

Advancing Policing Through Continuous Action

Lessons Learned from DOJ Pattern
or Practice Investigations

Prepared by the National Policing Institute

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Introduction

01

The purpose of accreditation in law enforcement agencies is to establish a foundation of policies, procedures, and practices that promote optimal outcomes in policing. Consistent internal review of an agency's policies and procedures, combined with third-party validation, supports the delivery of high-quality public safety services, and promotes a culture of accountability in policing. Stated simply, accreditation provides a roadmap for constitutional policing and ensures police agencies continuously consider legal standards, best practices, scientific evidence, and innovation.

Many resources are available to law enforcement executives seeking to implement evidence-informed and best practices in their agencies as part of the accreditation process. Model policies, training standards, and empirical research can all provide valuable information to inform police practice. National-level guidance on constitutional

policing practices, however, can be particularly valuable. Indeed, the settlement agreements, including consent decrees, that the United States Department of Justice (DOJ) engages in with law enforcement agencies following "pattern or practice" investigations are presumed to outline important aspects of 21st Century Policing. The changes implemented by law enforcement agencies to address these agreements should, therefore, demonstrate aspects of constitutional policing in practice.

Despite the value of the documentation surrounding these settlement agreements, there has been limited empirical examination of the organizational conditions and practices that precede formal intervention by the DOJ.



The systematic identification of the factors contributing to DOJ involvement can provide critical insights for law enforcement executives who seek to be proactive in reviewing and enhancing their agency's policies, training, and practices. In this vein, the Commission on Accreditation for Law Enforcement Agencies contracted the services of the National Policing Institute (hereafter the Institute) in 2022 to review recent pattern or practice investigations conducted by the DOJ to identify:

- The events and organizational factors that precede an investigation;
- The issues most commonly examined by pattern or practice investigators;
- The investigative process and methodological approaches used to identify patterns or practices of unconstitutional policing;
- The evidence cited to support observations of unconstitutional policing; and
- The remedial measures outlined by the DOJ to address unconstitutional policing practices.

Between 2010 and 2022, the DOJ initiated 27 pattern or practice investigations into law enforcement agencies. In this report, the Institute research team presents findings from a qualitative examination of the 19 pattern or practice investigations that had investigative reports and/or findings letters available for review. Specifically, content analysis was conducted on 21 documents, including 11 investigative reports and 10 findings letters, that were available for review across these investigations. The analysis of these documents identifies the reported process, findings, and recommendations produced from 19 DOJ pattern or practice investigations of law enforcement agencies.

The remainder of this report is organized as follows: **Section 02** provides background on the authority of the DOJ to conduct pattern or practice investigations and the context surrounding those investigations. **Section 03** presents the results of the research team's content analysis. **Section 04** provides a discussion of the findings and conclusion of the report. The methodology used to identify the sample of pattern or practice investigations and analyze the content of the investigative reports and findings letters for those investigations is outlined in **Appendix A**.

Authority of the Department of Justice to Conduct Pattern or Practice Investigations

02

In 1994, following a series of high-profile events involving police misconduct, Congress authorized the Attorney General to investigate and litigate cases involving “a pattern or practice of conduct by law enforcement officers” that “deprives persons of the rights, privileges, or immunities secured or protected by the Constitution or federal law” (42 USC § 14141). Under this authority, the Civil Rights Division of the

Department of Justice may negotiate or compel (through court order) a series of reforms to address institutional failures that have led to systemic police misconduct (42 USC § 14141[b]). These cases are commonly referred to as “pattern or practice cases” or “14141 cases” after the section of the United States Code codifying this authority (US DOJ, 2017b).

What is “Pattern or Practice”?

The phrase “pattern or practice” is not unique to law enforcement or public safety. It refers to discriminatory activities across various domains, including employment, housing, and education (see, e.g., US DOJ, 2015a, 2015b, 2022). Despite the frequent use of this phrase, the DOJ provides very general explanations of what constitutes a “pattern or practice.” The authorizing statute behind the DOJ’s investigative efforts simply requires a focus on systemic or institutional issues rather than individual actions or outcomes. When considering whether a pattern or practice investigation may be warranted, the DOJ has stated: “In making the decision whether to open an investigation, the threshold questions the [Civil Rights] Division asks are: Would the allegations, if proven, establish a violation of the Constitution or federal laws? Would the allegations, if proven, constitute a pattern or practice, as opposed to sporadic or isolated violations of the Constitution or federal laws?” (US DOJ, 2017)

“There is no matrix that will tell you whether or not the Department of Justice is going to investigate a particular jurisdiction. There is no checklist that says, ‘If I do these things, I am going to fall into the investigation bucket, and if I do these other things, I am going to fall outside the investigation bucket.’”

Johnathan Smith, Former Chief, Civil Rights Division, Special Litigation Section (PERF, 2013)

02. Authority of the Department of Justice to Conduct Pattern or Practice Investigations

Given the limited guidance from the DOJ on the specific type of allegations that may prompt a pattern or practice investigation, law enforcement leaders must rely on documentation associated with these investigations – including investigative reports, findings letters, technical assistance letters, settlement agreements, and consent decrees

(among other formal documents) – to understand the precipitating factors, methods, and findings of these investigations. However, there has been limited systematic review of these areas to inform police practice.

Identification and Investigation of Pattern or Practice by Law Enforcement

A historical review of pattern or practice investigations suggests these investigations are conducted relatively infrequently. For example, one legal scholar found that over 14 years (January 2000 to September 2013), the DOJ logged approximately 325 preliminary inquiries into law enforcement agencies for pattern or practice concerns, but only pursued a formal investigation in 38 of those cases (Rushin, 2014).

This averages to approximately 23 preliminary inquiries and three investigations per year.¹ When comparing this average to the more than 17,500 state and local law enforcement agencies in the United States (Gardner & Scott, 2022), it is evident that a law enforcement agency coming to the attention of the DOJ for issues relating to pattern or practice is a rare event.

Existing research has identified five mechanisms traditionally used by the DOJ to identify law enforcement agencies that warrant preliminary inquiry, including:

- Existing litigation or investigations by other private interest groups or organizations (e.g., ACLU, State Attorney General, civil lawsuit);
- Media reports of systemic misconduct;
- Independent research or locally commissioned studies (e.g., prior research reported in a separate court case);
- Whistleblowers with insider knowledge of agency conditions (e.g., files or information provided by police officers documenting problems witnessed or experienced); and
- Incidents of egregious misconduct (Rushin, 2014).

¹ Notably, the frequency of pattern or practice investigations varies by year and presidential administration. Additionally, there can be multiple years where no formal investigations are announced.

02. Authority of the Department of Justice to Conduct Pattern or Practice Investigations

If the decision to pursue a formal investigation is made, attorneys within the DOJ's Civil Rights Division, Special Litigation Section are responsible for investigating the pattern or practice allegations. Although the specific timeline and methodology for investigation can vary case by case, their process typically includes the review of pertinent documentation (e.g., existing policies, standard operating procedures, training curricula), analysis of administrative data (e.g., use of force reports, citizen complaints), site visits – including facility tours and ride-alongs with police officers, and interviews or focus groups with stakeholders (e.g., sworn and non-sworn personnel, criminal justice stakeholders, community partners, and community members, including those with lived experience). While the authority to conduct pattern or practice investigations has existed for fewer than 20 years, some researchers have noted that these investigations have become “progressively more nuanced, well-sourced, and analytically sophisticated” (Chanin, 2017).

Despite this observation, the basis for investigations has been controversial. Specifically, statistical experts have raised questions about the validity and reliability of the data and findings relied upon by DOJ staff in these investigations (e.g., Hickman & Poore, 2016). Additionally, researchers have noted the need for clear legal standards to define what constitutes a pattern or practice of civil rights violations (Chanin, 2017). Currently, a court is not required to identify a specific number of incidents or acts to determine whether a pattern or practice exists within a law enforcement agency (US DOJ, 2017a). Case law requires only a preponderance

of evidence to establish that an observed unlawful activity is “the regular rather than the unusual practice.”² Although courts have generally found anecdotal evidence sufficient to support the DOJ's claims of pattern or practice, at least one court has denied the DOJ's allegations, citing insufficient testimonials and weak statistical evidence (see *United States v. Johnson*, 2015).

Current Work

It is against this backdrop that the Institute research team conducted a qualitative analysis of the investigative reports and findings letters produced by the DOJ for pattern or practice investigations of law enforcement agencies initiated between 2010 and 2022. A full description of the Institute's research methodology can be found in **Appendix A**. This analysis aimed to identify the factors precipitating DOJ pattern or practice investigations, examine the investigative process, and highlight the findings and recommendations produced by the investigations. This research illuminates the organizational conditions, policies, and practices that may bring a law enforcement agency to the attention of the DOJ, which may prompt it to initiate a formal intervention. A systematic understanding of these factors can inform proactive efforts by law enforcement agencies to remedy those areas and prevent federal attention and intervention.

This analysis aimed to identify the factors precipitating DOJ pattern or practice investigations, examine the investigative process, and highlight the findings and recommendations produced by the investigations.

² See *International Brotherhood of Teamsters v. United States*, 431 U.S. 324, 336 n.16 (1977) and *Bazemore v. Friday*, 478 U.S. 385, 398 (1986) and *EEOC v. American National Bank*, 652 F.2d 1176, 1188 (4th Cir. 1981)

Findings

This section outlines the findings from the qualitative analysis of the investigative reports and findings letters produced by the DOJ in 19 pattern or practice investigations. **Appendix B** presents the basic characteristics of the law enforcement agencies at the time of the investigation as documented in the investigative reports and findings letters under review. The content of this section is organized as follows: First, the mechanisms by which law enforcement agencies come to the attention of the DOJ for preliminary inquiry are discussed. Second, the primary reasons for initiating a pattern or practice investigation are outlined. Third, the methods used by the DOJ for the investigative process are considered. Next, the findings from the pattern or practice investigations are summarized, including the context of the legal violations observed by the DOJ and the factors believed to contribute to those violations. Then, the DOJ's recommended remedial measures are discussed. Finally, the outcomes of the investigations are identified.

