

**Police Officer Decertification: A Comparative Analysis**

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## Abstract

This dissertation explores a multi-state analysis of why some states decertify more police officers than others with similar or larger populations, aiming to identify best practices for decertification to effectively address misconduct and improve accountability. The study examines legislative frameworks, administrative procedures, and outcomes across U.S. states, highlighting variations, trends, and challenges in decertification practices. It also investigates the connection between successful decertification and broader police reform efforts, such as enhanced training, transparency, and community trust. Of the states represented in this research Georgia and New York decertified more officers per capita than any other state. The results of this research showed a negative correlation between lower police academy training hours and higher rates of decertification. Framed by historical context, including parallels to the Civil Rights Movement and recent calls for change following incidents like George Floyd's death, the research underscores a renewed focus on decertification. With initiatives like the National Decertification Index and new state laws, the dissertation envisions a future of greater accountability and improved public trust in law enforcement.

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## **Chapter I**

### **Introduction**

#### **Topic and Purpose of This Study**

In recent years, issues surrounding police misconduct and excessive use of force have ignited a fervent debate about the need for comprehensive police reform in the United States. High-profile cases of police brutality and misconduct have highlighted the critical importance of holding law enforcement officers accountable for their actions. One essential component of this accountability framework is the process of police officer decertification. Decertification, which involves revoking an officer's license to work in law enforcement, serves as a potent mechanism to remove unfit individuals from positions of authority and trust. This research embarks on a comparative analysis of police officer decertification practices across states in the United States, aiming to shed light on the variations, shortcomings, and successes within the current landscape of police accountability measures. According to the current Georgia POST Executive Director, Georgia decertifies more officers than any other state by a wide margin (Ayers, 2023).

Sir Robert Peel, the "Father of Modern Policing" is credited with saying, "the police are the public, and the public are the police," (Lentz & Chaires, 2007) meaning that the duties of the police are civic duties which are due from each and every citizen, but only which police officers are paid to give their full-time attention to. Those who safeguard our citizens and have increasing access to sensitive data and locations therefore must be of the most ethically sound and trustworthy sort of individual. It is then imperative that those who transgress against the public trust should be held accountable. Civil and criminal law both have their remedies but

administrative law finds a more expedient and precise answer to these transgressions in the form of removing the certification that permits a law enforcement officer the powers of their position.

The procedure for this removal is through the administrative process of Peace Officer Standard and Training (POST) agencies in each state, or POST equivalent agencies with similar certifying/decertifying authority as not all states have a POST agency in name. Each state has a certifying body giving police officers their powers of arrest and certifications similar to that of the bar for lawyers. All certifying agencies in every state do not strictly follow the POST name and differ such as New York who certifies and decertifies under their Division of Criminal Justice Services. States differ as well in what they will and will not decertify an officer for. Even if a POST agency has the power to decertify an officer and an egregious act has been committed, it does not mean that it will decertify. As with all layers of government, political elements can alter the landscape; and POST is not immune to these effects. POST typically relies on the reporting of state and local police agencies to discover misconduct, and some agencies/local governments prefer to deal with their problems in-house.

The multifaceted nature of police reform necessitates a comprehensive understanding of the tools and mechanisms available to address systemic issues within law enforcement agencies. As numerous incidents of police misconduct continue to erode public trust, policymakers, scholars, and activists alike have increasingly turned their attention to decertification as a potent avenue for reform. Decertification not only provides a legal framework to remove problematic officers but also sets a clear standard for professional conduct within the law enforcement community. This author seeks to explore the ways in which decertification processes are applied and regulated across different states, assess the effectiveness of these mechanisms in deterring

misconduct, and, ultimately, present decertification as a roadmap toward meaningful police reform.

To embark on this comparative analysis, I will examine the legislative frameworks, administrative procedures, and outcomes of police officer decertification across a diverse sample of states. By delving into the variations, trends, and challenges associated with decertification practices, this research aims to identify the best practices and areas for improvement within the existing system. Additionally, this research will explore the relationship between the implementation of effective decertification processes and their potential to drive broader police reform efforts, such as improving training, enhancing transparency, and building community trust.

