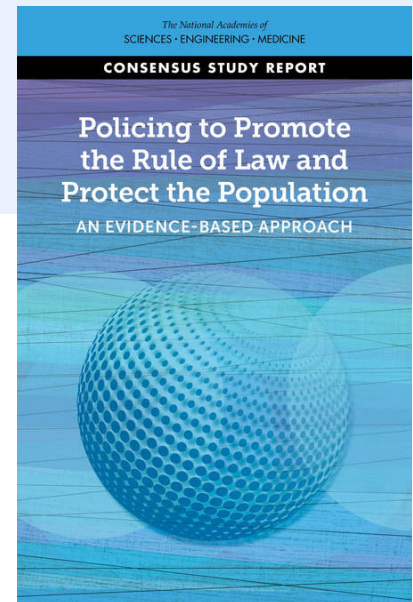


Policing to Promote the Rule of Law and Protect the Population: An Evidence-based Approach

Strengthening the collective efforts of the international law enforcement community to promote the rule of law and protect the public is particularly important as society-at-large faces significant global challenges. Advancing the role of science and research in these efforts is critical, particularly to key agencies involved in this work, including the U.S. State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL), whose mission is to help "partner governments assess, build, reform, and sustain competent and legitimate criminal justice systems, and [develop and implement] the architecture necessary for international drug control and cross-border law enforcement cooperation."¹ INL is part of a larger network of international organizations and donors that work in the broad area of global police reform and capacity building in the security sector. Like many donors, it strives to direct its resources to the most effective and efficient approaches to achieve its mission.

To this end, INL asked the National Academies of Sciences, Engineering, and Medicine (NASEM) to convene a committee of experts to examine the science on policing institutions, practices and capacities, and police legitimacy in the international context. The resulting committee, which included experts in criminology, economics, international and organized crime, law, policing, and political science, produced the first in a series of five reports on this issue, titled, *Policing to Promote the Rule of Law and Protect the Population: An Evidence-based Approach*.



¹ Find more information about the Bureau at <https://www.state.gov/about-us-bureau-of-international-narcotics-and-law-enforcement-affairs/>.

The report highlights preliminary findings on a range of topics, including some of the effects of various police structures, policies, and practices on some sets of outcomes. Despite recent research on these issues, the committee noted that what continues to be missing are evaluations of policing across different contexts and countries and how effectiveness might be measured across different agencies and contexts. Thus, the committee proposes an evidence-based approach to guide policing reform and interventions aimed at promoting the rule of law.

EVIDENCE-BASED POLICING

Over the past two decades, a professional and social movement around “evidence-based policing,”—an approach to police practices and management that uses science and scientific processes to strengthen police decision-making—has spurred research on interventions aimed at reducing crime and protecting the public. A commitment to this approach requires police agencies as well as donors, such as INL, to actively test and evaluate their own investments, practices, and programs against consistent standards. Also, with additional attention to collecting high-quality data on crime, internal police functioning, and relevant public outcomes, it will be possible to make more accurate determinations around problems and targeted solutions.

MEASURING THE RULE OF LAW

To address questions about how best to measure rule of law, the committee examined two of the most comprehensive efforts through the World Justice Project and the Varieties of Democracies Project and found a high level of correlation between these two indices. It also found a strong positive correlation between a commitment to rule of law, and a country’s human rights score as well as its level of democracy. As such, the committee recognizes that future research can assess whether police reforms can achieve outcomes with an impact on improving rule of law.

Improved metrics can be developed to enable evaluations of the benefits that can be achieved by various police reform strategies. Ideally, meaningful metrics can be identified for global adoption, allowing for greater reliability in measuring progress within and across countries.

POLICE INSTITUTIONS AND THE RULE OF LAW

A country’s adherence to human rights standards is related to increased legitimacy in policing, including related efforts to minimize the abuse of force and ensuring citizens freely and safely exercise their rights. Police institutions have great responsibility to act in ways consistent with laws and international human rights norms and standards. Promoting the rule of law requires laws and policies that establish clear limits to police authority and actions—particularly regarding the use of force—as well as mechanisms for meaningful oversight and accountability. Constraints on police authority and action to ensure adherence to the rule of law are also important for protecting the citizenry from potential abuses by the police institution itself.