Mechanisms for Identifying Agencies for Preliminary Inquiry

The mechanisms by which an agency came to the attention of the DOJ for preliminary inquiry were reported in the documents for 10 (n = 52.6%) of the 19 investigations. Aligning closely with prior examinations of the identification process (Rushin, 2014, discussed above), the mechanisms were found to fall into four categories: (1) requests by

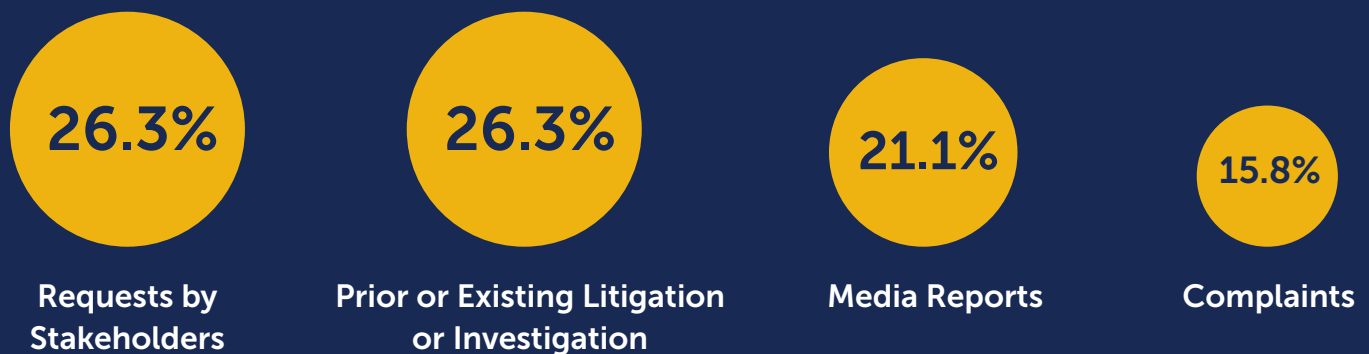
stakeholders, (2) prior/existing litigation against or investigation into the agency, (3) media reports, and (4) complaints. **Figure 1** presents the frequency these mechanisms were reported. Notably, it was common for multiple mechanisms to prompt the DOJ's preliminary inquiry into an agency's conduct.

Requests for inquiry into a law enforcement agency were identified in five (n = 26.3%) of the pattern or practice investigations. These requests were reported from many sources, including local mayors, legislators, community groups, and other criminal justice stakeholders. *Prior or existing litigation or investigation* was also cited as a mechanism in five (26.3%) investigations. The prior or existing investigations represented inquiries into the law enforcement agency being conducted by entities outside the DOJ (e.g., independent investigators, state office of the attorney general). In contrast, prior or existing litigation could include federal and non-federal cases against an agency.

Media reports were identified as a mechanism for identifying a law enforcement agency in four (21.1%) of the investigations. The content of media reports that prompted the attention of the DOJ included reports of multiple incidents of misconduct within a single agency and/or reports on findings produced through statistical analyses of police data (e.g., analyses examining police use of force).

Finally, *complaints* against an agency were cited as the mechanism in three (15.8%) of the pattern or practice investigations. However, the DOJ did not always specify the source of the complaints or the process by which they came to their attention.

Figure 1. Mechanisms for Identifying Law Enforcement Agencies for Preliminary Inquiry (N = 19)



No mechanisms were identified in 47.4% (n = 9) of the investigations.

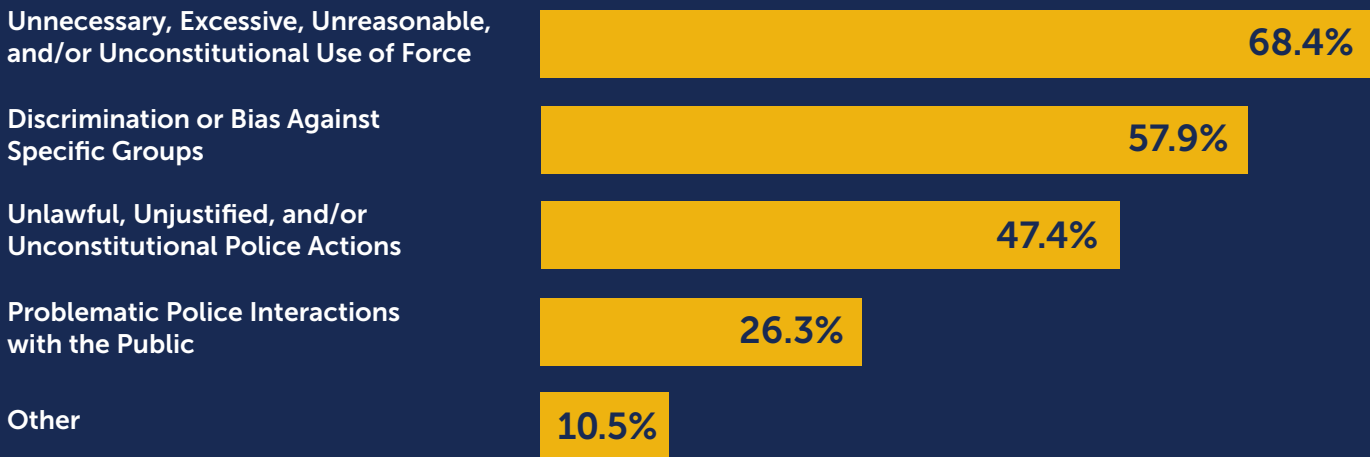
Stated Reasons for Initiating a Pattern or Practice Investigation

The qualitative analysis revealed that the DOJ stated several different reasons for initiating investigations into law enforcement agencies. Aligning with the United States Code that establishes the authority of the DOJ to conduct these investigations (34 USC § 12601), the stated reasons reflect observations of a potential pattern or practice of conduct by law enforcement agencies that deprives individuals of their rights, privileges and immunities protected by the Constitution or federal law. **Figure 2** outlines those reasons for investigation stated within the investigative reports and findings letters, including observations of:

- Unnecessary, excessive, unreasonable, and/or unconstitutional use of force by officers;
- Discrimination or bias against specific groups;
- Unlawful, unjustified, or unconstitutional police actions;
- Problematic police interactions with the public; and
- "Other" reasons.

For most of the pattern or practice investigations, the DOJ cited multiple reasons for initiating their investigation.

Figure 2. Reasons Stated for the Initiation of a Pattern or Practice Investigation (N = 19)



The most prevalent reason stated for investigation included concerns regarding use of force. Of the 19 investigations examined, 13 (68.4%) included observations of “*unnecessary,*” “*excessive,*” “*unreasonable,*” and/or “*unconstitutional*” use of force by officers. Notably, these terms were often used interchangeably when describing observations of the problematic application of force by police officers. Some examples of use of force practices deemed unnecessary, excessive, unreasonable, and/or unconstitutional include:

- Application of force against individuals who were already detained or unable to understand or yield to commands;
- Use of force in situations where individuals were engaged in lawful activities or committing only minor infractions;
- Overreliance on the use of more extreme types of force (e.g., deployment of conducted energy devices, use of impact weapons) in situations where less severe options could be effective;
- Use of force by multiple officers against a single person; and
- Use of deadly force against an individual when there is no imminent threat of death or injury to officers or others.

03. Findings

Likewise, over half of the pattern or practice investigations reviewed (57.9%, n=11) were initiated due to *observations of police discrimination or bias against specific groups*. The most commonly observed types of discrimination or bias were based on race (n = 8, 42.1%), ethnicity (n = 6, 31.6%), and gender identity (n = 6, 31.6%). Although less

common, investigative reports and findings letters also stated observations of discrimination or bias based on age, sexual orientation, behavioral health, national origin, immigration status, and primary language as causes for the DOJ's initiation of a formal investigation into a law enforcement agency.

Observations of *unlawful, unjustified, and/or unconstitutional police actions* were identified as a reason for investigation in nine (47.4%) of the pattern or practice investigations. These actions were observed across stops, searches, seizures, arrests, investigations, and other areas (e.g., pursuits, detentions). Similar to the DOJ's description of use of force practices, the terms "unlawful," "unjustified," and "unconstitutional" were often used interchangeably when discussing observations of problematic police actions that motivated DOJ intervention. Some examples of what is meant when talking about these types of actions include:

- Over-application of these actions against specific groups;
- Use of these actions against individuals perceived by officers as insubordinate or disrespectful to the police; and
- Employing actions against individuals regardless of whether "reasonable suspicion" of criminal activity exists to support officer decision-making.

Five (26.3%) of the investigations were initiated based, at least in part, upon observations of *problematic police interactions with the public*. Most often, these observations related to police officers infringing upon the First Amendment rights of community members, including retaliation by officers against individuals who speak out against

the police or attempt to observe or record police activity legally. Finally, "Other" stated reasons for the initiation of investigation (n = 2, 10.5%) included dysfunction in internal investigations of police misconduct and risk of harm to individuals confined in holding cells.

Investigative Methods for Pattern or Practice Investigations

As mentioned above, pattern or practice investigations are found to entail a complicated and nuanced process for examining the practices of law enforcement agencies. For the sample of cases included in this analysis, the time between the announcement of an investigation and the

publication of findings ranged from **six months to 70 months**, with the average time for an investigation being approximately 20 months (SD = 14.4). **Figure 3** presents the length of time for the investigations considered within the qualitative analysis.