In conclusion, this research underscores the pivotal role that police officer decertification plays in the larger landscape of police reform. By analyzing the diverse approaches taken by different states, this research aspires to provide insights that can guide policymakers, legislators, and law enforcement agencies in crafting more effective and standardized decertification practices. Ultimately, this study seeks to contribute to the ongoing discourse surrounding police accountability, with the aim of fostering a safer, more just, and more transparent law enforcement system for all members of society.

## Chapter II

### Literature Review

#### A Historical Review of Officer Certification in the United States

The concept of police officer decertification has its roots in the early 20th century when concerns about police misconduct and the need for accountability within law enforcement agencies began to gain prominence. One of the earliest instances of formal decertification can be traced back to the early efforts of the International Association of Chiefs of Police (IACP), founded in 1893. The IACP played a pivotal role in advocating for professional standards in policing, including the establishment of a code of ethics and guidelines for officer conduct (Kappeler et al., 1994).

During this period, police departments and professional organizations like the IACP recognized the importance of maintaining high ethical and professional standards among law enforcement officers. They sought to distinguish between officers who upheld these standards and those who engaged in misconduct or criminal behavior. The idea of revoking an officer's certification or license to work in law enforcement emerged as a mechanism to enforce these standards and to ensure that officers who violated them could no longer serve as representatives of law and order (Smith, 2010).

The 1960s and 1970s marked a significant turning point in the evolution of decertification laws and procedures. This era was characterized by civil rights activism, increased public awareness of police misconduct, and legal developments that impacted police accountability (Walker, 2020). Notable Supreme Court decisions, such as *Brady v. Maryland*

(1963), further highlighted the importance of addressing police misconduct. *Brady v. Maryland* mandated the disclosure of exculpatory evidence, including information about police officer misconduct, to defendants in criminal cases. This decision underscored the need for law enforcement agencies to identify and address problematic officers and contributed to the growing momentum for decertification processes (Terrill & Reisig, 2003). In her book *Shielded: How the Police Became Untouchable* (2023) Joanna Schwartz outlines the watershed Supreme Court case under the Warren Court, *Monroe v. Pape*, in which Chicago resident Monroe and his family were left brutalized, naked, and their house ransacked without a warrant. This landmark case was the first time the Ku Klux Klan Act (Specifically Section 1: 42 USC 1983) was used by the court to address police misconduct. This use of “Section 1983” as it came to be called was reaffirmed shortly thereafter in *Mapp v. Ohio*, another unlawful entry Fourth Amendment violation case. Expanding on this, in 1991 with the infamous beating of Rodney King by the LAPD, Congress expanded the power of the U.S. Department of Justice by creating the Special Litigation Section charged with investigating “patterns and practices” of police misconduct, specifically the violations of Constitutional rights (Guzman, 2024).

New Mexico was the very first state to establish a process by which police officers could be decertified in 1960 (Goldman, 2012). In 2012, Goldman mentioned that 43 other states had followed New Mexico’s lead and established processes for police officer decertification. Since the murder of George Floyd subsequent police reform legislation has been passed, and the International Association of Directors of Law Enforcement Standards and Training (2023) notes that the remaining states have established or are establishing processes for decertification.

In summary, police officer decertification has its origins in the early 20th century, with the IACP playing a pivotal role in advocating for professional standards in policing. The 1960s

and 1970s marked a crucial period of development, driven by civil rights movements and legal decisions that emphasized the importance of police accountability.

