapiro-Wilk Statistic	Shapiro-Wilk Sig.
Warren, OH, December 2004	CR	-.647	.984	.756
	AR	1.36	.911	.423
	NCR	-.432	.993	.839
Easton., PA, October 2005	CR	1.60	.852	.246
	AR	-1.54	.872	.300
	NCR	-.432	.993	.839
Austin, TX, May 2007	CR	1.39	.906	.404
	AR	-.855	.971	.672
	NCR	.830	.972	.682
Yonkers, NY August 2007	CR	-.775	.976	.705
	AR	-1.73	.770	.044
	NCR	.830	.972	.682
Lorain, OH, November 2008	CR	-1.50	.882	.330
	AR	-1.57	.865	.282
	NCR	-.446	.992	.834
Harvey, Illinois, December 2008	CR	-.568	.988	.787
	AR	NA	NA	NA
	NCR	-.389	.994	.856
Inglewood, CA, March 2009	CR	-1.40	.905	.400
	AR	1.04	.954	.589
	NCR	-.389	.994	.787
Suffolk County, NY, September 2009	CR	.438	.993	.837
	AR	.785	.976	.700
	NCR	-.389	.994	.787
East Haven, CT, September 2009	CR	-.087	1.00	.971
	AR	.086	1.00	.968
	NCR	-.389	.994	.787
New Orleans, LA, May 2010	CR	1.17	.940	.528
	AR	NA	NA	NA
	NCR	-1.21	.936	.510
Seattle, WA, March 2011	CR	1.63	.842	.221
	AR	.419	.993	.844
	NCR	1.07	.951	.576
Newark, NJ, May 2011	CR	.168	.999	.938
	AR	.637	.984	.760
	NCR	1.07	.951	.576
Portland, OR, June 2011	CR	1.41	.903	.394
	AR	-.573	.987	.785
	NCR	1.07	.951	.576
Miami, FL, November 2011	CR	1.72	.789	.089
	AR	-.468	.992	.826
	NCR	1.07	.951	.576
Albuquerque, NM, November 2012	CR	-1.73	.761	.023
	AR	-.076	1.00	.972
	NCR	.490	.991	.818
Cleveland, OH, March 2013	CR	-1.73	.755	.011
	AR	1.73	.762	.026
	NCR	-.752	.978	.714
Ferguson, MO, September 2014	CR	.363	.995	.865
	AR	NA	NA	NA
	NCR	-1.71	.792	.096

Analysis of the individual cities unveiled violent crime rate means decreasing after the commencement of the DOJCRD investigation in 20 cities and increasing in 15 cities. However, during the same time frame, the national crime rate mean decreased at a much greater rate. Arrest rates were found to decline in 23 of 25 cities analyzed, and in all but two of the cities the effect size was medium to large. To establish the magnitude of the difference between the two variables, I used Cohen's *d* to indicate effect size. For interpretation I used the values 0.2 = small, 0.5 = medium and 0.8 = large. I found a large effect size, in 13 cities when violent crime rates were decreasing and 10 cities when the rate was increasing. There was medium effect size in five cities when the violent crime rate was falling and five cities when it was rising. The other three cities showed a small effect size with two decreasing and one increasing.

Table 3

City by City Analysis

City	Var.	*Pre and Post M*	*M*	*SD*	95% CI	*t*	*Sig.*	*d*
Pittsburgh, PA, April 1996	CR	1103 / 827	275	87	[59, 492]	5.47	.032	3.16
	AR	5656 / 4247	1409	760	[-479, 3296]	3.21	.085	1.85
	NCR	5378 / 4877	501	344	[-354, 1356]	2.52	.128	1.46
New Orleans, LA, April 1996	CR	2061 / 1466	595	205	[86, 1104]	5.03	.037	2.90
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	5378 / 4877	501	344	[-354, 1356]	2.52	.128	1.46
Los Angeles, CA, July 1996	CR	2156 / 1584	572	400	[-422, 1566]	2.48	.132	1.43
	AR	3439 / 4406	-967	947	[-3320, 385]	-1.77	.219	-1.02
	NCR	5378 / 4877	501	344	[-354, 1356]	2.52	.128	1.46
Montgomery, MD, June 1996	CR	281 / 254	27	18	[-17, 71]	2.63	.119	1.5
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	5378 / 4877	501	344	[-354, 1356]	2.52	.128	1.5
Columbus, OH, March 1998	CR	988 / 838	149	57	[7, 291]	4.53	.045	2.61
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	5096 / 4336	761	422	[-288, 1810]	3.12	.089	1.80
Washington, D.C., February 1999	CR	2071 / 1581	490	386	[-470, 1450]	2.20	.159	1.26
	AR	12051 / 9973	2078	1463	[-1557, 5713]	2.46	.133	1.42
	NCR	4877 / 4185	692	303	[-62, 1445]	3.95	.058	2.28
Charleston, WV, March 1999	CR	1068 / 1007	61	90	[-163, 284]	1.17	.364	.68
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	4877 / 4185	692	303	[-62, 1446]	3.95	.058	2.28
Prince George's County, MD, July 1999	CR	1064 / 1263	-199	461	[-1344, 945]	-.750	.532	-0.43
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	4877 / 4185	692	303	[-62, 1446]	3.95	.058	2.28
Mount Prospect, IL, April 2000	CR	95 / 148	-54	31	[-130, 23]	-3.02	.095	-1.74
	AR	1000 / 991	9	214	[-522, 540]	.072	.949	.04
	NCR	4603 / 4137	466	350	[-404, 1335]	2.31	.148	1.33
Highland Park, IL, May 2000	CR	78 / 75	3	37	[-89, 95]	.133	.906	.08
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	4603 / 4137	466	330	[-355, 1287]	244	.135	1.41

(table continues)

City	Var.	*Pre and Post M*	*M*	*SD*	95% CI	*t*	*Sig.*	*d*
Prince George's County, MD, October 2000	CR	986 / 1019	-33	46	[-146, 80]	-1.25	.337	-.72
	AR	887 / 645	242	133	[-88, 571]	3.16	.087	1.82
	NCR	4603 / 4137	466	330	[-355, 1287]	2.44	.135	1.41
Cincinnati, OH, May 2001	CR	948 / 1203	-255	352	[-1130, 620]	-1.25	.336	-.72
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	4336 / 4118	217	300	[-529, 964]	1.25	.337	.72
Detroit, MI, May 2001	CR	2355 / 2094	261	181	[-188, 711]	2.50	.130	1.44
	AR	6674 / 4849	1825	1444	[-1763, 5414]	2.19	.160	1.26
	NCR	4336 / 4118	217	300	[-529, 964]	1.25	.337	.72
Schenectady, NY, April 2001	CR	696 / 823	-126	88	[-345, 92]	-2.48	.131	-1.43
	AR	6756 / 6740	16	1289	[-3186, 3218]	.022	.985	.01
	NCR	4336 / 4118	217	300	[-529, 964]	1.25	.337	.72
Portland, ME, May 2002	CR	302 / 354	-52	44	[-161, 56]	-2.07	.174	-1.18
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	4185 / 4055	129	139	[-216, 475]	475	1.60	.249
Miami, FL, May 2002	CR	2072 / 1820	252	202	[-248, 753]	2.17	.162	1.25
	AR	13558 / 10301	3257	1581	[-672, 7185]	3.57	.070	2.06
	NCR	4185 / 4055	129	139	[-216, 475]	1.61	.249	.93
Bakersfield, CA, June 2003	CR	347 / 627	-280	113	[-560, .41]	-4.30	.050	-2.48
	AR	4863 / 5335	-473	340	[-1318, 373]	-2.41	.138	-1.39
	NCR	4137 / 3982	156	87	[-60, 372]	3.10	.090	1.79
Beacon, NY, August 2004	CR	446 / 457	-12	34	[-97, 73]	-.603	.608	-.35
	AR	5258 / 3106	2152	2198	[-3307, 7611]	1.70	.232	.98
	NCR	4117 / 3895	223	134	[-111, 555]	2.87	.103	1.66
Warren, OH, December 2004	CR	834 / 1176	-342	373	[-1269, 584]	-1.59	.253	-.92
	AR	5158 / 3784	1375	394	[395, 2353]	6.04	.026	3.49
	NCR	4056 / 3813	243	159	[-153, 640]	2.64	.118	1.53
Easton., PA, October 2005	CR	698 / 609	89	115	[-198, 375]	1.33	.315	.77
	AR	3475 / 3410	65	618	[-1471, 1601]	.182	.873	.11
	NCR	4056 / 3813	243	159	[-153, 640]	2.64	.118	1.53