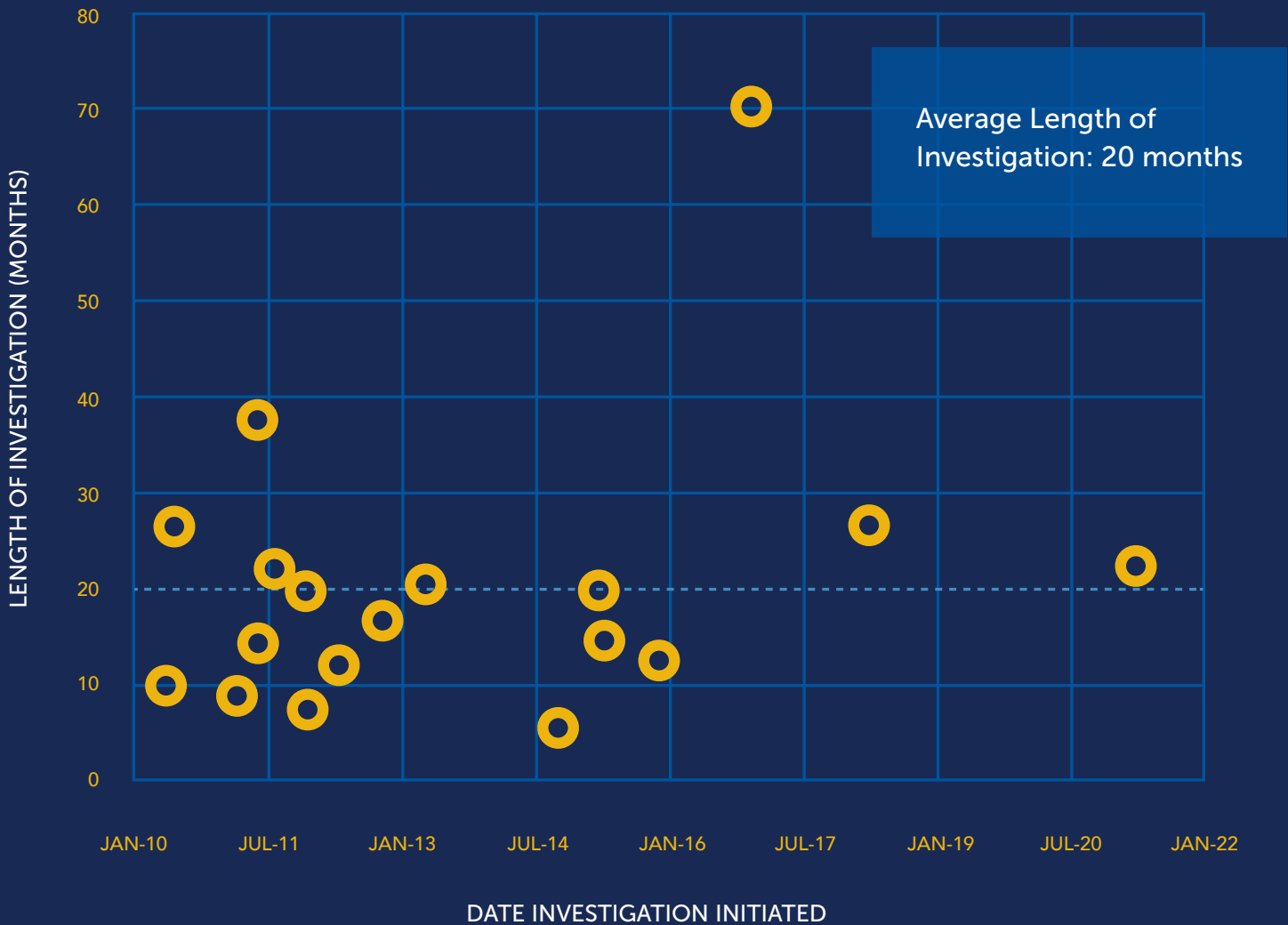
The DOJ employs several different methods to investigate patterns or practices of concern within law enforcement agencies. **Figure 4** highlights the methods mentioned for the 19 pattern or practice investigations considered within the analysis. The research team identified seven distinct methods employed by the DOJ to support the investigative process, including:

- Conversations with stakeholders;
- The review of pertinent documents;
- Site visits;
- Consultation of best practices and subject matter experts (SMEs);
- Review of law enforcement administrative data;
- Outreach for community feedback; and
- The completion of statistical analyses.

Notably, in nine (47.4%) of the cases, the DOJ reported issues that created challenges for their investigative process, including missing

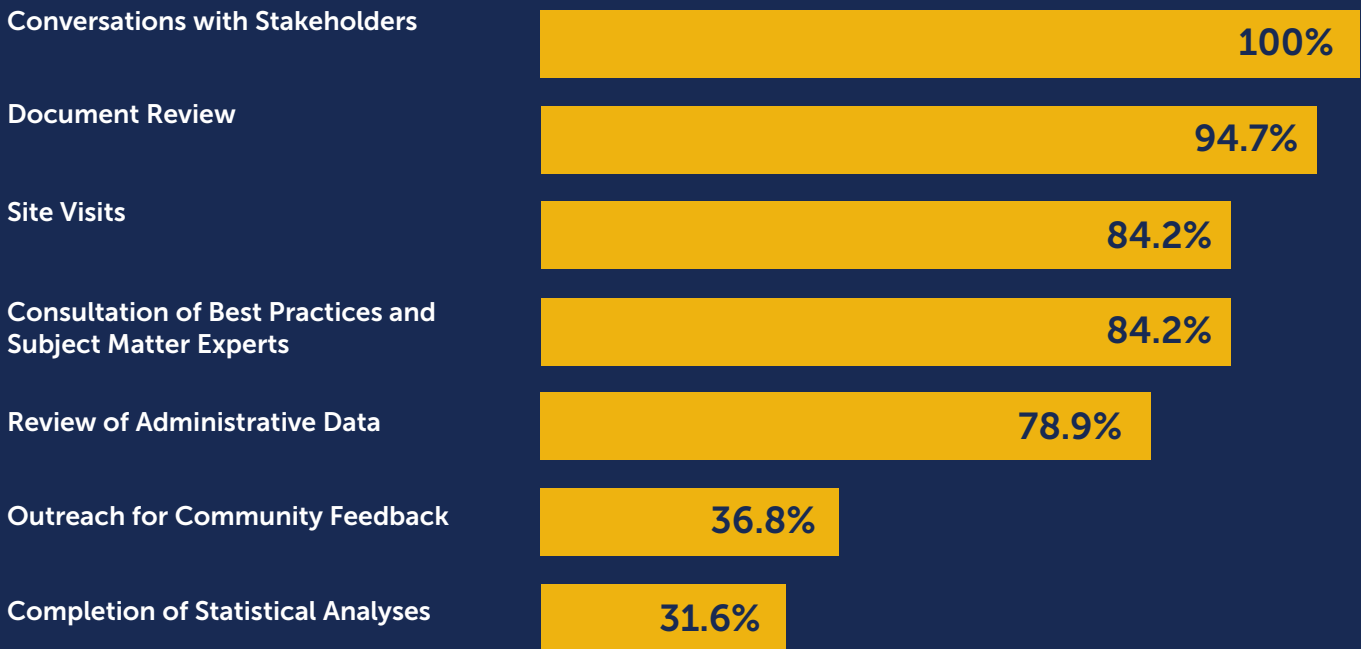
documentation, delays in agencies' provision of the requested materials, and reluctance or unwillingness of agency personnel to participate in interviews.

Figure 3. Length of Time to Conduct Pattern or Practice Investigation (Months) (N = 19)



As shown in **Figure 4** below, *Conversations with stakeholders* was mentioned as an investigative method for all 19 (100%) of the pattern or practice investigations. Stakeholders consulted during the process of an investigation could include current and former personnel of the agency under investigation, city, county, and state officials,

individual community members, local community groups and organizations, representatives from police labor organizations, and other criminal justice stakeholders. These conversations could involve individual interviews or DOJ-facilitated meetings with multiple individuals to discuss specific areas of the investigation.

Figure 4. Investigative Methods for Pattern or Practice Investigations (N = 19)

The *review of pertinent documents* was mentioned in the investigative reports and/or findings letters for 18 (94.7%) of the pattern or practice investigations. Materials of interest included documentation surrounding policies, procedures, and training on many different topics (e.g., use of force, pedestrian stops, responding to people with behavioral health conditions, responding to incidents of sexual assault, execution of search warrants, proper informant practices, and impartial policing). The DOJ also reviewed incident and investigative reports, case files, court filings, and transcripts to inform their investigation. Other materials, including emails, department memos, memoranda of agreement, jail booking logs, and third-party reports on agency practices, were mentioned as well (among others).

Site visits were mentioned in the investigative reports and/or findings letters for 16 (84.2%) of the investigations. These visits typically consisted

of tours of the law enforcement agency and other facilities and/or ride-alongs with officers in the community. Observations of training and courtroom proceedings were also mentioned, though less frequently. Similarly, 16 (84.2%) of the pattern or practice investigations were found to include the *consultation of best practices and SMEs* as part of the investigative process.

The *review of administrative data* was referenced in 15 (78.9%) of the investigations. The specific data reviewed varied across the individual pattern or practice investigations. However, data commonly referenced included administrative records about use of force, arrests, vehicle and pedestrian stops, searches and seizures, citizen complaints, and investigations of officer misconduct. The completion of statistical analyses involving administrative data was explicitly mentioned in six (31.6%) of the investigations under review.