### **An Overview of Decertification**

This historical understanding of how and why decertification took shape and has evolved over the decades now leads to the next concern which examines who controls decertification and the decisions of when, how and a why a police officer may be decertified. Decertification of police officers is typically controlled at the state level in the United States. Each state has its own agency or commission responsible for overseeing law enforcement certification and, by extension, the decertification process. This agency is typically the Peace Officer Standards and Training Council of the state, or POST. Every state either has a POST or is currently in the process of creating a council (International Association of Directors of Law Enforcement Standards and Training, 2023). For example, Massachusetts created their POST to more closely regulate officers in 2020 as part of their criminal justice reform efforts after the death of George Floyd (Ravitz, 2023). These agencies often have specific criteria and procedures for decertifying officers, and they may vary significantly from one state to another. Commonly, these agencies are composed of representatives from law enforcement, government, and sometimes civilian members who are responsible for ensuring the integrity and professionalism of the law enforcement profession (Walker, 2020). Sadly, only 46 of the 50 POST agencies have the authority to decertify officers (Council on Criminal Justice: Task Force on Policing, 2021). The timing and process of officer decertification can also differ from one state to another. Generally, officers may be subject to decertification under various circumstances, including the following incidents of misconduct.

**Criminal Convictions:** One common trigger for officer decertification is a criminal conviction. If an officer is convicted of a serious crime, especially one related to their duties, their certification may be revoked (Owens, 2015).

**Misconduct or Policy Violations:** Misconduct, including excessive use of force, dishonesty, corruption, and other policy violations, can lead to decertification. Agencies often conduct internal investigations, and if an officer is found to have engaged in such misconduct, it may result in decertification (Terrill & Reisig, 2003).

**Failure to Meet Training or Continuing Education Requirements:** Officers are usually required to undergo regular training and education to maintain their certification. Failure to meet these requirements may result in decertification (Smith, 2010). Different states have different training and continuing education requirements to maintain peace officer certifications. Some states such as California require recertification every three years through a program and many states never let officers expire as long as they maintain their annual or bi-annual training requirements.

**Civil Lawsuits and Civil Rights Violations:** Civil lawsuits against officers for violations of civil rights, such as excessive use of force or racial profiling, can trigger investigations that lead to decertification if misconduct is substantiated (Kappeler, Sluder, & Alpert, 1994). The specific process for decertification varies by state but generally involves an investigation, often conducted by the state agency responsible for certification. If the allegations are substantiated, a formal decertification process is initiated, which typically includes a hearing where the officer can present a defense. The final decision is made by the certifying agency or commission.

The primary objective of officer decertification is to maintain the integrity and professionalism of law enforcement agencies and to ensure that officers who engage in serious

misconduct or criminal behavior are no longer authorized to work in law enforcement. Decertification serves as a crucial mechanism to protect the public from officers who have violated the law or abused their authority. It is also a means of upholding the trust and credibility of law enforcement agencies in the eyes of the community. Though officers who are decertified are only decertified on a state by state basis and they can still travel to other states. If a state does not conduct a due diligence background investigation they could allow that individual back into law enforcement without knowledge of the prior decertification. Agencies can of course search the National Decertification Index maintained by the International Association of Directors of Law Enforcement Standards and Training, but this database is not complete or exhaustive. The main reason for incompleteness in data is due to the current participation rates and voluntary nature of data submission to a government-affiliated non-profit professional organization. This database is expected to improve dramatically over the near future with federal funding going to improve this system and more awareness and buy-in leading to greater participation among states. Currently there are no federal laws requiring dissemination of decertification information or a federal government system for monitoring or maintaining records on decertification. Overall relatively few officers are decertified nationwide with Atherley and Hickman (2013) finding in their research that decertification rates hover around 1.2 officers per 1,000 officers.

### **Variability in Decertification by State**

The variability in police officer decertification practices across different states in the United States is a complex and multifaceted issue, encompassing a range of factors that influence when, how, and why officers are decertified. Understanding this variability is crucial for evaluating the effectiveness and fairness of decertification as a tool for maintaining

accountability within law enforcement agencies. Atherley and Hickman (2013) found that this variability ranges by state from 0 - 7.6 officers per 1,000 officers.