(table continues)

City	Var.	*Pre and Post M*	*M*	*SD*	95% CI	*t*	*Sig.*	*d*
Austin, TX, May 2007	CR	510 / 529	-19	18	[-64, 26]	-1.78	.216	-1.06
	AR	6815 / 7693	-878	750	[-2741, 985]	-2.03	.180	-1.17
	NCR	3895 / 3622	274	220	[-273, 820]	2.15	.164	1.25
Yonkers, NY August 2007	CR	488 / 460	29	27	[-40, 97]	1.81	.213	1.07
	AR	3014 / 3056	-43	95	[-279, 194]	-.774	.520	-0.45
	NCR	3895 / 3622	274	220	[-273, 820]	2.15	.164	1.25
Lorain, OH, November 2008	CR	466 / 537	-71	50	[-196, 55]	-2.43	.136	-1.42
	AR	5238 / 4051	1233	858	[-899, 3364]	2.49	.131	1.44
	NCR	3813 / 3495	318	245	[-291, 927]	2.25	.154	1.30
Harvey, Illinois, December 2008	CR	1926 / 1733	192	318	[-598, 983]	1.05	.405	.60
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	3736 / 3369	366	156	[-22, 755]	4.06	.056	2.35
Inglewood, CA, March 2009	CR	893 / 806	87	123	[-220, 393]	1.22	.348	.71
	AR	3325 / 2631	694	170	[272, 1115]	7.08	.019	4.08
	NCR	3736 / 3369	366	156	[-22, 755]	4.06	.056	2.35
Suffolk County, NY, September 2009	CR	172 / 153	19	29	[-53, 91]	1.31	.376	.66
	AR	2582 / 2234	348	305	[-407, 1104]	1.98	.186	1.14
	NCR	3736 / 3369	366	156	[-22, 755]	4.06	.056	2.35
East Haven, CT, September 2009	CR	145 / 119	26	23	[-31, 83]	1.94	.192	1.13
	AR	3791 / 2335	1456	1242	[-1631, 4542]	2.03	.192	1.17
	NCR	3736 / 3369	366	156	[-22, 755]	4.06	.056	2.35
New Orleans, LA, May 2010	CR	1120 / 787	333	374	[-597, 1263]	1.54	.263	.89
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	3622 / 3300	322	186	[-140, 784]	3.00	.095	1.73
Seattle, WA, March 2011	CR	598 / 594	5	29	[-67, 76]	.276	.808	.17
	AR	3476 / 2481	995	482	[-201, 2191]	3.58	.070	2.06
	NCR	3495 / 3220	275	256	[-360, 910]	1.86	.204	1.07
Newark, NJ, May 2011	CR	974 / 1195	-221	94	[-454, 12]	-4.08	.055	-2.35
	AR	7813 / 4405	3408	1472	[-249, 7065]	4.01	.057	2.32
	NCR	3495 / 3220	275	256	[-360, 910]	1.86	.204	1.07

(table continues)

City	Var.	*Pre and Post M*	*M*	*SD*	95% CI	*t*	*Sig.*	*d*
Portland, OR, June 2011	CR	566 / 505	61	70	[-111, 234]	1.53	.266	.87
	AR	4129 / 3116	1013	624	[-1671, 3697]	1.62	.246	1.62
	NCR	3495 / 3220	275	256	[-360, 910]	1.86	.204	1.07
Miami, FL, November 2011	CR	1248 / 1184	64	77	[-126, 255]	1.46	.283	.83
	AR	8365 / 7050	1315	352	[440, 2189]	6.47	.023	3.74
	NCR	3495 / 3220	275	256	[-360, 910]	1.86	.204	1.07
Albuquerque, NM, November 2012	CR	773 / 802	-30	73	[-210, 151]	-.710	.551	-.41
	AR	5932 / 4489	1443	926	[-856, 3743]	2.70	.114	1.56
	NCR	3369 / 3105	265	242	[-338, 867]	1.89	.199	1.10
Cleveland, OH, March 2013	CR	1383 / 1527	-143	81	[-346, 59]	-3.05	.093	-1.77
	AR	2855 / 2074	781	638	[-805, 2366]	2.12	.168	1.22
	NCR	3300 / 2981	318	163	[-86, 723]	3.39	.077	1.95
Ferguson, MO, September 2014	CR	446 / 752	-306	230	[-877, 265]	-2.30	.148	-1.33
	AR	NA	NA	NA	NA	NA	NA	NA
	NCR	3220 / 3237	-17	736	[-1844, 1811]	-.039	.973	-0.02

Despite large effect sizes on most of the results, the change in violent crime rate was statistically significant in only Pittsburgh, Pennsylvania, New Orleans, Louisiana, Columbus, Ohio, and Bakersfield, California. Of these four cities, three were significantly reducing their violent crime rate's while Bakersfield was significantly increasing its violent crime rate. Despite arrest rates being down in most cities with a large effects size, only three cities indicated a statistically significant result: Warren, Ohio, Inglewood, California, and Miami, Florida. Given wide confidence intervals in most of the results, and a small $n = 3$, I didn't feel I had enough evidence to support accepting or rejecting the null hypothesis at this point. Because wide confidence intervals often indicate the need for larger sample size, I decided to analyze the data in the aggregate.

Analysis of Aggregate Data

For hypothesis testing of the aggregate data, I again used a paired samples *t*-test. Before conducting the analysis, I tested for the assumptions of no significant outliers and distribution of the differences in the dependent variable's being approximately normally distributed. Using boxplots to identify outliers, SPSS detected nine outliers with four extreme outliers in the violent crime rate variable, two outliers in the arrest rate variable and five outliers with the national crime rate variable. To determine the effect the extreme outliers were having on the mean of the violent crime rate variable I eliminated all extreme outlier data points from the data set and ran an analysis. I found a small increase in the significance level. Based on this information I decided to continue using all data points.

Because $n > 50$ (violent crime rate $n = 109$, arrest rate $n = 76$, national crime rate $n = 109$) I chose to use a Q-Q Plot for analysis of normal distribution. I found in all three analyses, i.e. violent crime rate, arrest rate, and national crime rate, the data were normally distributed based off Q-Q Plot observation. I also considered skew and kurtosis levels well within allowable limits for each variable: violent crime rate (skewness =.604, *SE* .231, kurtosis = 2.66, *SE* .459), arrest rate (skewness = .829, *SE* .276, kurtosis = 1.04, *SE* .545) and national crime rate (skewness = .022, *SE* .231, kurtosis = 1.93, *SE* .459). Correlations analysis also indicate the paired samples *t*-test is appropriate (violent crime rate, $r = .902$, $p < .001$, arrest rate, $r = .883$, $p < .001$ and national crime rate, $r = .896$, $p < .001$).

Results of Aggregate Testing

Violent crime rate means decreased from before the DOJCRD investigation commenced (M = 932, SD = 636) as opposed to (M = 901, SD = 534) but were not statistically significant M = 31, SD = 277, 95% CI [-21, 84], $t(108) = 1.17$, $p > .05$ @ .244, $d = 0.11$. When compared to the nonequivalent control variable, national crime rate, which also decreased, there is a remarkable difference, (M = 4163, SD = 669) as opposed to (M = 3803, SD = 584) and was found statistically significant, M = 360, SD = 297, 95% CI [303,416], $t(108) = 12.63$, $p < .05$ @ .001, $d = 1.21$. Not only was the violent crime rate difference not statistically significant, the effect size was very low. Comparatively, the national crime rate mean during the same time frame was found significantly decreasing with a large effect size. For comparison, the violent crime rate mean decreased by 3% before and after the commencement of the investigation while during the same time frame the national crime rate mean decreased at a three-times greater rate of 9%.