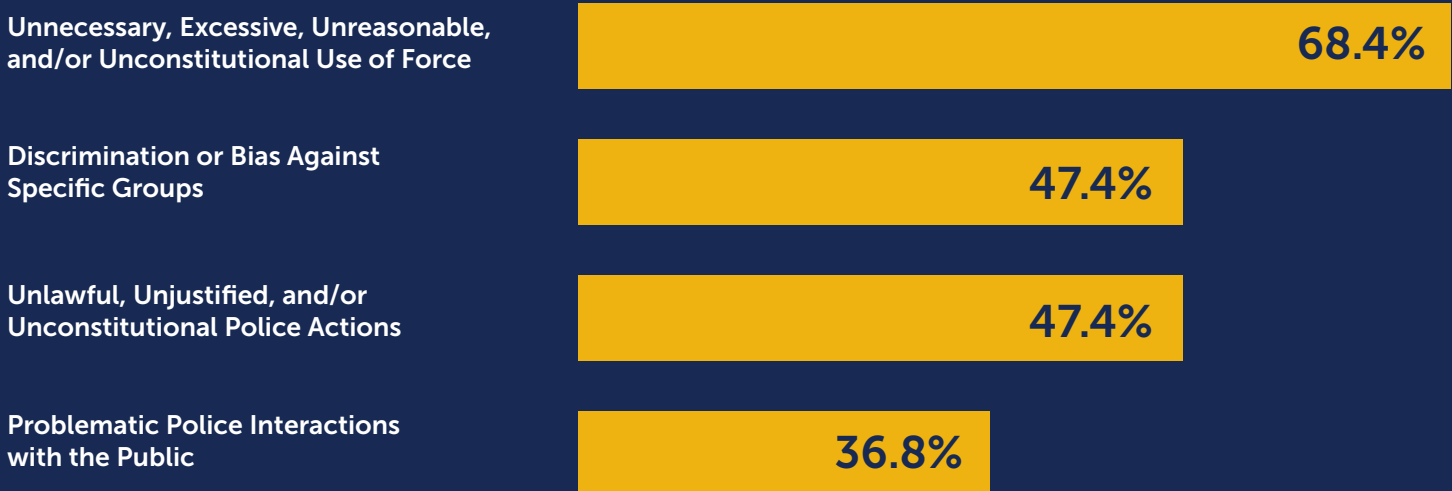
Finally, *outreach for community feedback* on the law enforcement agency under investigation was mentioned in seven (36.8%) pattern or practice investigations. This outreach took many forms, including the hosting of community events to engage community members, canvassing places

and events in the community where people gather (e.g., recreation centers, local businesses, public housing units), and the use of an investigation-specific email and/or phone line to elicit feedback from the community.

Findings from Pattern or Practice Investigations

The findings from the pattern or practice investigations considered in the qualitative analysis are reported in **Figure 5**. In general, findings from these investigations fall within four primary categories:

- Unnecessary, excessive, unreasonable, and/or unconstitutional use of force;
- Discrimination or bias against specific groups;
- Unlawful, unjustified, and/or unconstitutional police actions; and
- Problematic police interactions with the public.

Figure 5. Pattern or Practice Investigation Findings (N = 19)

Unnecessary, excessive, unreasonable, and/or unconstitutional use of force by officers was identified as a finding in 13 (68.4%) pattern or practice investigations. As outlined above, use of force practices that were identified as “unnecessary,” “excessive,” “unreasonable,” and/or “unconstitutional” included the:

- Application of force against individuals who were already detained or unable to understand or yield to commands;
- Use of force in situations where individuals were engaged in lawful activities or committing only minor infractions;
- Overreliance on the use of more extreme types of force in situations where less severe options could be effective;
- Use of force by multiple officers against a single person; and
- Use of deadly force against an individual when there is no imminent threat of death or injury to officers or others.



Evidence of *discrimination or bias against specific groups* was found in approximately half (n = 9, 47.4%) of the investigations. Race-based discrimination or bias was the most common finding in this category (n = 6, 31.6%), with law enforcement agencies observed to administer differential treatment toward Black Americans. However, the investigative reports and findings letters also identified findings of discrimination and bias based on ethnicity (n = 3, 15.8%), gender identity (n = 3, 15.8%), national origin (n = 2, 10.5%), and other identities (n = 2, 10.5%; e.g., age, sexual orientation, behavioral health, primary language).

Unlawful, unjustified, and/or unconstitutional police actions were reported in approximately half (9, 47.4%) of the investigations. These actions were identified most often for arrests (n = 8, 42.1%), traffic and pedestrian stops (n = 7, 36.8%), investigations (n = 6, 31.6%), and searches (n = 5, 26.3%). However, findings of unlawful, unjustified, and/or unconstitutional activities were also cited across seizures, detentions, and other areas (e.g., warrant execution, blocking access to housing).

Finally, the DOJ reported evidence of *problematic police interactions with the public* in seven (36.8%) of the pattern or practice investigations. These issues were found in instances of police officers infringing upon individuals' First Amendment rights (n = 5, 26.3%) and participation in corruption or illegal activity (n = 3, 15.8%; e.g., officer involvement in sexual harassment and assault, theft, bribery, and domestic violence).

03. Findings

Notably, the findings for most of the investigations reviewed within this analysis aligned with the DOJ's "stated reasons" for initiating a formal investigation. However, there were a few differences across these areas. Specifically, the DOJ *did not report* findings that aligned with the reasons for initiating an investigation for three law enforcement agencies (15.8%). For example, in the cases involving the Chicago (IL) Police Department and Seattle (WA) Police Department, the DOJ indicated the investigations were prompted by concerns about a pattern or practice of discriminatory policing. However, no findings of constitutional violations related to discrimination were reported. Similarly, the DOJ reported initiating an investigation into the Newark (NJ) Police Department based on concerns about the risk of suicide among individuals confined in holding cells and the failure of the agency to implement preventative measures; but did not reach a finding on this issue. There were also two instances where the DOJ reported findings that did not align with the reasons stated for initiating an investigation (10.5%). For example, the DOJ reported findings of problematic police interactions with the public by the Albuquerque (NM) Police Department (i.e., problematic responses to people in crisis) and the Seattle Police Department (i.e., retaliation against

individuals for exercising their First Amendment rights).

Legal Violations Cited in Pattern or Practice Investigations

In addition to the nature of the pattern or practice observed, the DOJ described specific legal violations by the agencies under investigation in the investigative reports and findings letters. These violations are reported in addition to the standard violation of the Violent Crime Control and Law Enforcement Act of 1994 authorizing the initiation of a formal investigation (N = 19, 100%). **Figure 6** outlines the cited constitutional amendments and federal laws the agencies were found to have violated.³ Violations of the Fourth Amendment's protection "against unreasonable searches and seizures" were found in 15 (78.9%) of the pattern or practice investigations. These violations included (1) stopping individuals without reasonable suspicion, (2) conducting searches based on invalid warrants, (3) the arrest and detention of people without probable cause, and (4) the use of unreasonable force by officers.

³ See **Appendix C** for definitions of these laws.

The most common cited violations were related to the Fourth Amendment's protection against "unreasonable searches and seizures." Violations included:

- Stopping individuals without reasonable suspicion;
- Conducting searches based on invalid warrants;
- The arrest and detention of people without probable cause; and
- The use of unreasonable force.

03. Findings

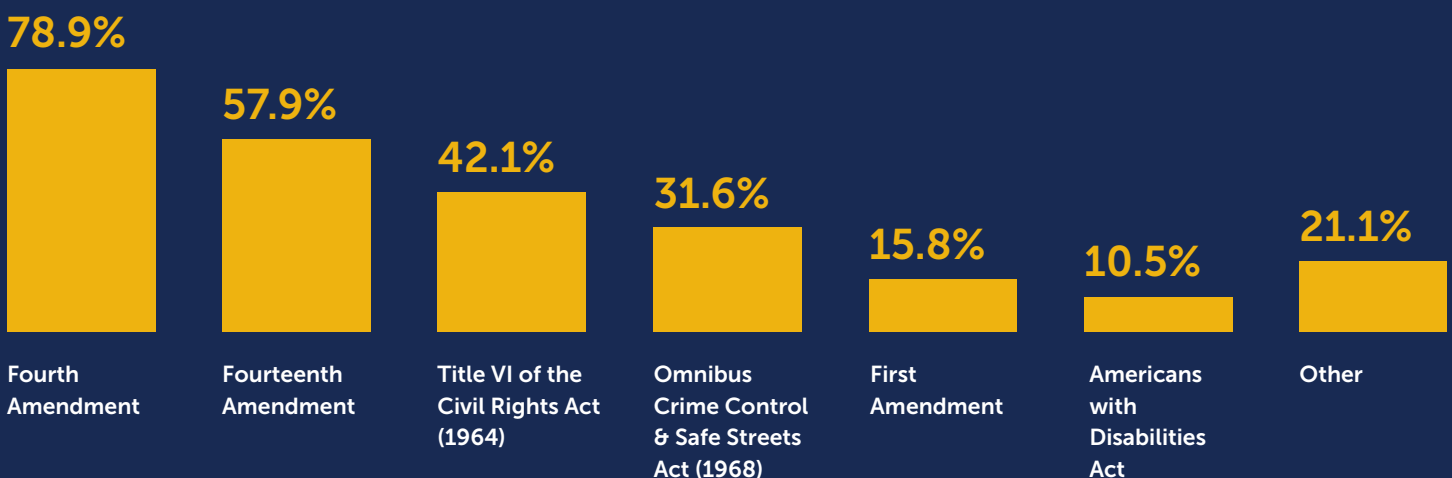
In 11 (57.9%) of the investigations, violations of the Fourteenth Amendment were found, including violations of the Equal Protection Clause (n = 8, 42.1%) and the right to due process (n = 4, 21.1%). Violations in these areas were related to discriminatory policing (i.e., unfair enforcement of the law or failure to enforce the law based on protected characteristics, such as race, ethnicity, national origin, religion, gender, or sexual orientation). Additionally, violations of *Title VI of the Civil Rights Act of 1964* were cited in eight (42.1%) of the investigations, and violations of the *Omnibus Crime Control and Safe Streets Act of 1968* were found in six investigations (31.6%).