**Criteria for Decertification:** One significant aspect of this variability lies in the criteria used by states to determine when an officer should be subject to decertification. Some states have narrowly defined criteria that primarily focus on criminal convictions, whereas others employ broader criteria that encompass a wide range of misconduct, including excessive use of force, dishonesty, ethical violations, and even off-duty behavior (Walker, 2020). For example, Georgia may decertify an officer for domestic violence convictions or use of racial slurs while off duty, while Louisiana may not have specific provisions for such cases. Even then a distinction is often drawn between being charged with a crime and convicted, and some states only decertify officers if they are convicted. Many states give an almost “proof beyond a reasonable doubt” criminal standard to officers which is a higher bar to reach than civil standards of “preponderance of the evidence” which some states such as Georgia tend towards

**Process and Procedures:** The process and procedures for decertification exhibit substantial diversity across states. While some states have well-established, standardized procedures that guarantee due process for officers facing decertification, including the right to a hearing and an appeals process, others may lack clear guidelines or provide officers with limited avenues for appeal (Owens, 2015). The level of transparency and fairness in the proceedings can significantly differ, impacting the overall effectiveness of the process.

**Transparency and Public Access:** Transparency is a critical dimension of the variability in decertification practices. Some states have made concerted efforts to enhance transparency by making information regarding officer misconduct and decertification decisions accessible to the public. In contrast, other states maintain strict confidentiality regarding such information,

limiting public awareness and scrutiny of the process (Smith, 2010). The degree to which citizens can access information about decertified officers and the reasons for their decertification varies widely. For example, New York has a very open system with any citizen able to download decertification data from their website which is updated monthly, while other states such as North Carolina may not provide information pursuant to an open records request for decertification data (New York State Division of Criminal Justice Services, 2023). As mentioned, different states collect different data types as well so even if a citizen is provided with information it may not be very useful to them. For example Ohio doesn't track the year an individual was decertified or what agency the individual worked for when they were decertified.

**Outcomes and Effectiveness:** The outcomes of the decertification process can also vary. Some states consistently revoke certifications in cases of serious misconduct, thereby effectively removing problematic officers from the profession, while others may opt for lesser sanctions, such as suspensions or retraining (Terrill & Reisig, 2003). This variability raises questions about the overall effectiveness of decertification in deterring misconduct and protecting communities from officers who have demonstrated unfitness for duty. The author has noticed in the course of his own experience chiefs protecting officers who are unfit for duty and who had committed immoral or illegal acts and not reporting these acts to POST. The author has found in his experience this is often due to a sense of ownership with agency heads as they see their department as their sole responsibility and they prefer to not involve other outside entities such as POST. This of course speaks to a wider issue of police misconduct records both at the state and local agency level being difficult to obtain by the public. Even other agencies in the course of background investigations are at times reluctant to share misconduct records, likely for fear of the light it may paint their department in the eyes of another police agency. Goldman and Puro

(2001) comment in their research that particularly small departments are more willing to accept “nomad” officers who have been fired from other agencies for misconduct. This is likely due to lower budgets, salary, benefits, training, and equipment leading to a take anyone you can get approach to staffing. This has been exacerbated in the wake of the COVID-19 pandemic and following civil unrest with the murder of George Floyd, Amaud Arbury, Breonna Taylor, and others; as we have seen a recruiting vacuum across the country as many choose to avoid law enforcement and many in the profession retire or retrain for another profession.

**Implications of Variability:** The variability in police officer decertification practices has several important implications. First, it can create inconsistencies in how officers are held accountable for their actions, potentially leading to perceptions of unfairness and inequity within the justice system. Second, this variability may hinder the effectiveness of decertification as a nationwide tool for police reform, as the consequences of decertification can vary widely depending on the state in which an officer serves. Third, the need for standardized, evidence-based guidelines for decertification becomes apparent, as they can ensure consistency and fairness across jurisdictions while upholding the principles of justice and accountability (Walker, 2020).

In conclusion, the variability in police officer decertification practices across states in the United States is a multifaceted issue with profound implications for accountability, transparency, and the overall effectiveness of decertification as a mechanism for police reform. Addressing this variability and promoting standardized, evidence-based guidelines for decertification is a pivotal step toward creating a more equitable and consistent approach to holding law enforcement officers accountable for misconduct.