Arrest rates means also decreased post DOJCRD investigation (M = 5281, SD = 2998) as opposed to (M = 4261, SD = 2481) and were statistically significant, M = 1020, SD = 1418, 95% CI [696, 1344], $t(75) = 6.27$, $p < .05$ @ .001, $d = 0.72$. Not only were arrest rate means significantly decreasing pre- to post-DOJCRD investigation, they were nearing a large effect size.

Research Questions and Hypothesis Results

For this study I considered two research questions and hypothesis to evaluate each question:

RQ1: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and violent crime rates?

$H_0$1: The violent crime rate does not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$1: The violent crime rate does differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

Considering the evidence from the analysis of the individual cities and then in the aggregate, I must conclude that although violent crime rates were falling, the results were not statistically significant, and the effect was trivial at best. Therefore, I accept the null hypothesis that violent crime rates do not differ before and after the commencement of a DOJCRD investigation. However, when analyzed in the aggregate, most cities that came under the scrutiny of DOJCRD investigations did not experience decreases in their violent crime rates as the rest of the nation did during the same time frame. These results also don't consider the possibility of non-reported crime.

RQ2: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and arrest rates?

$H_0$2: Arrest rates do not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$2: Arrest rates do differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

The evidence supports a relationship between DOJCRD investigations and agency arrest rates. When considered individually, arrest rates fell in 23 of 25 cities analyzed with a mostly large effect size. In the aggregate, arrest rates declined significantly with medium to large effect size. Therefore, I reject the null hypothesis and accept the alternative that arrest rates do differ before and after the commencement of a DOJCRD investigation and find the arrest rate difference declining significantly.

Additional Observations of the Data

For this study I analyzed all available data since the DOJCRD was granted this power in 1994. In that time the United States had three Presidential administrations, Clinton, Bush, and Obama. Knowing that ideologies change with Presidential administrations, I compared the data for the years of each President.

During the years of the Clinton administration (1993 – 2001, however the first city analyzed was in 1996) a total of 11 cities were analyzed. Of the 11 cities, eight were found to increase their violent crime rates while the other three decreased. Arrest rate data was available for only five of the 11 cities. I found arrest rates increasing in one city and decreasing in the other four.

For the Bush administration (2001 – 2009) I analyzed 13 cities for their violent crime rates and 10 cities arrest rates. I found violent crime rates increasing in six cities and decreasing in seven cities. Arrest rates increased in three cities but decreased in the other seven.

Under the Obama administration (2009 – 2017) I analyzed 13 cities violent crime rates and 11 cities arrest rates. I found six cities where violent crime was increasing and

seven cities where it was decreasing. Arrest rates in all 11 cities decreased. The data clearly show that starting in 2012, violent crime rates in the cities I analyzed began to increase remarkably, post commencement of a DOJCRD investigation. This phenomenon becomes more evident with time and by 2017, violent crime rate means differences are consistently rising at an alarming rate and arrest rates have dropped off dramatically post commencement of a DOJCRD investigation. This includes the years the DOJCRD investigated, Ferguson, Missouri, Baltimore, Maryland, and Chicago, Illinois.

The data support a conclusion that DOJCRD investigations are negatively impacting violent crime and arrest rates at an increasing rate. More investigation is needed to determine a potential cause, but the data support the notion that as Presidential administrations change and perhaps ideologies change, the impact of DOJCRD investigations on violent crime and arrest rates are affected.

Summary

The results indicate some correlation exist between local violent crime rates and the commencement of a DOJCRD patterns and practice investigation. Although the mean does decrease before and after the investigations commenced, the difference is not statistically significant and has a low effect size. Comparatively, the national crime rate during the same time frame did decrease significantly with a large effect size. Although local violent crime rates for cities under scrutiny of the DOJCRD were found insignificantly decreasing, crime rates in the United States were decreasing significantly during the same time frame. Arrest rates decreased significantly with a medium to large effect size when the DOJCRD commenced their investigation supporting the notion of

de-policing. Both violent crime rates and arrest rates are being negatively affected at an increasing rate with time. Some correlation exists with changes in Presidential administrations. Graphing of the data are available in Appendix A and for emphasis, I added trend lines.

In the final chapter, I summarize the study and discuss the implications of the results. I provide discussion on what can be gleaned from the results of this study and possible considerations for further research.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

Three cities—Ferguson, Missouri; Baltimore, Maryland; and Chicago, Illinois—have experienced significant increases in their violent crime rates and substantial decreases in their arrest rates while the national crime rate is falling. A common thread shared by these three cities is their local law enforcement agencies had come under the scrutiny of the DOJCRD. This quantitative study was designed to analyze differences in violent crime rates and arrest rates in all cities with law enforcement agencies that have come under the scrutiny of the DOJCRD. The purpose of this research was to add to the literature questioning why in some areas of the country crime rates are soaring while the national crime rate is falling. Through research and data collection, I also unveiled the need for further research into the efficacy of the DOJCRD due to concerns of bias, questionable investigations, and enormous costs. The remainder of this chapter includes an overview of the study and the information discovered during data collection. I first provide answers to the research questions through hypothesis testing results and examine how these results add to the literature regarding substantial increases in crime in certain areas of the country.

Summary of Key Findings

Using data from 3 years before and 3 years after the commencement of a DOJCRD investigation ($n = 3$) I analyzed 35 cities' violent crime rates and 25 cities' arrest rates. I found that the mean for violent crime rates decreased but at a nonsignificant level with low effect size. Using the national crime rate as a nonequivalent control

variable, I found the mean decreased significantly during the same time frame at a medium to large effect size, and at three-times the rate of cities under DOJCRD scrutiny. Violent crime rates in the wake of these investigations became progressively worse beginning in 2012, and by 2017 the pre- and post-differences are at an alarming rate.

To tease out the possibility of de-policing with the commencement DOJCRD investigations, I analyzed arrest rates within the same time frames. I found arrest rate means decreased at a statistically significant rate with a medium to large effect size. All results held true when analyzed city by city or in the aggregate. As with violent crime rates, arrest rates over time have become increasingly worse. All cities analyzed between 2009 and 2017, the years of the Obama administration, had significantly reduced arrest rates.

Interpretation of Findings

I analyzed 35 cities' violent crime rates and 25 cities' arrest rates for 3 years before and after the commencement of a DOJCRD investigation. The difference in the number of cities analyzed was due to unavailability of arrest data for some cities. Using a standard $p < .05$ with 95% confidence levels to reject the null hypothesis, and then considering the effect size with means percentage differences for a thorough picture of the data results, I come to the following conclusions.

RQ1: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and violent crime rates?

$H_0$1: The violent crime rate does not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$1: The violent crime rate does differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

In the city by city analysis, I found violent crime rate means decreasing in 20 cities and increasing in 15 when comparing data before and after the commencement of the DOJCRD investigation. However, despite medium to large effect sizes, the difference in violent crime rates was not statistically significant.

The results from the analysis of the data in the aggregate were similar with a non-statistically significant result, $p = .244$, and small effect size $d = .11$. The results support the conclusion to accept the null hypothesis and state there is no relationship between the commencement of a DOJCRD investigation and differences in local violent crime rates. Despite this assertion, when I compared the violent crime rate for each city to the analysis of the nonequivalent control variable, the national crime rate, a difference presents itself.

The national crime rate analyzed during the same time frame did decrease at a statistically significant level $p = .001$ with large effect size, $d = 1.21$. Results from the aggregate analysis showed a 3% decrease in the mean local violent crime rate and a 9% decrease in the mean national crime rate during the same time-frame. The data also unveil that beginning in 2012, violent crime rates are progressively worsening in the wake of these investigations. Despite the acceptance of the null hypothesis, the evidence supports the notion that violent crime rates are negatively impacted by the

commencement of a DOJCRD investigation, especially when considering the possibility of nonreported crime.

RQ2: Is there a relationship between the commencement of a Department of Justice, Civil Rights Division investigation into a local law enforcement agency and arrest rates?

$H_0$2: Arrest rates do not differ before and after the commencement of a DOJCRD investigation into a local law enforcement agency.

$H_1$2: Arrest rates do differ before and after the commencement of a DOJCRD investigation into a law enforcement agency.