Violations of the First Amendment were found in three (15.8%) of the investigations. These violations included officer infringement on the public's First Amendment right to record police activity and the use of force and arrests of people engaging in activities protected by the First Amendment (e.g.,

verbal disrespect of law enforcement officers, and speech about policing). Violations of the *Americans with Disabilities Act (ADA)* were cited in two (10.5%) investigations and included discrimination against people with behavioral health disabilities. These violations include failure to make reasonable modifications to policies, practices, and procedures for people with behavioral health disabilities and unnecessary law enforcement response to people experiencing a behavioral health crisis, at times leading to unnecessary hospitalization, unreasonable use of force, and avoidable arrests.

Other (n = 4, 21.1%) legal violations included violations of the Fifth Amendment, Sixth Amendment, the Fair Housing Act, and the DOJ's regulations implementing Title VI.

Figure 6. Legal Violations Cited in Pattern or Practice Investigations (N = 19)



Factors Contributing to Pattern or Practice

Within the investigative reports and the findings letters for each investigation, the DOJ identified many factors that contributed to the patterns and practices within law enforcement agencies. **Figure 7** outlines those organizational factors argued to cause, permit, or contribute to the legal violations cited by the DOJ. These factors include:

- Insufficient and/or inappropriate policy;
- Inadequate training for officers;
- Inadequate supervision;
- Inadequate accountability mechanisms within the organization;
- Problematic organizational culture;
- Problematic policing strategies;
- Ineffective collaboration with external partners;
- Insufficient staffing; and
- Insufficient equipment.



03. Findings

The most frequently identified contributing factor to a pattern or practice within agencies was *insufficient and/or inappropriate policy*. Observations in this area centered upon findings of a lack of policy to direct specific police actions (e.g., response to behavioral health crises, response to incidents of sexual assault, management of lawful demonstrations, fourth amendment requirements), unclear policies allowing for broad interpretation for police practice, and/or policies that either do not include or contradict best practice. The DOJ also observed the failure to train officers on policy changes or enforce new and revised policies once implemented as precipitating factors to pattern or practice.

The second most frequent contributing factor to a pattern or practice finding was *inadequate accountability mechanisms* within a law enforcement organization (n = 15, 78.9%).

Observations in this area centered upon findings related to inadequate reporting, review, and investigation of officer use of force, the failure to identify, investigate, and respond to instances of officer misconduct, and limitations in the receipt, review, and response to citizen complaints.

Inadequate training for police officers was identified as a contributing factor to the findings in nearly three-quarters (n = 14, 73.7%) of the pattern or practice investigations. The DOJ highlighted the limitations in the dosage, frequency, and quality of training provided to officers in areas that can substantially impact their interactions with the



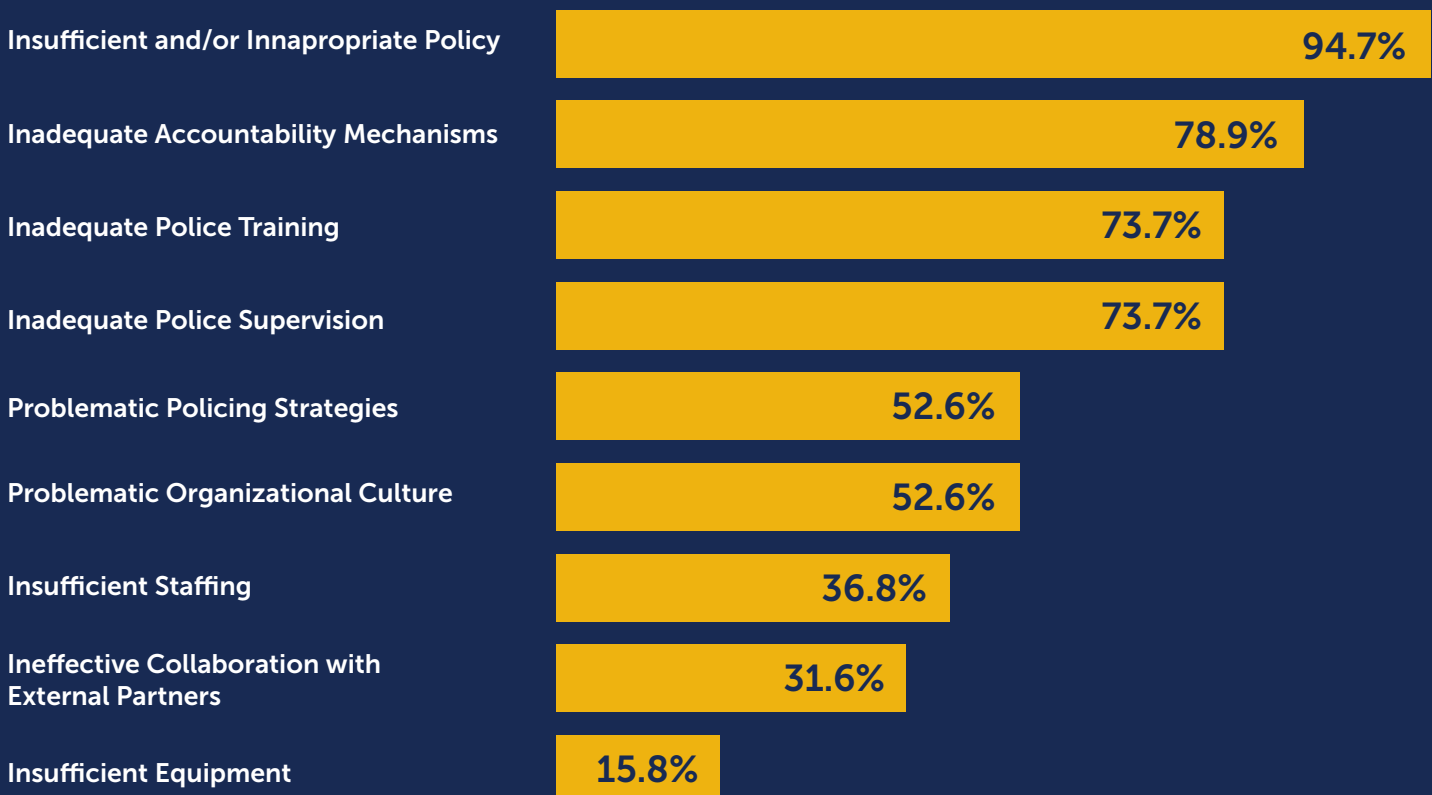
03. Findings

public (e.g., use of force and de-escalation, crisis intervention, community policing, constitutional policing). They also noted the lack of processes for the regular review and update of training to ensure officers are provided with up-to-date information on agency policy and best practices.

Inadequate police supervision was also cited as a contributing factor in 14 (73.7%) of the pattern or practice investigations. Across these investigations, the DOJ highlighted the failure of supervisors to reinforce agency policy, conduct meaningful reviews of officer actions, and hold officers accountable for failures to follow policy.

Problematic agency culture was reported as a contributing factor in approximately half (n = 10, 52.6%) of the pattern or practice investigations. For example, the DOJ reported observations of a culture of tolerance and, in some cases, encouragement of stereotypes about specific groups that contribute to discrimination and/or bias. They also identified an “us-versus-them” mentality in several agencies under investigation, with officers expressing general distrust or explicit antagonism toward community members. Furthermore, the DOJ noted cultural mechanisms that undermine police accountability by discouraging officers from reporting misconduct

Figure 7. Factors Contributing to Pattern or Practice within Law Enforcement Agencies (N = 19)



03. Findings

(i.e., code of silence) and discouraging supervisors from sustaining such allegations.

Additionally, the DOJ identified *problematic policing strategies* as a contributing factor to legal violations in 10 (52.6%) of the investigations. Most often, this referred to the failure of law enforcement agencies to adopt and implement community-oriented policing strategies. However, the DOJ also observed issues related to the use of specialized units (e.g., lack of oversight, use of force) that contributed to patterns and practices by the officers comprising those teams.

Ineffective collaboration with external partners (n = 6, 31.6%) – specifically, ineffective information sharing and communication with criminal justice and community stakeholders – was also cited as contributing to the patterns and practices observed within law enforcement agencies.

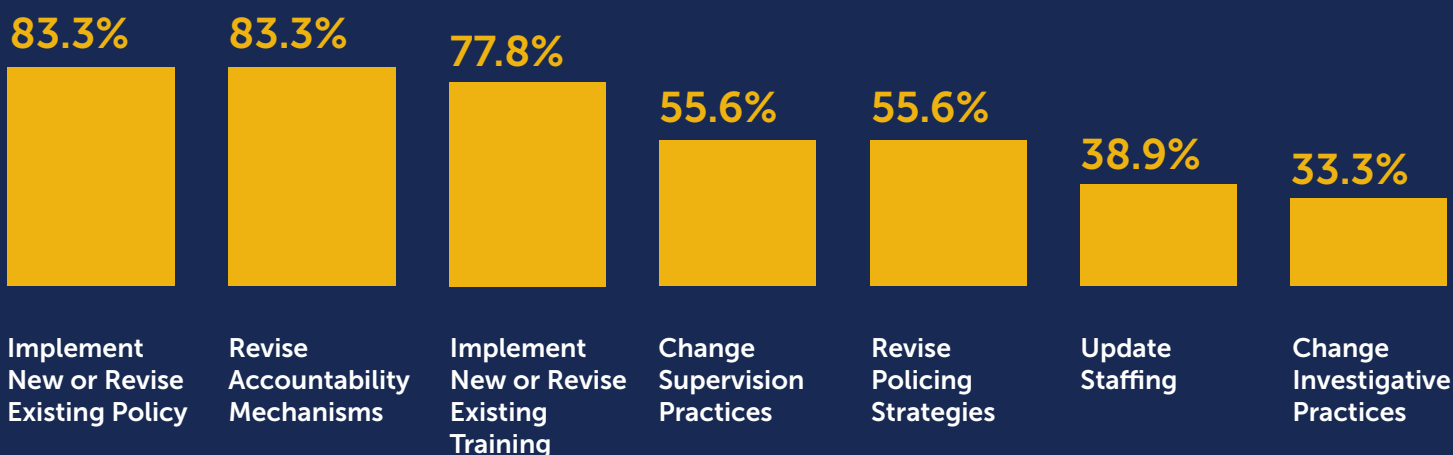
Finally, *insufficient staffing* (n = 7, 36.8%) and *equipment* (n = 3, 15.8%) were observed to contribute to legal violations by law enforcement agencies. Observations in these areas centered upon findings of understaffing, limited resources and support for officers (e.g., mental health and wellness services), and the lack of up-to-date technology and equipment to support police practices.

