

PRIORITIES FOR STATE POLICING REFORM

In November 2020, the [Council on Criminal Justice](#) convened the [Task Force on Policing](#) to answer a critical question: of the most commonly proposed reforms, which will have the greatest impact on preventing police use of excessive force, reducing racial biases, increasing police accountability, and improving the relationship between law enforcement and communities?

The result was a package of [16 assessments](#) to help police agencies provide effective, equitable, and respectful services to all of those they are sworn to protect. The Task Force recommendations span [training](#); [accountability and oversight measures](#); officer [recruitment](#) and [wellness](#); and considerations surrounding [shifting police functions](#) to other actors. Many of these recommendations are measures that state legislatures can adopt now. This summary features [five key priorities](#) and highlights states that have already led the way.

1. Develop Minimum Training Standards

American police training is too short, uses ineffective teaching methods, and spends too little time on de-escalation, communication skills, problem solving, and scenarios officers are most likely to encounter in the community. State legislatures can pass laws prescribing training content and duration to ensure that all those who wear a badge and carry a firearm are sufficiently trained in the essential elements of respectful and constitutional policing. Training should include an emphasis on [communications skills](#) and [de-escalation tactics](#).

2. Establish a State Decertification Registry

Legislation creating a state [decertification](#) database or enhancing an existing one can bolster police accountability and ensure that officers who engage in misconduct do not perpetuate harm in other agencies and communities. Such registries should be coupled with requirements that all law enforcement agencies comply with officer severance reporting rules and consult the database when making hiring decisions.

3. Adopt Duty-to-Intervene and Mandatory Reporting Policies

[Duty-to-intervene](#) and mandatory reporting policies are important accountability mechanisms that can prevent harm to community members, identify officers whose behavior may warrant intervention by superiors, and change “them against us” policing culture.

State Examples

Legislation enacted in [Indiana](#), [Nevada](#), and [Virginia](#) requires state training boards to establish mandatory minimum training requirements, including de-escalation training, and a new [Texas](#) law establishes a minimum of 720 hours of basic training. States can also ensure the quality of their training by mandating certification by the [International Association of Directors of Law Enforcement Standards and Training’s National Certification Program](#), as both Nevada and Ohio have done.

State Examples

[Kentucky](#), [Maryland](#), [North Carolina](#), and [California](#) are among states that have recently enacted laws to establish decertification registries and practices or enhance existing ones to ensure compliance by individual law enforcement agencies. In addition, [Louisiana](#) passed a law that would impose fines on agencies that fail to report changes in law enforcement officer employment status.

State Examples

Several states have passed duty-to-intervene laws, including [Tennessee](#), which bars agencies from retaliating against officers who intervene during an incident involving excessive use of force or report it. [Colorado](#) and [Washington](#), which require both intervention and mandatory reporting, added teeth to those measures by imposing criminal liability or mandatory decertification for officers who fail to comply.

4. Promote Trauma-Informed Policing

Officers who are trained to identify and address [trauma](#) in the community, and who have a heightened awareness of their own exposure to stress and trauma and seek help as needed, are better equipped to police in an equitable and respectful manner. States can address both needs by mandating officer training on identifying and dealing with people with mental health issues, such as through [crisis intervention](#) models and supporting [officer wellness](#) programs. Wellness programs should include [peer support](#) and other measures to combat the stigma associated with help-seeking that exists in many law enforcement agencies.

5. Increase Data Collection and Transparency

Accessible, reliable data on the performance and impacts of law enforcement is critical to reform efforts – and sorely lacking. State leadership is needed to increase and improve the collection and sharing of data on officer use of force and other police activities.

State Examples

[Oklahoma](#) passed a law requiring the state's Department of Mental Health and Substance Abuse Services to contract with public and private entities to expand the availability of crisis intervention training, officer wellness programs, and peer-support initiatives. [Louisiana](#) passed legislation supporting officer wellness programs and encouraging the use of peer support as a component of them. And [North Carolina](#) has mandated that law enforcement agencies use [early warning systems](#) to identify officers on trajectories toward adverse events, such as excessive use of force, in order to intervene, provide needed wellness services, and improve officer performance.

State Examples

Several states, including [Arizona](#), [Colorado](#), [Maryland](#), [Nevada](#), [Oregon](#), [Washington](#), and [Wisconsin](#), have established or beefed up their use-of-force reporting requirements to state authorities or the FBI [Use-of-Force Data Collection](#) program. But these state laws vary in terms of whether, when, and how often the data are released publicly. [Nevada's](#) law stands out favorably in this regard, requiring agencies to submit use-of-force incident data to a central state repository and publicly release it monthly. Similarly, [Washington's](#) law would include public dissemination of use-of-force data through an online data dashboard and make incident-level data available to researchers.

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