Arrest rates were also analyzed city by city and in the aggregate. I found arrest rates decreasing in most cities after the commencement of a DOJCRD investigation. Despite large effect sizes on most results, only three cities showed a statistically significant decrease. No city showed a significant increase. When analyzed in the aggregate, arrest rate means decreased at a significant level, $p = .001$ with medium to large effect size, $d = .72$. Mean differences showed overall a 21% decrease from before and after the commencement of a DOJCRD investigation.

Based on these results I reject the null hypothesis and find that arrest rates do differ before and after the commencement of a DOJCRD investigation. This finding establishes a relationship between the commencement of a DOJCRD investigations and arrest rates declining. This finding supports the notion of de-policing due to DOJCRD intervention.

Limitations of the Study

The intended source for data was the Uniform Crime Rate (UCR). For this study, I wanted to use only Part 1 offenses as defined by the UCR. I decided to use only Part 1 offenses primarily to keep the data as clean as possible. Each state and the federal government tend to have different interpretations of crime classification, particularly in Part Two offenses. For this reason, I only considered Part 1 violent crime offenses in the study.

The law enforcement agencies in this study have come under the scrutiny of the DOJCRD. Because of this, I believed the reporting of violent crime and arrest data by each of the agencies would be accurate and complete. I found several agencies were not reporting to the UCR. Some cities provided only crime data and not arrest data. In a disturbingly high number of cases, the data are inaccurate, and I didn't know if that was due to the agency reporting or the regurgitation by the UCR. Initially, my research design was to analyze month to month data for 36 months before and after the introduction of the independent variable, the commencement of the DOJCRD investigation. Due to inconsistent reporting, I had to alter the design to 3 years before and after the introduction of the independent variable. So rather than having $n = 36$, I had to settle for $n = 3$. I also found many mistakes where data were erroneous or just missing. These findings prompted me to seek data from the individual agencies.

Using Freedom of Information Act request forms for several agencies, I was able to retrieve more data than I would have through the UCR. I found the process of gathering data from any source was very lengthy and cumbersome. Rather than to

decrease sample size, I chose to work through these problems with data collection and believe I have a comprehensive and complete list of all the data available. Despite this assertion, some agencies are not included because violent crime and arrest data are not available. Again, this is remarkable considering they have come under the scrutiny of the DOJCRD who like the UCR are under the umbrella of the Department of Justice. I believe that despite these setbacks with data collection, the results are trustworthy due to persistent efforts in data collection which ultimately increased validity and generalizability.

Another limitation for consideration is this study analyzed violent crime and arrest rates. Besides the possibility of non-reported crime, there are many other potential confounding variables associated with violent crime and arrest rates. I attempt to address this through longitudinal research design. By analyzing 22 years of data (1995-2017) from the entire population of agencies within the parameters of the research, validity and reliability improve.

Recommendations

This study expands on the current research into the cause of substantial increases in crime and decreases in police productivity in certain cities in the United States. These changes are occurring while the national crime rate is substantially decreasing. To date, researchers have considered many possibilities and, in some instances, have questioned the efficacy of the DOJCRD.

To determine if an investigation by the DOJCRD fit within the parameters of this study, I had to review DOJCRD findings from their investigation of local law

enforcement agencies. The review was necessary to determine if the DOJCRD's investigation was an overarching pattern and practice investigation and to establish the date the investigation commenced. Future researchers may want to look at these investigations more thoroughly. Most of the findings contained in these reports were not based on facts presented but rather the perceptions gleaned from documents reviewed, officials interviewed, and responses from public advocacy groups. In one case, U.S. District Judge Thomas D. Schroeder dismissed a case involving Alamance County Sheriff's Department because the DOJCRD did not present "reliable and persuasive proof" of patterns and practice of civil rights abuses. The County Attorney for Alamance, Clyde B. Albright was quoted saying, "Unfortunately, most law enforcement agencies are afraid to challenge the civil rights division, even when its claims are completely bogus" (Kelly, Childress & Rich, 2015).

In 2014, Missoula County Attorney, Fred Van Valkenburg received a national award from the National District Attorney Association Board for his stand against the DOJCRD. Van Valkenburg's office was the target of a DOJCRD investigation into alleged mishandling of sexual assault cases. Van Valkenburg accused the DOJCRD of "bully tactics" and stated, "One of the most important things about challenging the DOJ's legal authority to investigate our office was to try and make sure other prosecutors were not subject to the kind of illegal and unfair attacks we were forced to endure." Michael Moore, the president of the National District Attorney Association Board, was quoted, "Van Valkenburg's reaction to the DOJCRD set a precedent for future relationships

between the federal government and locally elected officials" (Haake, 2014)(Kaste, 2014).

Support for DOJCRD findings appears more likely to be challenged in the future. From my viewpoint as a retired investigator, the evidence presented in the findings reports is very weak. Future researchers may be able to request field notes or other evidence such as statistical data from investigators that led to DOJCRD findings. Armed with that data, if available, researchers can then make an independent analysis and conclude with proper presentation of the findings.

Future researchers may also want to consider potential biases within the DOJCRD itself and how this changes with each Administration. The DOJCRD lists no specific criteria for decisions to move forward with a formal investigation. They conduct a preliminary inquiry and decide if a full investigation is warranted. I could not find any specific triggering point to move forward with a formal investigation when I reviewed their findings. The data from this study also suggests a correlation with changes in Presidential administrations. If the finding holds true, this opens the door for the possibility of bias within the Department of Justice that may ebb and flow with the underlying ideologies of the current administration. As stated earlier, allegations of selective bias on the part of local law enforcement agencies are in findings reports of the DOJCRD investigations. This allegation may also hold true for the DOJCRD itself.

Finally, future researchers may want to consider the overall monetary costs and outcome of these investigations when conducted by the DOJCRD. A comparison can be made with results from state and local investigative teams. The costs associated with

DOJCRD investigations are enormous. As stated in the literature review, The Washington Post (2015) found the Los Angeles Police Department, DOJCRD reform agreement cost taxpayers an estimated $300 million. The investigation alone took the DOJCRD four years to complete. At the same time, Mayor Tom Bradley convened an investigation by the Special Independent Commission better known as the Christopher Commission who found the same results within 4 months (Independent Commission on the Los Angeles Police Department, 1991).

Conclusion

To say I was disappointed with the data from the UCR is an understatement. Because the UCR is used both nationally and internationally in so many ways, the Department of Justice should put more emphasis into this program. There is a far greater purpose for UCR statistics than there is for the DOJCRD.

The results of this study unveiled the negative consequences of DOJCRD investigations adding to the questions of the efficacy of this organization. When combined with the cost associated with this enormous bureaucracy, perhaps it's time for Congress to re-examine 42 U.S.C. § 14141. The data indicates these investigations are only getting worse for communities and law enforcement agencies.

The need for police to work within the confines of the U.S. Constitution cannot be overstated. Rushin and Edwards (2017) argue that increased crime is the cost of Constitutional policing and that more money should be allocated to the DOJCRD for their work. I don't agree. There are many avenues available to citizens if their Constitutional rights are violated by anyone, including law enforcement. If indeed a law

enforcement agency is exhibiting patterns and practices of Constitutional and civil rights violations on its citizens, state agencies have the power to target and investigate local law enforcement agencies. In the past, this was done at comparatively minuscule costs and in considerably less time.

Congress turned down the Department of Justice request four times before they finally granted this power to the DOJCRD through the Violent Crime Control and Law Enforcement Act. As stated earlier, not always do politicians get it right. The DOJCRD is a massive federal bureaucracy that is negatively impacting law enforcement agencies and the communities they serve. Congress should repeal this decision.

References

Alpert, G. P., McLean, K., & Wolfe, S. (2017). Consent decrees: An approach to police accountability and reform. *Police Quarterly*, *20*(3), 239-249. Retrieved from http://journals.sagepub.com/doi/pdf/10.1177/1098611117709591

Babbie, E. (2017). *The basics of social research* (7th ed.). Boston, MA: Cengage Learning.