It is common for the DOJ to offer recommendations

Remedial Measures Recommended by the DOJ

of remedial measures within their investigative reports and findings letters on pattern or practice investigations. In the present analysis, the DOJ outlined remedial measures for consideration in 18 of the 19 investigations. **Figure 8** presents the common remedial measures recommended across these investigations. Notably, the remedial measures align closely with the factors observed to contribute to the patterns or practices within law enforcement agencies.

First, the DOJ recommended that agencies examine the policy areas identified as inadequate by the pattern or practice investigation and make concerted efforts toward *implementing new or revising existing policies* to address the areas of concern (n = 15, 83.3%). Although the most common topics for policy review included use of force (n = 7, 38.9%) and behavioral health crisis response (n = 5, 27.8%), the policy areas identified as needing attention were broad in scope and tailored to the individual agency under investigation.

Figure 8. Remedial Measures Recommended by the DOJ (N = 18)

The DOJ also recommended the *revision of accountability mechanisms* in 15 (83.3%) of the pattern or practice investigations under review. Specific recommendations included updating data collection and analysis processes, enhancing civilian complaint processes, updating early warning and intervention systems, and revising processes related to use of force reporting, review, and investigation.

Enhancements to police officer training were recommended in 14 (77.8%) investigations. Similar to policy change recommendations, the topics of recommended training varied greatly, including topics on constitutional policing, use of force and de-escalation, crisis response, implicit bias, sexual assault, domestic violence, and more. However, the recommendations aimed to ensure officers are provided with up-to-date information on agency policy and best practices to inform their day-to-day work.

The DOJ recommended *changes to supervision practices* in 10 (55.6%) of the pattern or practice investigations. Specifically, the remedial measures outlined efforts to properly establish the role of first-line supervisors within a law enforcement

agency to reinforce training and policies among officers and review officers' actions in the field. *Revisions to policing strategies* were also recommended in 10 (55.6%) investigations, with the DOJ emphasizing the importance of engaging in community policing.

Staffing considerations were mentioned in remedial measures for seven (38.9%) of the pattern or practice investigations. The DOJ recommended many actions in this area, including the completion of staffing analyses, revision of hiring processes, reconsideration of promotional processes, and hiring of additional personnel to fill vacant or underserved positions within the agency, among others.

Finally, the DOJ recommended *changes to investigative practices* to enhance the validity and legitimacy of police investigations (n = 6, 33.3%). The remedial measures pertained primarily to properly investigating incidents involving sexual assault. However, general recommendations were also provided for enhancing custodial informant practices, ensuring the legality of interrogations, and preventing witness contamination.



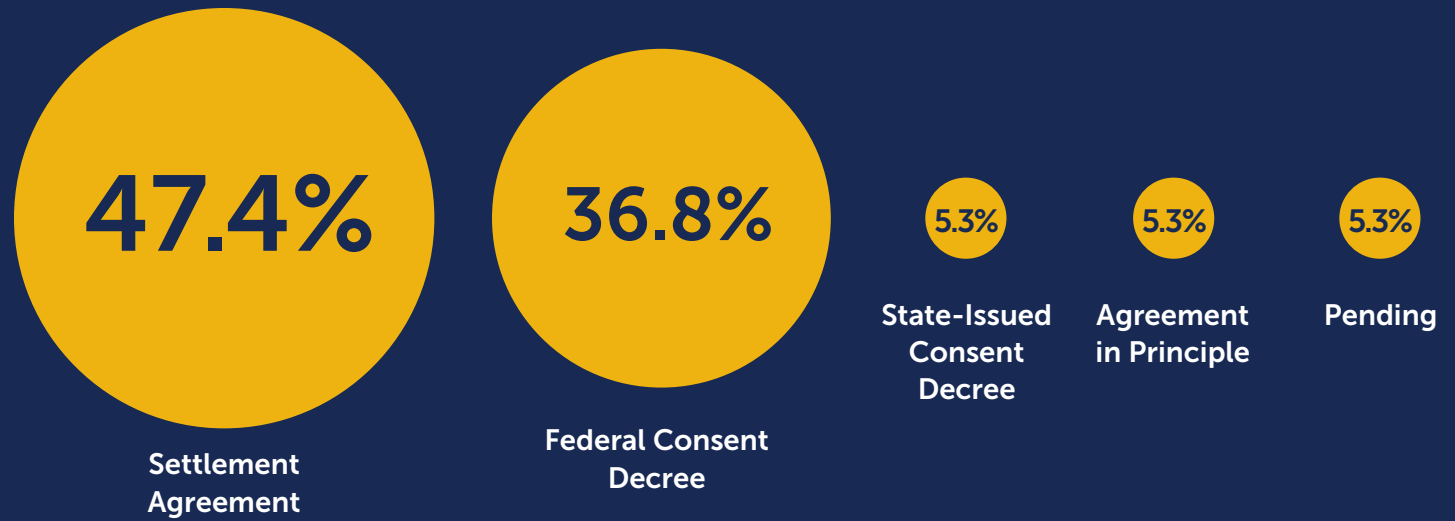
Outcomes of Pattern or Practice Investigations

Figure 9 presents the outcomes of the 19 pattern or practice investigations considered within the analysis. **Table 1** shows the distribution of these outcomes by the individual law enforcement agency under investigation. As shown in Figure 9, approximately half ($n = 9$, 47.4%) of the pattern or practice investigations under review resulted in a *Settlement Agreement* between the DOJ and the agency under investigation. Unlike a consent decree (discussed below), a settlement agreement facilitates an out-of-court contract whereby the agency agrees

to implement changes to address the patterns and practices identified through the DOJ's investigation. The parties continuously assess the jurisdiction's compliance with the agreement without court involvement. If the jurisdiction is found to breach the settlement agreement, the DOJ files a lawsuit to enforce the provisions in court (National Policing Institute, n.d.b).

Seven (36.8%) of the investigations under review resulted in a formal *Consent Decree*. In these instances, the DOJ filed a lawsuit to establish a judicial order requiring the agency to implement changes to ensure the protection of the constitutional rights of the individuals they serve. To ensure

Figure 9. Pattern or Practice Investigation Outcomes (N = 19)



compliance, a court-appointed independent monitor assesses the agency’s progress in implementing the requirements of the consent decree. When the Court finds that the agency has complied with the consent decree’s provisions, it may end the decree (National Policing Institute, n.d.a).

One of the investigations – specifically the investigation of the Chicago (IL) Police Department – resulted in a *State-Issued Consent Decree*. In this instance, the DOJ did not pursue a case against the Chicago Police Department after the publication of

findings in 2017. However, the State of Illinois issued a consent decree in 2019.

The current status of the investigation into the Louisville (KY) Metro Police Department (initiated in 2021) is an *Agreement in Principle* – a stepping-stone to a formal contract between the police department and the DOJ. Finally, the outcome of the investigation into the Orange County (CA) Sheriff’s Office is “*Pending*.” There have been no announcements from the DOJ on this case since the release of the investigation findings in October 2022.



Table 1. Outcomes of Pattern or Practice Investigations by Agency (N = 19)

Year Initiated	Law Enforcement Agency Under Investigation	Outcome of Investigation
2010	Alamance County (NC) Sheriff's Office	Settlement Agreement
2010	New Orleans (LA) Police Department	Consent Decree
2011	Los Angeles County (CA) Sheriff's Department, Antelope Valley	Settlement Agreement
2011	Meridian (MS) Police Department	Consent Decree
2011	City of Miami (FL) Police Department	Settlement Agreement
2011	Newark (NJ) Police Department	Consent Decree
2011	Portland (OR) Police Bureau	Settlement Agreement
2011	Seattle (WA) Police Department	Settlement Agreement
2012	Albuquerque (NM) Police Department	Settlement Agreement
2012	Missoula (MT) Police Department	Settlement Agreement
2012	University of Montana Office of Public Safety	Settlement Agreement
2013	Cleveland (OH) Division of Police	Consent Decree
2014	Ferguson (MO) Police Department	Consent Decree
2015	Baltimore (MD) Police Department	Consent Decree
2015	Chicago (IL) Police Department	Closed by DOJ; State-Issued Consent Decree
2015	Villa Platte (LA) Police Department and Evangeline Parish Sheriff's Office	Settlement Agreement
2016	Orange County (CA) Sheriff's Department	Pending
2018	Springfield (MA) Police Department Narcotics Bureau	Consent Decree
2021	Louisville Metro (KY) Police Department	Agreement in Principle (March 8, 2023)

Conclusion

In 2022, the Commission on Accreditation for Law Enforcement Agencies (CALEA) contracted the services of the National Policing Institute (the Institute) to examine recent pattern or practice investigations into law enforcement agencies. This review aimed to understand the factors preceding a pattern or practice investigation and the investigative process, findings, and remedial measures offered by the DOJ's Civil Rights Division. To identify this information, the Institute's research team completed a qualitative analysis of the investigative reports and findings letters produced from pattern or practice investigations initiated by the DOJ's Civil Rights Division between 2010 to 2022. Although 27 investigations into law enforcement agencies were initiated during these 13 years, the DOJ published an investigative report and/or findings letter in only 19 of the cases. These 19 cases comprised the study sample.