## **Effectiveness of Decertification as a Deterrent**

The effectiveness of police officer decertification as a deterrent to misconduct is a critical aspect of the broader discussion surrounding accountability in law enforcement. This section delves into the complexities and debates surrounding the impact of decertification on deterring misconduct, supported by relevant literature and research findings. Studies examining the deterrence effect of decertification have produced mixed findings. While decertification is intended to serve as a potent deterrent by removing unfit officers from the profession, its effectiveness varies. Some research suggests that decertification can act as a strong deterrent, particularly when coupled with other accountability measures (Terrill & Reisig, 2003). Officers may be less likely to engage in misconduct if they know that serious violations could result in the loss of their certification and, consequently, their career in law enforcement. Fegley (2020) adds that decertification only serves as a deterrent if agencies actually share terminations and other misconduct with POST. He notes that this problem is enhanced in union states in which officers have lengthy processes to get reinstated and get terminations overturned resulting in avoiding many decertification processes or investigations (Fegley, 2020). As of 2013, Atherley and Hickman's research showed that 43 states required agencies to report terminations to POST and of these 18 states were required to report information that could lead to decertification even if the officer wasn't terminated. Only 10 states reported that agencies did not have to report conduct that could lead to decertification and one state criminalized the failure to report (Atherley & Hickman, 2013). This is good progress, however laws are only as good as they are enforced and agencies and other officers face virtually no repercussions for failing to report terminations or misconduct that could lead to decertification. "Snitches get stitches" as the saying goes, and officers are much more likely to face retaliation from other officers by reporting than they are to

be punished for not reporting (Goldstein, 2012). This fits within the broader context of organizational culture to serve a deleterious purpose for what is trained into young police cadets in keeping information secret as a critical element to their mission, particularly in investigations. As the old WWII adage goes “Loose Lips Sink Ships” and officers are often disciplined for speaking about ongoing cases or investigations outside the agency. Even to other law enforcement officers at times both inside and outside their agency officers will not share critical information, due to a lack of trust in the other officer/agency in their competence, secrecy, discretion, and motives.

**Impact on Officer Behavior:** Decertification can have a significant impact on the behavior of individual officers and potentially influence the conduct of their peers. Knowing that their professional future is at stake, officers may be more inclined to adhere to departmental policies and ethical standards. Additionally, the publicized cases of decertification can serve as cautionary tales for other officers, potentially discouraging misconduct (Walker, 2020). Despite its potential as a deterrent, several challenges limit the overall effectiveness of decertification noted below. More research must be done to establish what impact the threat of decertification has on officer behavior. In 2015, Powers found in his research of the over 700 officers decertified in Florida between 2006 - 2010 that there were significant links between officers decertified and the poverty rates and social disorganization in large population centers. Based on this research it does appear that there is a definite cultural element within an agency that can turn out bad officers. Rotten trees produce rotten fruit as it were. Powers (2015) discovered in his research results when he found that racial heterogeneity and family disruption did not strongly affect decertification rates, and that very few officers were decertified in response to police agency rule

violations. He originally hypothesized that racial diversity and family disruption would significantly affect decertification rates.

**Inconsistent Application:** The inconsistent application of decertification across states and agencies can undermine its deterrent effect. The variation in criteria and procedures for decertification, as well as differences in the outcomes of decertification hearings, can create perceptions of unfairness and inconsistency (Owens, 2015). As mentioned, some states have much more power than others regarding investigating and revoking an officer's certification. This is enhanced in states with collective bargaining agreements for officers which often stand between police executives and disciplinary processes. Fegley (2020) presents in his research a cost/benefit analysis of sorts when he notes that large city police unions have won many protections for officers but some unions such as Chicago's would be willing to give up certain protections for higher salaries for officers. So the choice should be left up to the citizens, do you want to pay officers higher salaries for more accountability or would you rather bear the taxpayer burden of the civil rights lawsuits and disciplinary civil suits brought against officers (Fegley, 2020).