Beyers, C. (2017, April 20). St Louis police chief out on new mayor's first full day. *St Louis Post-Dispatch*. Retrieved from http://www.stltoday.com/news/ local/crime-and-courts/st-louis-police-chief-out-on-new-mayor-s-first/ article_368d46a7-616a-5bf7-9571-e4ef111ac24c.html

Bidgood, J. (2016, January 15). The numbers behind Baltimore's record year in homicides. *The New York Times*. Retrieved from https://www.nytimes.com/ interactive/2016/01/14/us/Baltimore-homicides-record.html

Blau, R. (2016, December 27). Former Chicago top cop blames city's spike in violence on politicians' interference with police business. *New York Daily News*. Retrieved from http://www.nydailynews.com/news/crime/ ex-chicago-top-blames-city-spike-violence-politicians-article-1.2925908

Bratton, W.J., and Malinowski, S.W. (2008). Police performance management in practice: Taking COMPSTAT to the next level. *Policing: A Journal of Policy and Practice, 2*(3), 259-265. doi:10.1093/police/pan036

Bronstein, N. (2014). Police management and quotas: Governance in the comp stat era. *Columbia Journal of Law and Social Problems*, *48*(4), 543-581.

Budget Staff Justice Management Division. (1999). *2000 budget summary*. Retrieved from https://www.justice.gov/archive/jmd/2k-summary/2kbudget.pdf

Campbell, D. T., & Stanley, J. C. (1963). *Experimental and quasi-experimental designs for research*. Boston, MA: Houghton Mifflin Company.

Cantora, A., Iyer, S., & Restivo, L. (2016). Understanding drivers of crime in East Baltimore: Resident perceptions of why crime persists. *Am J Crim Just*, *41*, 686-709. https://doi.org/10.1007/s12103-015-9314-6

City of Los Angeles v. Lyons. (1983). *Oyez*. Retrieved from https://www.oyez.org/cases/1982/81-1064

Civil Rights Division U.S. Department of Justice. (2017, January). *The Civil Rights Division's Pattern and Practice Police Reform Work: 1994-Present*. Retrieved from https://www.justice.gov/crt/file/922421/download

Civil Rights Litigation Clearinghouse. (n.d.). *DOJ Investigation of Torrance Police Department.* Retrieved from the University of Michigan Law School website: https://www.clearinghouse.net/detail.php?id=15217&search=source%7Cgeneral%3BcaseName%7Ctorrance%20police%20department%3Borderby%7CfilingYear%3B

Clarke, R. V. G. (1980). "Situational" crime prevention: Theory and practice. *British Journal of Criminology, 20*,136-147. https://doi.org/10.1093/oxfordjournals.bjc.a047153

Clarke, R. V. (2012). Opportunity makes the thief, really? *Crime Science*, *1*(1), 1-9. https://doi.org/.ezp.waldenulibrary.org/10.1186/2193-7680-1-3

Cohen, L. E., & Felson, M. (1979). Social change and crime rate trends: A routine activities approach. *American Sociological Review, 44*, 588-608.

Consent decree (2008). In *West's Encyclopedia of American Law* (2 ed.). Retrieved from http://legal- dictionary.thefreedictionary.com/consent+decree

Department of Justice. (n.d.). *Agreement in Principle Between the United States and the City of Baltimore Regarding the Baltimore City Police Department*. Government Printing Office.

Department of Justice, Civil Rights Division. (2000, May 8). LAPD notice of investigation letter. Retrieved October 26, 2017, from The United States Department of Justice website: https://www.justice.gov/crt/lapd-notice-investigation-letter

Department of Justice, FBI. (2015). Missouri offenses known to law enforcement, 2015 [Table]. Retrieved from FBI: UCR database.

Department of Justice, FBI. (2016, September). *Latest crime statistics released, increase in violent crime, decrease in property crime*. Retrieved from FBI website: https://www.fbi.gov/news/stories/latest-crime-statistics-released

Department of Justice, FBI. (2017, January 9). Preliminary crime stats for 2016 released [Infographic]. Retrieved from https://www.fbi.gov/news/stories/preliminary-crime-stats-for-2016-released

Department of Justice, FBI. (2017, January 26). Crime reported by Chicago Police Department, Illinois [Table]. Retrieved from https://www.ucrdatatool.gov/Search/Crime/Local/RunCrimeJurisbyJuris.cfm

Desmond, M., Papachristos, A. V., & Kirk, D. S. (2016). Police violence and citizen crime reporting in the black community. *American Sociological Review*, *81*(5), 857-876. https://doi.org/10.1177/0003122416663494

Dewan, S. (2017, March 29). Deconstructing the Ferguson effect. *The New York Times*. Retrieved from https://www.nytimes.com/interactive/2017/us/politics/ferguson-effect.html

FBI. (2017, September 25). *FBI releases 2016 report on crime in the United States*. Retrieved from The United States Department of Justice website: https://www.justice.gov/opa/pr/fbi-releases-2016-report-crime-united-states

FBI. (2017, May). *A word about UCR data*. Retrieved from https://ucr.fbi.gov/a-word-about-ucr-data

FBI. (n.d.). *What we investigate*. Retrieved from FBI website: https://www.fbi.gov/investigate/civil-rights/federal-civil-rights-statutes

Frontline's Enterprise Journalism Group. (n.d.). *Fixing the force*. Retrieved from Frontline website: http://apps.frontline.org/fixingtheforce/#year/1995

Gramlich, J. (2018, January 30). *5 facts about crime in the U.S*. Retrieved from Pew Research Center website: http://www.pewresearch.org/fact-tank/2018/01/30/5-facts-about-crime-in-the-u-s/

Haake, K. (2014, July 22). Missoula county attorney get national award for stand against DOJ investigation. *Billings Gazette*. Retrieved from http://billingsgazette.com/news/state-and-regional/montana/missoula-county-attorney-gets-national-award-for-stand-against-doj/article_5f18c7e0-3889-518a-

b63b-f8eb8ce7229f.html

Hollis, M. E., Felson, M., & Welsh, B. C. (2013). The capable guardian in routine activities theory: A theoretical and conceptual reappraisal. *Crime Prevention and Community Safety*, *15*(1), 65-79. http://dx.doi.org.ezp.waldenulibrary.org/10.1057/cpcs.2012.14

House of Representatives, Subcommittee on Civil and Constitutional Rights (1991). *Police Brutality*. Retrieved from https://babel.hathitrust.org/cgi/pt?id=pst.000020346911;view=1up;seq=7

Independent Commission on the Los Angeles Police Department. (1991). *Report of the Independent Commission on the Los Angeles Police Department*. Retrieved from https://archive.org/details/ChristopherCommissionLAPD

Kaste, M. (2014, March 12). Missoula county attorney tells justice department it's wrong. *NPR*. Retrieved from https://www.npr.org/2014/03/12/289299065/missoula-county-attorney-tells-justice-department-its-wrong

Kelly, K., Childress, S., & Rich, S. (2015, November 13). Forced reforms, mixed results. *The Washington Post*. Retrieved from http://www.washingtonpost.com/sf/investigative/2015/11/13/forced-reforms-mixed- results/?utm_term=.c08f01cd65df

Los Angeles Police Dept., 1996. *In the Course of Change: The Los Angeles Police Department Five Years After the Christopher Commission*. https://www.ncjrs.gov/App/publications/abstract.aspx?ID=174032

Legal Information Institute. (n.d.). Consent decree. In *Nolo's plain-English law*

dictionary. Retrieved from https://www.law.cornell.edu/wex/consent_decree

Maxfield, M. G., & Babbie, E. R. (2011). *Research methods for criminal justice and criminology* (6th ed.). Belmont, CA: Wadsworth.

Moore, M.H. (2003). Sizing up COMPSTAT: An important administrative innovation in policing. Criminology and Public Policy, 2(3), 469-494. doi:10.1111/ j.1745-9133.2003.tb00009.x.

Moore, M.H. & Braga, A.A. (2003). Measuring and improving police performance: The lessons of CompStat and its progeny. *Policing: An International Journal of Police Strategies and Management, 26*(3), 439-453.