POLICIES FOR PROMOTING ACCOUNTABLE POLICING

Police accountability includes policies that control, manage, regulate, and hold police responsible for their mandates. Such policies can include systems for hiring, promotion, supervision, regular audits, disciplinary and internal investigations, community complaints, and monitoring with technologies. The committee found that recruitment policies and tactics can be developed to actively encourage the recruitment of underrepresented groups or remove structural obstacles to recruitment.

Internal governance that includes effective, independent investigative units within agencies may increase government and police legitimacy and foster public trust. To promote the engagement of the community in implementing these checks and balances, a fair, accessible, and anonymous system for submitting complaints against police misconduct that is part of agency operations and is regularly acted upon is critical.

Research suggests that new technologies can serve important roles—capturing, tracking, and even analyzing data in efficient ways that will help monitor policing activities. Finally, there is also a growing body of research indicating that policies aimed at creating a culture of accountability, fairness, and justice within a police department can have a positive effect on police interaction with the community.

PROACTIVE POLICING PRACTICES

Proactive policing includes a broad range of activities initiated by police agencies for the purpose of deterring and detecting signs of crime. It is important to distinguish evidence-based proactive policing, focused on harm reduction, from more subjective or politically driven proactive policing. Problem-oriented policing is a strategic approach to tackling patterns of crime, disorder, and even internal challenges in policing. This approach begins with a fundamental assumption that sets of crime, disorder, or other dysfunction are connected by some underlying problem or causal mechanism. Community-oriented policing is both a philosophy of policing and an organizational practice in which police actively engage with people to encourage them to play a more active role in promoting public safety and police accountability. Research indicates while some community-oriented policing programs can improve citizen satisfaction with police services, research findings overall are mixed, and whether this approach can be implemented reliably to promote rule of law remains to be seen.

A RESEARCH AGENDA FOR EVIDENCE-BASED POLICING

The committee developed the following research agenda and recommendations based on current evidence around the organizational policies, structures, and practices that enable a police service to promote the rule of law and protect the population. Key recommendations, which are directed to foreign assistance donors, including the Bureau of International Narcotics and Law Enforcement Affairs, U.S. Department of State, include the need to:

DEVELOP A REGISTRY OF GLOBAL POLICING

To facilitate greater adoption of evidence-based policing practices worldwide, an open, online registry of global policing impact studies is needed. Such a registry could serve as a foundation for the development of both measurement methods and substantive conclusions that will advance qualitative and quantitative evidence and further inform practice. As part of the registry program, systematic reviews of all research registered in specific areas could be conducted periodically (e.g., a review of the effects of procedural justice training on police conduct with citizens). Effort will need to be made to group studies by country similarities (cultural or other relevant characteristics).

CONDUCT EVIDENCE-BASED ASSESSMENT OF TRAINING

Foreign assistance donors should conduct assessments of the curricula they fund to see if the content is aligned with current research knowledge on policing practices. Part of that review would include an assessment of any curriculum's focus on evidence-based policing itself, to show how agencies might use existing evidence and learn how to institutionalize research into their everyday practices.

RESEARCH ORGANIZATIONAL-LEVEL INTERVENTIONS

The committee recognizes that there are no simple answers to guide decisions around organizational policies, structures, and practices. As organizational effectiveness is influenced by cultural, political, and social conditions, it would benefit donor efforts to have a better understanding of the conditions that affect the success of organizational-level interventions. Thus, foreign assistance donors should encourage, and possibly commission, research that examines the cultural, political, and social conditions in which police operate—and assesses which of the contextual variables are likely to lead to successful outcomes from different kinds of police assistance.

EXPAND AND INCENTIVIZE EVALUATION OF POLICING

There are key gaps in the scientific literature. Growth in building new knowledge and reviewing existing lessons from policing initiatives is a necessary step to provide sufficient clarity on effective strategies for different international contexts. Standards are needed to interpret the meaning of research results, as uncertainty over the reliability of measurement is a major impediment to translating science into practice. To gather data and expand available policing research, foreign assistance donors should incentivize partner countries to monitor, track, and evaluate the implementation of promising approaches and other initiatives by linking resources to establish police-research partnerships in assistance agreements. Also, to advance a policing research framework suitable for multiple countries, foreign assistance donors should raise awareness in host countries of the value of recording and reporting crime and harm metrics.

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To read the full report, please visit
<http://www.nap.edu/26217>

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