**Lack of Transparency:** Limited transparency in the decertification process can reduce its deterrent impact. When officers and the public are unaware of the reasons behind decertification decisions, the process may lack the accountability needed to deter future misconduct (Smith, 2010). As discussed later in this work, some states such as New York publish all their decertification data while others only disclose it with an open records request.

**Delay in Action:** The often lengthy process of decertification can diminish its effectiveness as a deterrent. Delays in investigating and adjudicating misconduct can allow problematic officers to remain on duty for extended periods, potentially continuing their

misconduct (Walker, 2020). In Georgia it has been the author's experience that some POST termination investigation cases take up to a year or more before an investigation begins. This is often due to GA POST being a generally understaffed and underfunded agency. In fiscal year 2023, Georgia POST received only 5.4 million dollars to operate with a total staff of approximately 40 employees to oversee the certifications of more than 45,000 officers (Governor's Office of Planning and Budget, 2023; Georgia Peace Officer Standards and Training Council, 2023). This 45k includes corrections officers.

It should be noted that every POST agency does more than just decertify and investigate officers with many issuing and approving new training classes for officers and providing additional assistance to law enforcement agencies. For example, Georgia POST routinely audits police academies to ensure compliance with testing and educational standards, confirms new academy directors, creates new course codes for new continuing education classes to be taught in the state, approves and authorizes existing classes for training credit, inputs training hours from out of state and online training, approves specialized, instructional, and advanced certifications, approves the addition of new personnel to agencies, and answers various questions from law enforcement agencies around the state. With all these responsibilities and more it is incredible at the work that is accomplished by such few dedicated POST employees.

**Interaction with Other Accountability Measures:** The effectiveness of decertification as a deterrent is closely intertwined with other accountability measures, such as internal affairs investigations, civilian oversight, and criminal prosecutions of officers. The synergy of these mechanisms can reinforce the deterrent effect of decertification by sending a clear message that misconduct will not be tolerated (Terrill & Reisig, 2003).

While police officer decertification is intended to serve as a deterrent to misconduct, its effectiveness varies depending on a range of factors, including its consistent application, transparency, and the timeliness of actions. The interaction of decertification with other accountability measures plays a crucial role in enhancing its deterrent effect.

## **Chapter III**

### **Methodology**

#### **Research Questions**

The research question of this dissertation is to quantitatively investigate if and why some states decertify more officers than other states with similar or greater population, and to provide recommendations and a roadmap to best practices of police officer decertification so as to more effectively cull the “bad apples” from the tree. These apples must be pruned before they spoil the rest of the apples, and some rotten trees (agencies) must be felled before other trees are infected. The research at its core will discuss several fundamental questions. It aims to investigate the diverse quantitative approaches taken by different states in the United States when it comes to the implementation, regulation, recording of police officer decertification processes. This exploration will encompass the legislative frameworks, administrative procedures, and outcomes associated with decertification in these states. Secondly, the study will delve into the variations, trends, and challenges inherent in these decertification practices across the nation, with the goal of providing a more comprehensive understanding of the existing landscape. Finally, the research intends to uncover the quantitative relationship between the successful implementation of decertification processes and broader police reform initiatives, such as improvements in training, increased transparency, and the cultivation of community trust. The quantitative research seeks to collectively form the foundation upon which this study will provide valuable insights into the role of police officer decertification as a catalyst for reform within the law enforcement sector.

## Research Procedures

The core research on this project will begin with open records requests served via email to the Peace Officer Standards and Training Councils (POST), or POST equivalent agencies of the following states: Georgia, Florida, Michigan, New York, California, Illinois, North Carolina, Pennsylvania, Texas, California, Connecticut, and Ohio. The reason(s) for decertification, agency, city/county, and the overall number of officers decertified were requested by year for the past 5 years (2018 - 2022). The purpose of this is to chiefly compare the data to the Georgia 5-year data set since according to the Georgia POST Executive Director, Georgia decertifies more officers every year than any other state (Ayers, 2023). The author chose the first two states, Ohio and North Carolina due to the fact that they are population number “neighbors” with Georgia with Ohio having slightly more at 11.7 million people and North Carolina having slightly less at 10.7 million people. The other states were chosen because they are similar to Georgia in population and to represent the largest states by population and compare them to the Georgia statistics. Though state population is important, this research will primarily rely on the most recent statistics for the number of officers per 100,000 residents gathered by the U.S. Bureau of Justice Statistics (BJS) Census of State and Local Law Enforcement Agencies (Gardner & Scott, 2022). This census was taken in 1996, 2008, and 2018, offering up comparative data which will be discussed further. Note: U.S. Bureau of Labor Statistics (BLS) data proved less useful due to how different law enforcement roles within the profession were divided up and not compared holistically by state.