National Institute of Justice. (2009, October 14). Why crimes occur in hot spots. Retrieved June 24, 2017, from Office of Justice Program website: https://www.nij.gov/topics/law-enforcement/strategies/hot-spot-policing/Pages/why-hot-spots-occur.aspx#routineactivity

Nix, J., & Wolfe, S. E. (2016). Sensitivity to the Ferguson Effect: The role of managerial organizational justice. *Journal of Criminal Justice*, *47*, 12-20. http://dx.doi.org/10.1016/j.jcrimjus.2016.06.002

Peters, M. (n.d.). *U Chicago Crime Lab releases 2016 gun violence report*. Chicago, IL: University of Chicago. http://news.uchicago.edu/story/uchicago-crime-lab-releases-2016-gun-violence-report

Pyrooz, D. C., Decker, S. H., Wolfe, S. E., & Shjarback, J. A. (2016). Was there a Ferguson Effect on crime rates in large U.S. Cities? *Journal of Criminal Justice*, *46*, 1-8. http://dx.doi.org/10.1016/j.jcrimjus.2016.01.001

Rosenfeld, R. (2016, June). *Documenting and explaining the 2015 homicide rise: Research directions* (Report No. NCJ 249895). Washington, DC: U.S. Department of Justice.

Rushin, S. (2014). Federal enforcement of police reform. *Fordham Law Review*, *82*(6), 3189-3247. Retrieved from http://ir.lawnet.fordham.edu/flr/vol82/iss6/20

Rushin, S., & Edwards, G. (2017). De-Policing. *Cornell Law Review*, *2*(3), 721-782. Retrieved from http://cornelllawreview.org/articles/de-policing/

Sabbatini, R. M.E. (1997, March). Cesare Lombroso: A brief biography. Retrieved February 10, 2017, from Phrenology, the History of Brain Localization website: http://www.cerebromente.org.br/n01/frenolog/lombroso.htm

Shjarback, J., Decker, S., Wolfe, S., & Pyrooz, D. (2017, September 18). Did the Ferguson shooting make police less proactive? *The Washington Post*, Opinions. Retrieved from https://www.washingtonpost.com/opinions/did-the-ferguson-shooting-make-police-less-proactive/2017/09/18/a5ac91f2-76fb-11e7-8839-ec48ec4cae25_story.html?utm_term=.bcc0a30ee9fc

Stone, C., Foglesong, T., & Cole, C. M. (2009, May). *Policing Los Angeles under a consent decree: The dynamics of change at the LAPD*. Retrieved September 18, 2017, from Harvard Kennedy School Program in Criminal Justice Policy and Management website: http://assets.lapdonline.org/assets/pdf/Harvard-LAPD%20Study.pdf

The Disaster Center. (2016). Pennsylvania crime rates 1960-2015. Retrieved September 20, 2017, from http://www.disastercenter.com/crime/pacrime.htm

United States of America v. Police Department of Baltimore, No. 1:17-cv-00099-JKB (Fed. Cir. Jan. 12, 2017). Retrieved from https://www.justice.gov/opa/file/925056/download

U.S. Department of Justice Civil Right Division. (2015, March). *Investigation of the Ferguson Police Department*. US Dept. of Justice.

U.S. Department of Justice Civil Rights Division. (2016, August). *Investigation of the Baltimore City Police Department*. Department of Justice.

U.S. Department of Justice Civil Rights Division, & United States Attorney's Office Northern District of Illinois. (2017, January). *Investigation of the Chicago Police Department*. Retrieved from https://www.justice.gov/opa/file/925846/download

United States of America v. The City of Ferguson, No. 4:16-CV-000180-CDP (Fed. Cir. Mar. 17, 2016). https://www.justice.gov/crt/file/833701/download

United States v. City of Philadelphia, 187 F.2d (Dec. 29, 1980)

Weisburd, D., Mastrofski, S.D., McNally, A., Greenspan, R., and Willis, J.J. (2003). Reforming to preserve: COMPSTAT and strategic problem solving in American policing. Criminology and Public Policy, 2(3), 421-456.

Willis, J. J. (2011). First-line supervision and strategic decision making under compstat and community policing. *Criminal Justice Policy Review*, *24*(2), 235-256. https://doi.org/10.1177/0887403411427355

Winter, J. (2013). Using the student's t-test with extremely small sample sizes. *Practical Assessment, Research & Evaluation*, *18*(10), 1-12. Retrieved from http://pareonline.net/getvn.asp?v=18&n=10

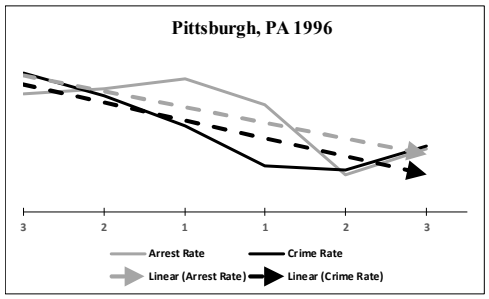
Wolfe, S. E., & Nix, J. (2016). The alleged "Ferguson Effect" and police willingness to engage in community partnership. *Law and Human Behavior*, *40*(1), 1-10. http://dx.doi.org/10.1037/lhb0000164

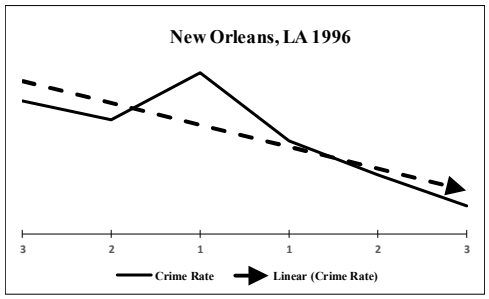
Wortley, R. (2001). A classification of techniques for controlling situational precipitators of crime. *Security Journal*, *14*(4), 63-82. https://doi.org/10.1057/palgrave.sj.8340098

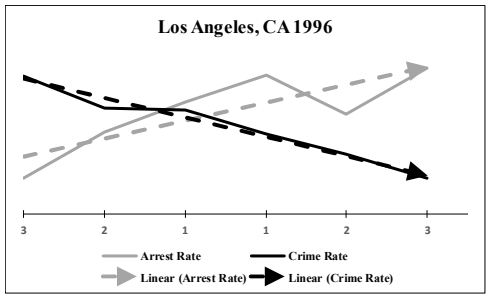
Yan, H. (2015, August 4). Former Ferguson cop Darren Wilson opens up about his life in seclusion. *CNN*. Retrieved from http://www.cnn.com/2015/08/04/us/darren-wilson-new-yorker-interview/index.html

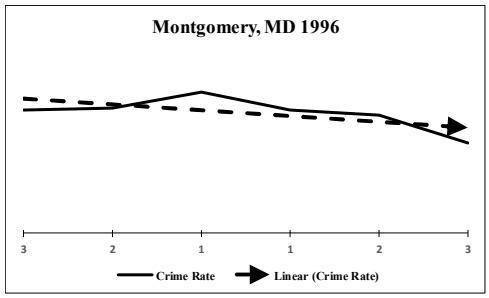
Appendix A: Crime and Arrest Rates with Trendlines

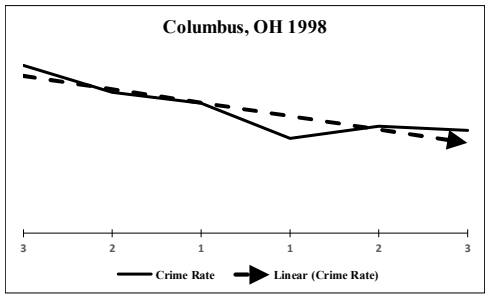
Trendlines are 3 years before and 3 years after the commencement of a department of justice investigation (arrest data were not available in some cities).

