

Predicting Police Misconduct

OVERVIEW

Police shootings have captured the public's attention in recent years, leading to protests and a lack of trust in the police. A new study by IPR associate Max Schanzenbach, the Seigle Family Professor at Northwestern's Pritzker School of Law, and Kyle Rozema, the Wachtell Lipton Fellow in Behavioral Law and Economics at the University of Chicago Law School, identifies how civilian allegations can help reduce the gravest incidents by predicting which police officers pose the highest risk for serious misconduct.

FINDINGS

A small number of officers account for the majority of misconduct cases. In Chicago, between 1 and 5 percent of all police officers are involved in most of the city's misconduct cases. The 1 percent of officers with the most allegations generate almost five times the number of payouts and four times the total damage payouts in civil rights litigation than the average police officer.

Using civilian allegations as an early warning system could reduce misconduct and save cities

POLICY TAKEAWAYS

- Civilian allegations can predict which police officers pose the highest risk for serious misconduct.
- Cities should take civil allegations seriously, especially when there is a consistent pattern of allegations against particular officers.
- Police departments should use civilian allegations as part of an early warning system to target officers for intervention.



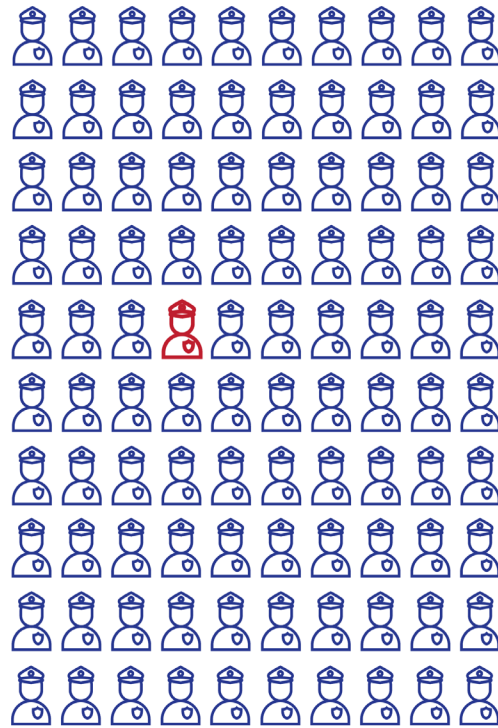
IPR associate **Max Schanzenbach** is the Seigle Family Professor of Law. In addition to police misconduct, he has examined criminal sentencing and police union contracts.

money. The researchers linked personnel, allegation, litigation, and payout data to outline the predictive power of civilian allegations. They estimate that removing the worst 1 percent of officers in Chicago from regular civilian contact—either by reassignment or termination—and replacing them with another officer would have saved Chicago more than \$6 million in payouts between 2009 and 2014.

The number of allegations against officers did not change when they switched districts. This contradicts those who say some police officers collect more civilian allegations because they are either patrolling more dangerous beats or conducting more stops or arrests.

Allegations without a sworn affidavit have the same predictive power as allegations with an affidavit. During the period under study, just over half of all civil allegations in Chicago were dismissed for failing to have a sworn affidavit from the accuser. Schanzenbach and Rozema find that allegations without affidavits are as strong a predictor of misconduct as those with affidavits, suggesting the requirement should be dropped.

The **1%**
of Chicago
police officers
with the most
civilian allegations
generated almost
five times
the number of payouts
in **civil rights lawsuits**.



Over a six-year period, other officers had only a **10%** chance of causing a payout in a lawsuit, compared with **50%** for the worst 1–5% of officers.

Graphic courtesy of vecteezy.com

METHODOLOGY

Using an empirical Bayes framework, the study links personnel data on individual police officers with a dataset of 50,000 civilian allegations of police officer misconduct, as well as 28,000 internal allegations and 5,000 off-duty allegations, from 2002–14. The researchers also examine the federal and state lawsuits in which Chicago police officers are named and the lawsuit payments made on behalf of these officers by the City of Chicago.

REFERENCE

Rozema, K., and M. Schanzenbach. 2019. Good cop, bad cop: Using civilian allegations to predict police misconduct. *American Economic Journal: Economic Policy* 11(2): 225–68.

Download the full text at www.ipr.northwestern.edu/publications/papers/2018/wp-18-21.html.

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FACTS AND FIGURES

- The worst 5 percent of officers (and especially the worst 1 percent) in civilian allegations are also much more likely to have lawsuits, supervisor allegations, and off-duty misconduct.
- Chicago's total payments in police officer misconduct cases have averaged nearly \$50 million each year from 2009 to 2014.
- Jason Van Dyke, the officer indicted for murder in the death of Laquan MacDonald, was in the worst 3 percent of Chicago's officers, with more than 20 civilian allegations lodged against him since 2000.