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A RECIPE FOR DISASTER

Take an uncertain workplace. Toss in a "mission impossible" and pressures to produce. Voila!

For Police Issues by Julius (Jay) Wachtel. Early last year a mother received a letter from LAPD informing her that her son was a gang member. Shocked by the news, the parent promptly marched off to a police station where she vehemently insisted that her kid had nothing whatsoever to do with gangs. LAPD apparently took her complaint to heart. After reviewing the reporting officer's bodycam footage and "finding inaccuracies in the documentation," a supervisor contacted the parent and assured her that the teen would not be identified as a gangster.

To its credit, LAPD launched an expansive inquiry. During the following months many members of the agency's specialized "Metro" division came under investigation. Twenty were ultimately stripped of their official duties. Their alleged misconduct – incorrectly reporting on field interview cards that persons they stopped were gang members – had seriously compromised the agency's gang database. One of eight regional systems that comprise the state's "Cal Gang" intelligence network, its use is governed by State law. Only specially certified law enforcement officers can access the system, and adding entries is strictly regulated. Among other requirements, targets for inclusion must meet at least two of eight specified criteria, such as admitted gang membership or displaying a gang tattoo, and must have been contacted not just once but "on multiple occasions."

An August 2016 report by the California State Auditor revealed widespread noncompliance with these rules. LAPD, in particular, was singled out for serious and persistent lapses. Yet its problems apparently persisted. Public blowups over LAPD's controversial stop-and-frisk campaign (see, for example, "Scapegoat," Part I) recently led Chief Michel Moore, a veteran officer who took the helm in June 2018, to publicly announce his determination to right the ship:

> I don't mean this to go on for months or years. I will make a finding on the basis of the completed investigation as to appropriate disposition — whether that be sustained acts of misconduct, including the potential criminality....

"Criminality"? Well, fudging the facts so that a stopped person meets the criteria for inclusion into a gang database sure seems like a purposeful falsification of official

records. But why would an officer do that? L.A.'s a busy place, and it's not as though its street cops lack for things to do. Chief Moore's angst, though, wasn't directed at ordinary badges but members of the elite "Metro" group, which had been assigned to conduct "intensive patrol" – meaning, of course, stop-and-frisks – in neighborhoods beset by gangs and gunplay.

We've suggested in a string of essays (for example, "Driven to Fail" and "Good Guy/Bad Guy/Black Guy, Part II) that get-tough campaigns inevitably lead to a profusion of "false positives." That's created major angst among members of minority groups, and not just in Los Angeles. Still, given the high rates of violence that characterize many lower-income areas, their police feel obliged to do *something*. How the outcomes of that "something" get assessed and measured presents some complex dilemmas.

In a new, thought-provoking article, the *L.A. Times* reported that managers evaluated Metro's cops on sixteen criteria, from arrests and citations to "field interviews of gang members." As we mentioned in "Driven to Fail," Metro's teams were unfamiliar with their assigned areas' patterns and worthy inhabitants. So they adapted, in part, by focusing on pre-identified "chronic offenders." Finding and discreetly following noteworthy prey until there's enough to justify a "Terry" stop, though, proved no easy task. Targets of opportunity became a fallback strategy.

Whether cops free-lance or shadow known targets, the uncertain environment of policing virtually guarantees a profusion of error. Let's self-plagiarize:

> Policing is an imprecise sport. And when its well-intended practitioners target geography, meaning, by proxy, racial and ethnic minorities, the social impact of this "imprecision" can be profound. NYPD stopped nearly six times as many blacks (2,885,857) as whites (492,391). Officers frisked 1,644,938 blacks (57 percent) and 211,728 whites (43 percent). About 49,348 blacks (3 percent) and 8,469 whites (4 percent) were caught with weapons or contraband. In other words, more than one and one-half million blacks were searched and caught with…nothing.

Not every unproductive encounter reflects an error of judgment. There were likely more than a few worthy characters among those whom Metro had to ultimately let go. How many? Lacking clear data, it's impossible to know. Yet the abundance of apparent "false positives" created an ideal platform for critics unfamiliar with the vagaries of the police workplace to jump to the conclusion that cops are racists. That, along with relentless pressures to produce measurable outcomes, created a vicious cycle well

known to cops who have participated in get-tough-on-crime campaigns. Fudging someone's gang involvement *is* a lie, period. But given the intrinsic difficulties of their "mission impossible," Metro's officers might have thought it the surest way to score enough "hits" to satisfy superiors while keeping nettlesome citizens, reporters and civil libertarians off their agency's backs.

Pressures to produce aren't just a problem at LAPD and NYPD. They're endemic to policing. Demands from the top to "give us numbers," which ultimately land on the shoulders of those who occupy the bottom of the flow chart, were obvious to the blogger throughout his law enforcement career. So much so that it inspired the topic of his dissertation. Entitled "Production and Craftsmanship in Police Narcotics Enforcement," it explored the tension between quantity and quality in street drug enforcement. (For an article based on this work, click here.) Here's just one of the many memorable quotes from a "worker bee":

> Make cases, put people in jail, numbers. Our department right now is heavily into numbers. It's not so much the quality of the case but it's how many cases you do…because there are stat's being taken through the chain of command.

Not even your blogger, who's obsessed with the notion of craft, would suggest that numbers are wholly irrelevant. Citation counts, for example, can be *one* valid measure (hopefully not the *only* measure) of the quality of an agency's traffic enforcement effort. Yet counting can easily distort what takes place. That's not only true in policing. Unholy pressures to produce quantifiable miracles pervade government, commerce and industry. (In education, your writer's second career, it was "how many graduates did we have this year?") But let's take a *really* long reach. Consider the Boeing 737 fiasco. Is there any doubt that pressures to maximize profits impaired the quality of engineering? Here's an extract from the *New York Times* account of an official report filed by former senior engineer Curtis Ewbank:

> …Ray Craig, a chief test pilot of the 737, and other engineers wanted to study the possibility of adding the synthetic airspeed system to the Max. But a Boeing executive decided not to look into the matter because of its potential cost and effect on training requirements for pilots. "I was willing to stand up for safety and quality," Mr. Ewbank said in the complaint, "but was unable to actually have an effect in those areas. Boeing management was more concerned with cost and schedule than safety or quality."

All lies aren't equal. "Why do Cops Lie?" and other posts in our Conduct and Ethics series offer eye-popping examples of bias, selfishness and greed. Perhaps some of these

qualities apply to a few of Metro's officers as well. But it seems to us that the relentless characteristics of the workplace might have led some otherwise honest, hard-working cops to justify seemingly unproductive stops by fudging their subjects' gang affiliations. Given the circumstances, these might have seemed like only "little white lies."

Of course, in policing there is no such thing.