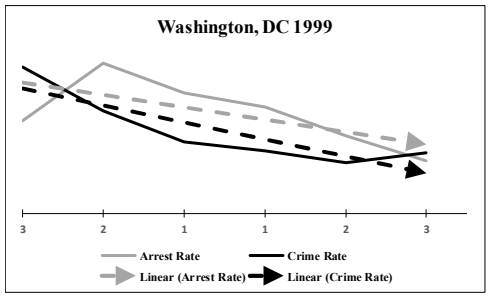


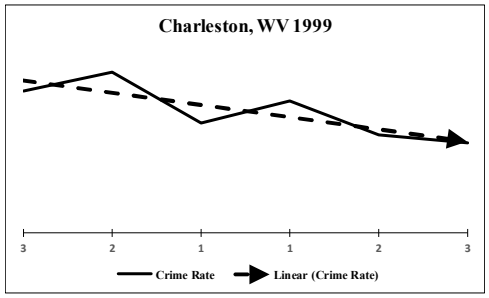


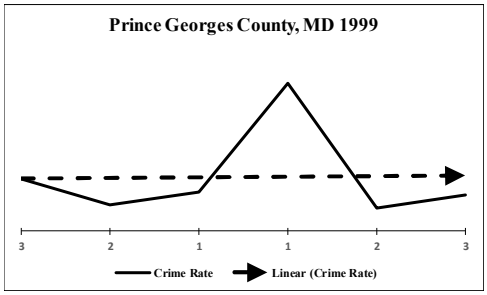


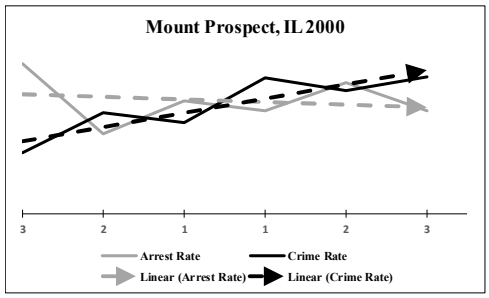


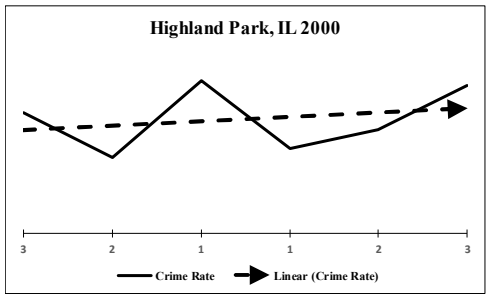


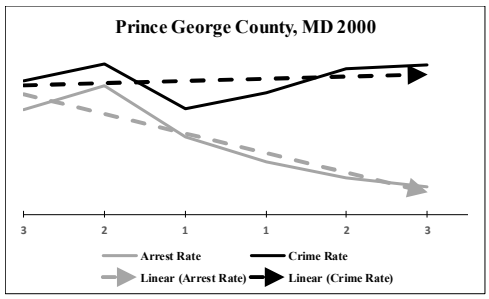


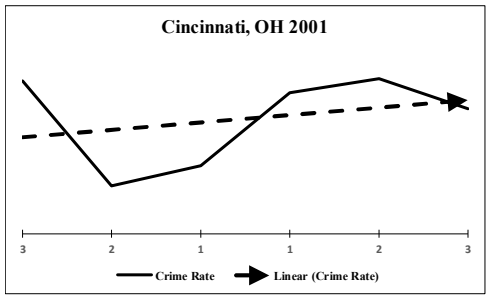

Charleston, WV 1999
3 2 1 1 2 3
Crime Rate
Linear (Crime Rate)

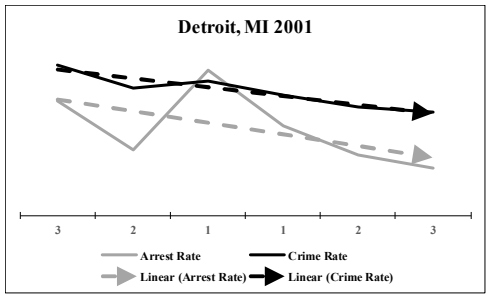

Prince Georges County, MD 1999
3 2 1 1 2 3
Crime Rate
Linear (Crime Rate)

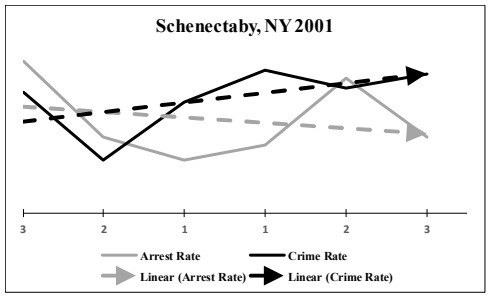

Mount Prospect, IL 2000
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)

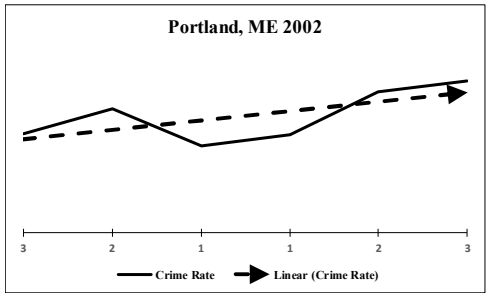

Highland Park, IL 2000
3 2 1 1 2 3
Crime Rate
Linear (Crime Rate)

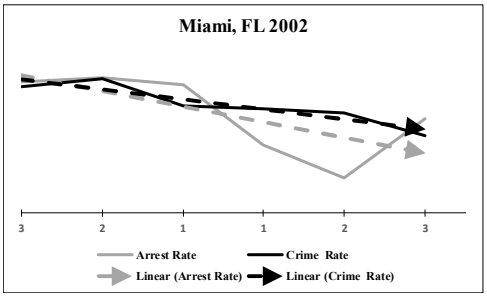

Prince George County, MD 2000
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)

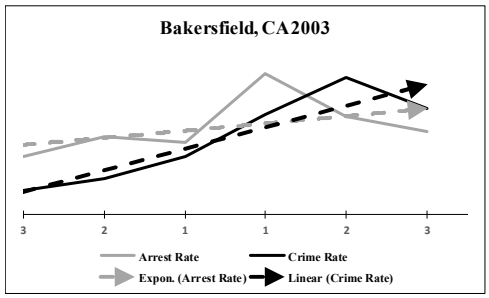

Cincinnati, OH 2001
3 2 1 1 2 3
Crime Rate
Linear (Crime Rate)

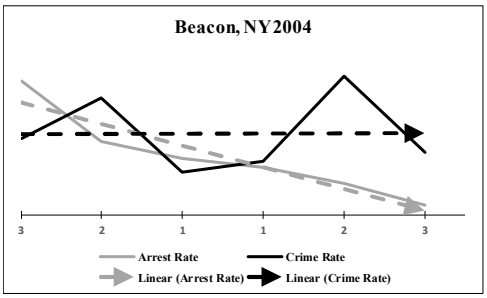

Detroit, MI 2001
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)

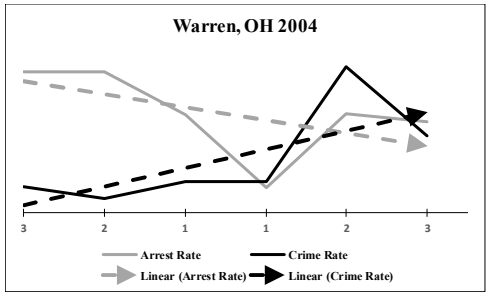

Schenectaby, NY 2001
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Portland, ME 2002
3 2 1 1 2 3
Crime Rate
Linear (Crime Rate)


Miami, FL 2002
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Bakersfield, CA 2003
3 2 1 1 2 3
Arrest Rate
Crime Rate
Expon. (Arrest Rate)
Linear (Crime Rate)