The qualitative analysis of the documents related to these investigations yielded several valuable findings. First, law enforcement agencies come to the attention of the DOJ for preliminary inquiry through many different mechanisms. Although only a portion of the investigations in the study sample spoke to this area, the findings reveal several methods for identification, including direct requests, prior or existing litigation and investigation, media reports, and complaints. Second, the process for pattern or practice investigations is a complex and, in many cases, lengthy process. For the sample of cases included in this analysis, the time between the announcement of an investigation and the publication of findings ranged from six to 70 months, with the average time being approximately 20 months. Consistent with prior literature, the DOJ was found to reference many different resources

to inform their investigation and support their findings, including site visits and conversations with stakeholders, organizational policies and training, administrative data, and community feedback.

The qualitative analysis also reveals that the stated reasons for the initiation of a pattern or practice investigation typically relate to observations of officers' use of force, discrimination or bias against specific groups, the application of stops, searches, seizures, arrests, and investigations in a manner considered to be unlawful or unjustified, and problematic interactions with the public. Findings from the pattern or practice investigations support these observations, citing legal violations of the Constitution and federal law.

In consideration of the factors that contribute to these violations, the DOJ typically points to inadequate policy, training, supervision, and accountability mechanisms within an agency. There is also a distinct focus on the limited implementation of community policing strategies within the agencies under investigation. In turn, the remedial measures outlined by the DOJ focus on integrating best practices into existing policy and training, creating processes for continuous policy and training review, building effective supervisory and accountability systems to promote constitutional policing, facilitating the timely identification of problematic officer behaviors, and implementing strategies to enhance officer interactions with the public.

This research provides a critical and rare analysis of DOJ investigative practices that precede further federal intervention, specifically civil litigation under 34 USC § 12601. Although the timeline and specific approach for a DOJ investigation can vary, the focus of these investigations is generally consistent. This consistency identifies opportunities for law enforcement leaders to proactively address the organizational factors that may contribute to a pattern or practice of civil rights violations. Stated simply, our findings align with statements made by criminal justice and policing scholar Samuel Walker, who noted at a 2012 convening of law enforcement leaders that, “No police department should be in a position where it can be sued by the Justice Department, because the past cases make clear what is expected of them” (Police Executive Research Forum, 2013).

Law enforcement agencies seeking to take proactive steps to ensure constitutional policing practices should consider the following takeaways from this analysis:

- Conduct continuous or regular reviews and update agency policies to reflect best practices⁴ ;
- Educate officers on the agency’s policies and reinforce policy through training and supervisory (including accountability) practices;
- Conduct continuous or regular reviews of officer training to ensure that the training reflects best practices;
- Engage first-line supervisors to communicate agency standards and policy, conduct meaningful reviews of officer performance and behaviors, and hold officers accountable for incidents of misconduct and failures to adhere to policies;
- Systematically collect and review data on officer interactions with the public, including enforcement and non-enforcement contacts to identify patterns or trends that may reflect real or perceived problems, taking steps to remedy them as appropriate;
- Create appropriate systems to ensure consistent:
 - reporting, reviewing, and, when appropriate, investigating officer use of force;
 - identifying, reviewing, and responding to officer misconduct, including policy violations;
 - receiving, reviewing, and responding to community concerns and complaints; and
- Adopt strategies to enhance community-police relations.

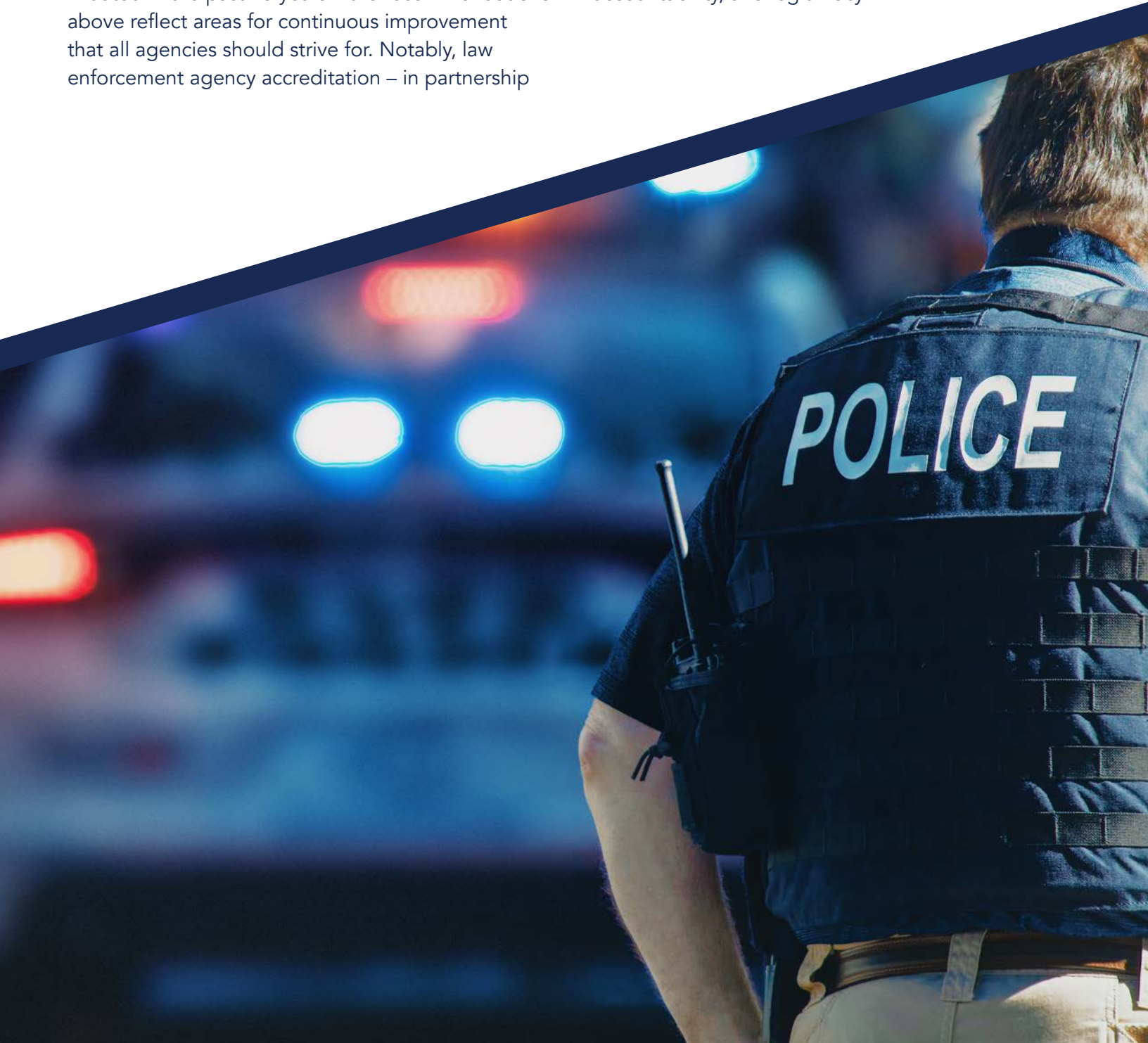
⁴ “Best practices” should be considered to include “evidence-based” and “evidence-informed” approaches.

Conclusion

As the above actions are taken, care should be given to document the frequency and extent of the actions and the results or outcomes of each.

Although the likelihood of a law enforcement agency coming to the attention of the DOJ is small – a fact reflected in the fewer than 30 investigations initiated in the past 13 years – the recommendations above reflect areas for continuous improvement that all agencies should strive for. Notably, law enforcement agency accreditation – in partnership

with accrediting bodies like CALEA – can encourage this process of constant improvement. Indeed, the rigorous assessment of agency policies, training, and practices can facilitate constitutional policing while increasing the effectiveness and equity of their services, enhancing public trust and confidence in the police, and supporting agency transparency, accountability, and legitimacy.



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Appendix A. Methodology

The Institute research team examined the content of the investigative reports and findings letters from pattern or practice investigations initiated by the DOJ between 2010 and 2022. The research team cross-referenced several sources to develop the list of investigations eligible for inclusion in this review, including (1) case summaries of pattern or practice investigations outlined within the DOJ's 2017 report on police reform work since 1994 (US DOJ, 2017b); (2) case summaries of pattern or practice investigations available on the DOJ's webpage⁵; and (3) DOJ press releases related to pattern or practice investigations.⁶

The DOJ initiated 27 pattern or practice investigations into law enforcement agencies between 2010 and 2022. These 27 investigations, presented below in **Table 2**, were eligible for inclusion in the qualitative analysis. However, a systematic search for available documents on these cases – using the University of Michigan's Civil Rights Litigation Clearinghouse⁷ and the DOJ's online resources – revealed that the DOJ published an investigative report and/or findings letter for only 19 of the 27 eligible cases.⁸ These 19 cases comprise the final sample of investigations under

consideration in the research study. As shown below in **Table 3**, 21 documents, including 11 investigative reports and ten findings letters produced across the 19 investigations, were reviewed by the research team as part of the qualitative analysis.

A detailed coding instrument was developed to systematically capture the content in the investigative reports and findings letters for the 19 pattern or practice investigations under review. The construction of this instrument was guided by the primary areas of interest for the research project (see Introduction) and consideration of the DOJ's 2017 report on "Pattern and Practice Police Reform Work: 1994-Present." This report was an integral resource outlining the process of the initiation and implementation of pattern or practice investigations and the negotiation and content of police reform agreements. The coding instrument was further refined by reviewing the investigative reports and findings letters from five eligible investigations to ensure the comprehensive capture of the information available within these documents.

