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# Police think they can get away with anything. That's because they usually do

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Minneapolis citizens had already put the city's police department on notice that Derek Chauvin, the officer charged with second-degree murder in the death of George Floyd, might be dangerous. Over his 18-year career, they lodged at least 17 complaints against him, but none resulted in meaningful discipline. Chauvin's example mirrors a pattern seen in earlier prominent police killings - such as the murder by Jason Van Dyke of 17-year-old Laquan McDonald, in Chicago - in which officers with a history of abusive behavior were nonetheless allowed to continue interacting with the public.

Why don't police take complaints seriously? And what can be done to make complaint systems work better?

Research we conducted with the journalism organization the Invisible Institute suggests that ignoring complaints - even multiple complaints about one officer - is not the exception but the norm in police departments. To explore the question, our team assembled, analyzed and made freely available an interactive data tool on Chicago Police Department officers' misconduct and use of force that draws upon nearly 250,000 individual complaints from 1988 to 2020. We found that only 3 percent of civilian complaints alleging improper use of force resulted in officer discipline.

The complaints against police were fairly concentrated - 10 percent of officers are responsible for roughly a third of complaints; two-thirds of complaints involved officers with at least 10 recorded complaints against them. One Chicago officer had a disciplinary record including 49 complaints of excessive use of force over a 20-year period, yet none led to any recorded disciplinary action.

Across this 33-year period, we found, only 647 officers were separated from the force after complaints, in a department that typically employs over 10,000 officers.

Even more troubling is the racial disparity in responses to complaints. Only 3 percent of complaints initiated by black citizens were "sustained" -- meaning that a review board sided with the complainant and concluded that the officer acted improperly - compared with 21 percent when the complainants were white. (Not every "sustained" complaint leads to discipline.) Skeptics might suggest that this could indicate that minority citizens are more willing to file frivolous claims, but the data contradicts that view. As a rough proxy for how seriously Chicagoans thought their claims were, we looked how much effort they exerted to file them. Black victims of misconduct, it turned out, were willing to spend, on average, twice as long traveling to a police station to file their claims; it is implausible that people would devote valuable time, and potentially lose income, to file trivial complaints

These patterns demonstrate the larger truth that too often, instead of operating as an effective check on police abuses, complaint systems serve to further disempower poor, minority community members. The system offers the illusion that the police are listening to all residents, but they aren't. Moreover, by repeatedly siding with officers, the systems encourage officers to adopt a mind-set that when black and brown citizens object to what they're doing, they are almost always wrong; that reinforces officers' sense of untouchability. It is not hard to imagine how an officer such as Chauvin might think, after 17 ineffectual complaints against him, that he could get away with excessive use of force.

How might we improve the situation? First, reduce deterrents to reporting. Requiring people to make complaints in person often demands that they travel long distances to police stations or other government offices, which is especially hard for working people. In addition to making complaints accessible to the public - as Chicago does but many departments do not - departments ought to offer Web portals, apps and other means to file complaints that don't require in-person signatures. Americans are routinely asked for feedback after going to a restaurant or buying something on the Web. But for some reason the organizations whose customer service

failures can cost us our very lives are allowed to invest little in collecting sufficiently robust data to know whether they are serving us well.

Of course, ease of reporting doesn't matter if departments don't listen. The Chicago Police Department, as well as others, only discipline officers involved in sustained complaints that meet two criteria: the review board thinks the complaint meets a sufficient burden of proof and the officer was acting improperly. Complaints are not sustained if the event occurred but the officer's actions were technically within departmental policy - even if that policy is flawed, or if the citizen found the encounter abrasive or demeaning. The complaint process is too similar to a court of law, ignoring that the point of an oversight system: not just to punish bad behavior by officers, after a trial-like process, but to offer remedial action for a range of objectionable behavior of varying degrees of severity. That can help maintain community relations, which in turn helps protect civilians. Another improvement would be for review boards to look at an officer's entire misconduct history, sustained or not, rather than at the isolated incident before them - because a pattern of unsustained complaints can itself be a red flag.

Numerous police chiefs have issued statements in support of Floyd and in favor of reform. If they intend these to be something more than empty words, our law enforcement leaders need to start taking citizen complaints a lot more seriously.

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