Beacon, NY 2004
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Warren, OH 2004
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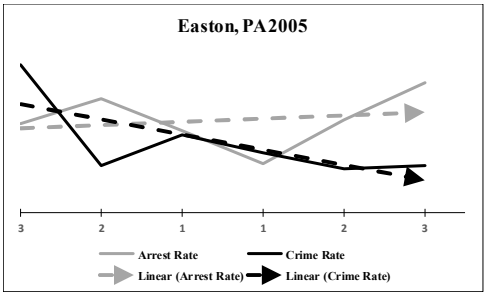
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)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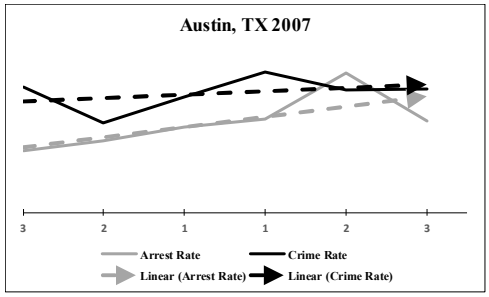
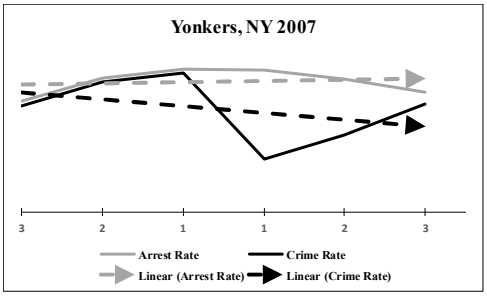
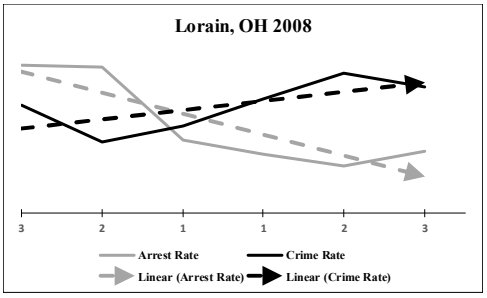
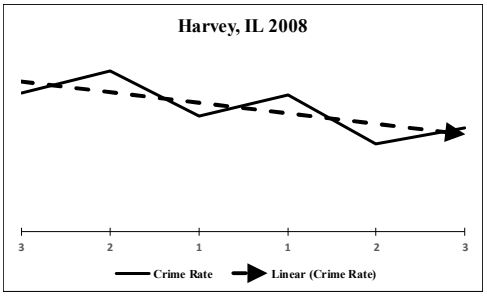
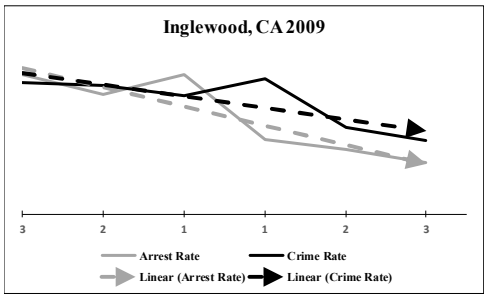
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)

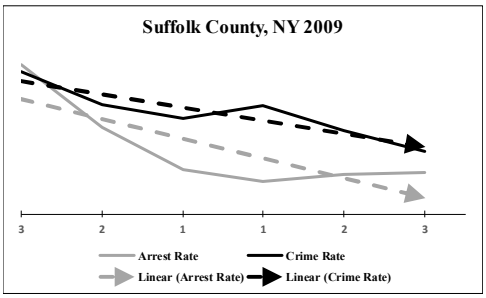

Austin, TX 2007
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Yonkers, NY 2007
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Lorain, OH 2008
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Harvey, IL 2008
3 2 1 1 2 3
Crime Rate
Linear (Crime Rate)


Inglewood, CA 2009
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


Suffolk County, NY 2009
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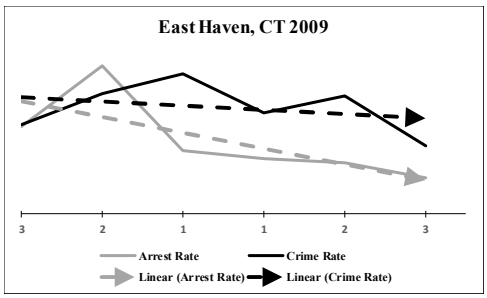
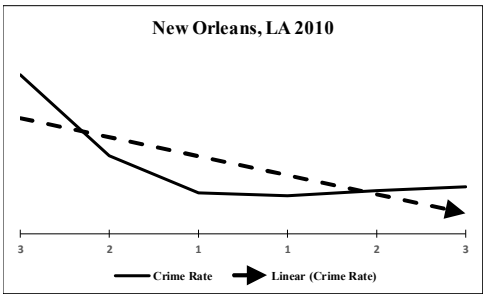
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)


East Haven, CT 2009
3 2 1 1 2 3
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)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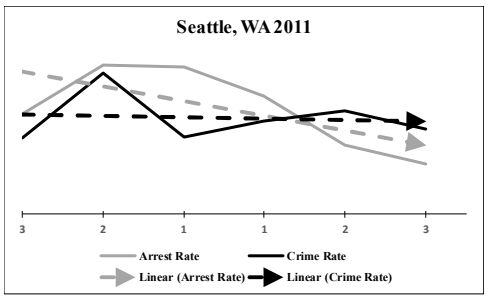
Crime Rate
Linear (Crime Rate)


Seattle, WA 2011
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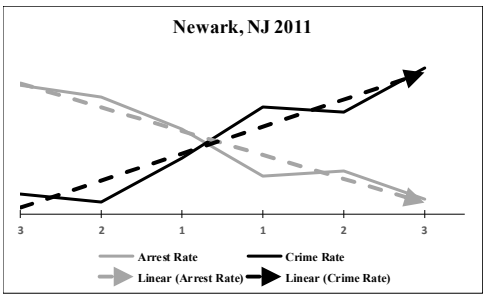
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)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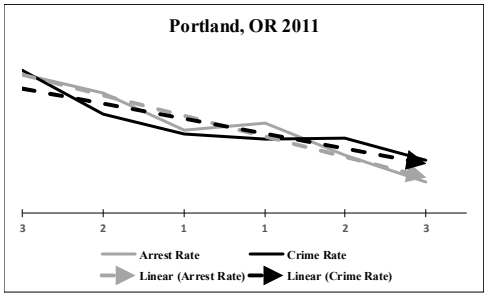
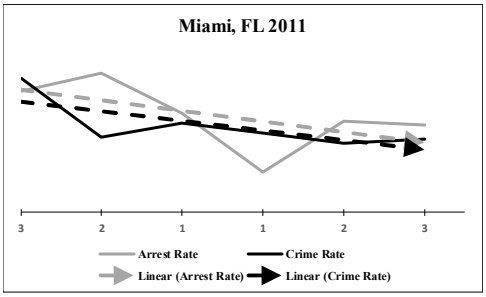
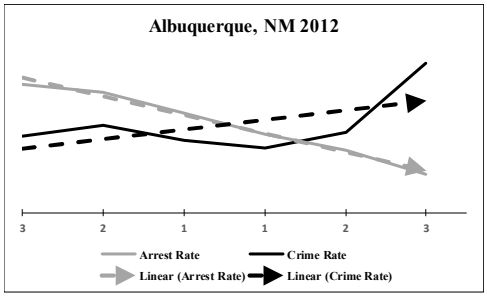
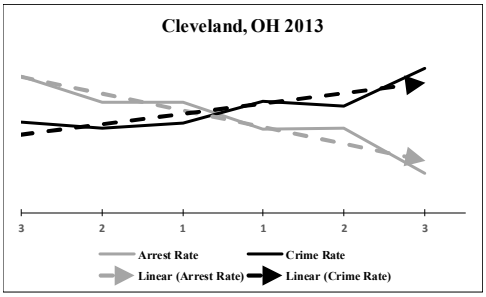
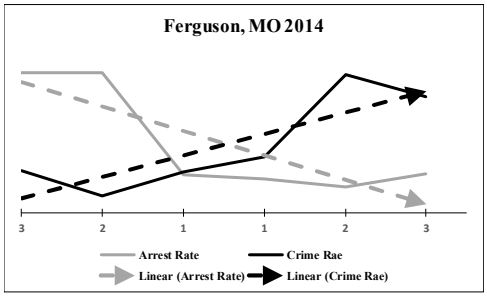
Arrest Rate
Crime Rate
Linear (Arrest Rate)
Linear (Crime Rate)

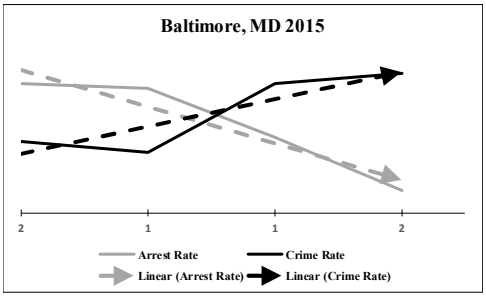


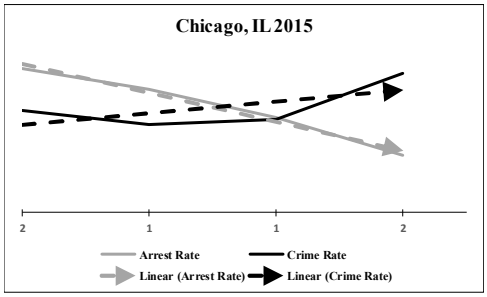












(Baltimore and Chicago are limited to two years because 2017 data is currently unavailable.)