⁵ <https://www.justice.gov/crt/special-litigation-section-case-summaries/download#police-summ>

⁶ While case summaries supported identifying investigations initiated between 2010 and 2020, DOJ press releases facilitated the identification of investigations initiated in 2021 and 2022. The research team located these announcements through the DOJ's dedicated "Press Releases" webpage (<https://www.justice.gov/news/press-releases>) using the search criteria "Investigations," "Civil Rights Division," "Special Litigation Section."

⁷ <https://clearinghouse.net/>

⁸ The systematic search for available documents was completed in April 2023. For this reason, the DOJ's investigation into the Minneapolis (MN) Police Department – initiated in 2021 with findings published in June 2023 – is not included within the study sample. For more information on the DOJ's findings in Minneapolis see <https://www.justice.gov/opa/pr/justice-department-finds-civil-rights-violations-minneapolis-police-department-and-city#:~:text=Following%20a%20comprehensive%20investigation%2C%20the,U.S.%20Constitution%20and%20federal%20law.>

Table 2. DOJ Pattern or Practice Investigations Initiated 2010–2022 (N = 27)

Year Initiated	Law Enforcement Agency Under Investigation	Documents Published	
		Investigative Report	Findings Letter
2010	Alamance County (NC) Sheriff's Office	---	X
2010	New Orleans (LA) Police Department	X	X
2011	Colorado City (AZ) and Hildale (UT)	---	---
2011	Los Angeles County (CA) Sheriff's Department, Antelope Valley	---	X
2011	Meridian (MS) Police Department	---	X
2011	City of Miami (FL) Police Department	---	X
2011	Newark (NJ) Police Department	X	---
2011	Portland (OR) Police Bureau	---	X
2011	Seattle (WA) Police Department	X	---
2012	Albuquerque (NM) Police Department	---	X
2012	Missoula (MT) Police Department	---	X
2012	University of Montana Office of Public Safety	---	X
2013	Cleveland (OH) Division of Police	X	---
2014	Ferguson (MO) Police Department		X
2015	Baltimore (MD) Police Department	X	---
2015	Chicago (IL) Police Department	X	---
2015	Villa Platte (LA) Police Department and Evangeline Parish Sheriff's Office	X	---
2016	Orange County (CA) Sheriff's Department and Office of the District Attorney	X	---
2018	Springfield (MA) Police Department Narcotics Bureau	X	---
2021	Louisville Metro (KY) Police Department and Louisville Metro Government	X	---
2021	Minneapolis (MN) Police Department	---	---
2021	Mount Vernon (NY) Police Department	---	---
2021	Phoenix (AZ) Police Department	---	---
2022	Louisiana State Police	---	---
2022	New York Police Department, Special Victims Division	---	---
2022	Oklahoma City (OK) Police Department	---	---
2022	Worcester (MA) Police Department	---	---

Table 3. Pattern or Practice Investigations Included within Analysis (N = 19)

Year Initiated	Law Enforcement Agency Under Investigation	Investigative Report	Findings Letter
2010	Alamance County (NC) Sheriff's Office	---	X
2010	New Orleans (LA) Police Department	X	X
2011	Los Angeles County (CA) Sheriff's Department, Antelope Valley	---	X
2011	Meridian (MS) Police Department	---	X
2011	City of Miami (FL) Police Department	---	X
2011	Newark (NJ) Police Department	X	---
2011	Portland (OR) Police Bureau	---	X
2011	Seattle (WA) Police Department	X	---
2012	Albuquerque (NM) Police Department	---	X
2012	Missoula (MT) Police Department	---	X
2012	University of Montana Office of Public Safety	---	X
2013	Cleveland (OH) Division of Police	X	---
2014	Ferguson (MO) Police Department	X	X
2015	Baltimore (MD) Police Department	X	---
2015	Chicago (IL) Police Department	X	---
2015	Villa Platte (LA) Police Department and Evangeline Parish Sheriff's Office	X	---
2016	Orange County (CA) Sheriff's Department	X	---
2018	Springfield (MA) Police Department Narcotics Bureau	X	---
2021	Louisville Metro (KY) Police Department	X	---
<i>Total Investigative Reports Available for Review:</i>		11	
<i>Total Findings Letters Available for Review:</i>			10

The coding instrument comprised 1,170 items organized under four primary categories: (1) Case Overview, (2) Investigation, (3) Findings, and (4) Recommendations. The *Case Overview* section captured information about the law enforcement agency or agencies under investigation (e.g., agency name, location, type, and size) and the documents related to the investigation that are available for review. The *Investigation* section identified details on the DOJ's investigative process, including the stated reasons for the investigation, mechanisms through which the agency came to the attention of the DOJ, and evidence reviewed during the investigative process. The *Findings* section outlined the pattern or practice of unlawful conduct uncovered by the DOJ through their investigation, the organizational factors observed to contribute to the pattern or practice, and the evidence cited to support their observations. Finally, the *Recommendations* section identified whether the DOJ outlined any remedial measures to be implemented by the agency under investigation.

The research team trained four advanced doctoral students to use the coding instrument created by the research team. Coding was accomplished using

a multi-method approach, including the use of a numeric database to quantify findings across the areas of the coding instrument and the use of a Word document to identify “statements of support” – that is, direct quotes from the investigative reports and findings letters that substantiate the coding reported within the database. This quantitative database was subsequently analyzed using SPSS, a statistical software package.

Coding assignments were organized to establish a comparable division of work across the four coders and ensure that the documents available from at least one pattern or practice investigation assigned to each coder were double coded by their colleague. Documents from approximately one-third ($n = 6$) of the 19 eligible investigations were double-coded to facilitate the assessment of inter-rater reliability. There was strong agreement between coders ($K = 0.868$)⁹. In instances of disagreement on the coding of specific items for an investigation, the research team leads made the final coding judgment. The findings from this comprehensive coding process are presented in **Section 03** of this report.

⁹ To assess inter-rater reliability, Cohen's kappa (K) was calculated for every investigation that was double-coded and the average kappa across investigations was calculated. Kappa can range from -1 to +1, where 0 represents the amount of agreement that can be expected to occur by chance and 1 indicates perfect agreement (McHugh, 2012). A kappa value of 0.6 is considered to be the minimum standard for adequate inter-rater reliability.

Appendix B. Law Enforcement Agency Characteristics at the Time of Investigation

Year Initiated	Law Enforcement Agency Under Investigation	Jurisdiction Population	Number of Sworn Officers
2010	Alamance County (NC) Sheriff's Office	151,000	123
2010	New Orleans (LA) Police Department	Did Not Mention	Did Not Mention
2011	Los Angeles County (CA) Sheriff's Department, Antelope Valley	309,383	400
2011	Meridian (MS) Police Department	Did Not Mention	Did Not Mention
2011	City of Miami (FL) Police Department	Did Not Mention	Did Not Mention
2011	Newark (NJ) Police Department	277,140	1,000
2011	Portland (OR) Police Bureau	583,776	980
2011	Seattle (WA) Police Department	608,660	1,300
2012	Albuquerque (NM) Police Department	Did Not Mention	1,000
2012	Missoula (MT) Police Department	67,000	102
2012	University of Montana Office of Public Safety	15,000	11
2013	Cleveland (OH) Division of Police	Did Not Mention	Did Not Mention
2014	Ferguson (MO) Police Department	21,000	54
2015	Baltimore (MD) Police Department	621,000	2,600
2015	Chicago (IL) Police Department	2,700,000	12,000
2015	Villa Platte (LA) Police Department and Evangeline Parish Sheriff's Office	Ville Platte: 7,303 Evangeline Parrish: 33,578	Ville Platte: 18 Evangeline Parrish: 65
2016	Orange County (CA) Sheriff's Department	> 3,000,000	Did Not Mention
2018	Springfield (MA) Police Department Narcotics Bureau	> 153,000	Springfield PD: 500 Narcotics Bureau: 24
2021	Louisville Metro (KY) Police Department	630,000	1,000

Appendix C. Constitutional Amendments and Federal Statutory Law Cited in Pattern or Practice Investigations

Law	Description
First Amendment	"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."
Fourth Amendment	"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."
Fifth Amendment	"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."
Sixth Amendment	"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence."
Fourteenth Amendment	Section 1: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

<p>Americans with Disabilities Act (ADA)</p>	<p>The Americans with Disabilities Act of 1990 is a federal law that prohibits discrimination against people with disabilities in everyday activities. Title II of the ADA prohibits discrimination by state and local governments, including law enforcement agencies. 42 U.S.C. § “[N]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”</p>
<p>Fair Housing Act</p>	<p>“The Fair Housing Act, 42 U.S.C. 3601 et seq., prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities, such as municipalities, banks or other lending institutions and homeowners insurance companies whose discriminatory practices make housing unavailable to persons because of: race or color, religion, sex, national origin, familial status, or disability.”¹⁰</p>
<p>Omnibus Crime Control and Safe Streets Act of 1968</p>	<p>“No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this chapter.” 42 U.S.C. § 3789d(c)(1).</p>
<p>Title VI of the Civil Rights Act of 1964</p>	<p>“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. § 2000d.</p>
<p>Violent Crime Control and Law Enforcement Act of 1994</p>	<p>“It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by law enforcement officers or by officials or employees of any governmental agency with responsibility for the administration of juvenile justice or the incarceration of juveniles that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.” 42 U.S.C. § 14141 (re-codified at 34 U.S.C. § 12601).</p>

¹⁰ Civil Rights Division. (2023, June 22). The Fair Housing Act. US Department of Justice. Retrieved from <https://www.justice.gov/crt/fair-housing-act-1>