Of these states, so far Georgia, Michigan, Ohio, New York, Illinois, Connecticut, and Pennsylvania have provided their data. It must be noted that Ohio’s data is of marginal value as they do not record the dates which certifications are revoked. Florida does publicly post their

total number of decertified officers each year online though their data runs on the fiscal July 1st - June 30th year compared with the calendar year of the other states in this research. In response to the open records request to California POST they responded that “*POST has no records prior to January 1, 2023. The law went into effect January 1, 2023: Bill Text - SB-2 Peace officers: certification: civil rights.*” (Personal Communication, 9-19-2023) They also provided a current link to the page where they list all 2023 decertifications and actions against officers certification to include ineligibility, voluntary surrender or surrender, immediate temporary suspension or temporary suspension, and suspension. In 2023 thus far only one officer was shown as having his certification revoked, several surrendered their certifications due to criminal acts, and the majority by far were given temporary suspensions to their certification.

- Georgia POST - **Records Received** (Total State & Local LE 27,949 - BJS 2018 Census)
- Michigan POST - **Records Received** (Total State & Local LE 18,193 - BJS 2018 Census)
- Ohio POST - **Records Received** (Total State & Local LE 25,669 - BJS 2018 Census)
- New York POST - **Records Received** (Total State & Local LE 68,810 - BJS 2018 Census)
- California POST - **Records Received** (Total State & Local LE 79,038 - BJS 2018 Census)
- Illinois POST - **Records Received** (Total State & Local LE 38,539 - BJS 2018 Census)
- Texas POST - **Records Received** (Total State & Local LE 69,504 - BJS 2018 Census)
- Pennsylvania POST - **Records Received** (Total State & Local LE 26,914 - BJS 2018 Census)
- Connecticut POST - **Records Received** (Total State & Local LE 7,843 - BJS 2018 Census)

Census)

- Florida POST - **No Records Received** (Total State & Local LE 47,177 - BJS 2018

Census)

- North Carolina POST - **No Records Received** (Total State & Local LE 25,557 - BJS 2018 Census)

*(Totals only include data for sworn not full-time employees with limited arrest powers)*

The data received from the responding states has received a cursory analysis and non-law enforcement personnel have been removed where they appear since some states include correctional officers in their figures. This information will be geo-spatially mapped showing the detailed location of each agency and any details of the offense that led to decertification if known. One way repeated ANOVA tests (Analysis Of Variance) will be used to analyze the degree of significance to which states differ in their decertification rates.

### **The National Decertification Index**

There have been efforts by journalists and law enforcement organizations to assess what decertification looks like across the nation. This has not yet been very successful. The International Association of Directors of Law Enforcement Standards and Training or IADLEST started the National Decertification Index to try to keep track of those who are decertified. The first hurdle is that though this data is available through open records request, IADLEST requires an account to be created and only for law enforcement agencies to perform background investigations on potential hires, not for general public use and awareness. Even with access one can only search for an individual's first name, last name, and date of birth currently.

In the author's initial foray into the research on this topic he reached out to the director of IADLEST to try to gain access to the backend of this data set and was told that they were currently working with Dr. Shelly Schaefer at Hamline University in St. Paul, Minnesota. He then reached out to Dr. Schaefer and she responded with the following:

*“We are currently conducting the annual survey by state of decertification by type of decertification. You can find earlier reports done by IADLEST and could combine the numbers to create your own dataset; however, there are time gaps in the data collection. We are also in the process of working with IADLEST to extract their data from the NDI database to create a longitudinal data set.”* (Personal Communication, 5/01/2023)

This is when he realized the only way to assure he had clean data was to serve an open records request to each state which he intended to compare. All national research is a challenge as so many states have different metrics they track and this is particularly true of each state's POST. Some states such as Georgia and New York track almost everything from the name of the officer to their agency during and after revocation and articulate individual offenses. Others do not even track the date on which the officer was decertified as in the case of Ohio. A good example of how elusive this data is to corral is the website Brady List.com which has been collecting information on police officers, prosecutors, and judges who have been disbarred or decertified or otherwise are guilty of misconduct which would prevent them from testifying in court under the U.S. Supreme Court's Brady doctrine. The Brady doctrine states that the defense must be advised of any exculpatory or favorable evidence which can include prior misconduct of those officers, prosecutors, and judges responsible for the prosecution. For example many courts have a “do not call” list in which officers that have been found to lie under oath or otherwise found untrustworthy are not called by the prosecution to testify in court. They are allowed to

keep their jobs and in some cases still make arrests and take reports while they rely on other officers to testify on their behalf. While a noble cause, this website has erroneous and incomplete data sets when compared to what POST provides regarding decertification of officers. Still, the searchability of the records that are there should be commended as it is provided for free to all press and citizens, something which IADLEST has yet to do. It appears that since 2016 very little new annual data has been added to this site (Brady List, 2023). Certainly, greater standardization is needed for what data is collected and greater transparency is needed with then providing that information without a public record request. It is the author's opinion that the NDI should be searchable for all civilians to maintain transparency. Several POST websites have a publicly available search feature for decertification. New York, while not having a search feature, allows the download of the full excel sheet containing all decertified officers and their information that is updated each month. Georgia does not have a search function on their POST site and should add this ability. California even takes this a step further and has all their decertification data in a searchable format on their website (California Commission on Peace Officer Standards and Training, 2023a). Currently California, Idaho, Oregon, and Vermont have full searchable data tables embedded in their POST websites. Colorado, Kansas, and North Carolina have first and last name searches that query back end databases not directly accessible by the public. Connecticut, New York, Hawaii, and Wyoming provide downloadable PDFs or CSVs. International Association of Directors of Law Enforcement Standards and Training (2023d) notes that the following states have what they call Integrity Reports which they publish annually as a matter of public record regarding the outcomes of matters of officer misconduct and decertification: Arizona, Minnesota (behind a login), Connecticut (not published on website) Montana, Florida, Oregon, Idaho, Utah, Indiana, Vermont, Kansas, and Washington.

Recently, IADLEST published an annual review of the NDI in their 2022 Year in Review publication. They found that in 2022 more than 33,500 POST agency actions have been reported to the NDI since its inception. These actions have been reported by 46 certifying agencies. Currently, more than 7,948 total all time users have requested access to the NDI (International Association of Directors of Law Enforcement Standards and Training, 2023b). IADLEST announced an agreement in May of 2023 with the Bureau of Justice Assistance (BJA) to “expand and modify functionality” of the NDI (International Association of Directors of Law Enforcement Standards and Training, 2023c). For context the NDI was launched with funding from the U.S. Department of Justice to IADLEST in 2000 (International Association of Directors of Law Enforcement Standards and Training, 2021). IADLEST has worked extensively in 2023 to expand the NDI beginning with a 44 page request for proposal for the NDI in which they outline the ways in which they would like to expand the current services of the NDI with functionalities such as email alerts, allowing agencies to enter data and updates on misconduct cases as they progress through the administrative process, and allowing searches by multiple factors such as by police agencies instead of just a simple first and last name search that currently exists.

An important note to make is that no federal police officers are included in the NDI or on state decertification indexes as they do not have the authority to certify or decertify federal officers. In December, the U.S. Department of Justice announced their new database to track the misconduct of federal officers (Nakamura et al., 2023). The International Association of Directors of Law Enforcement Standards and Training commented on this with the following statement:

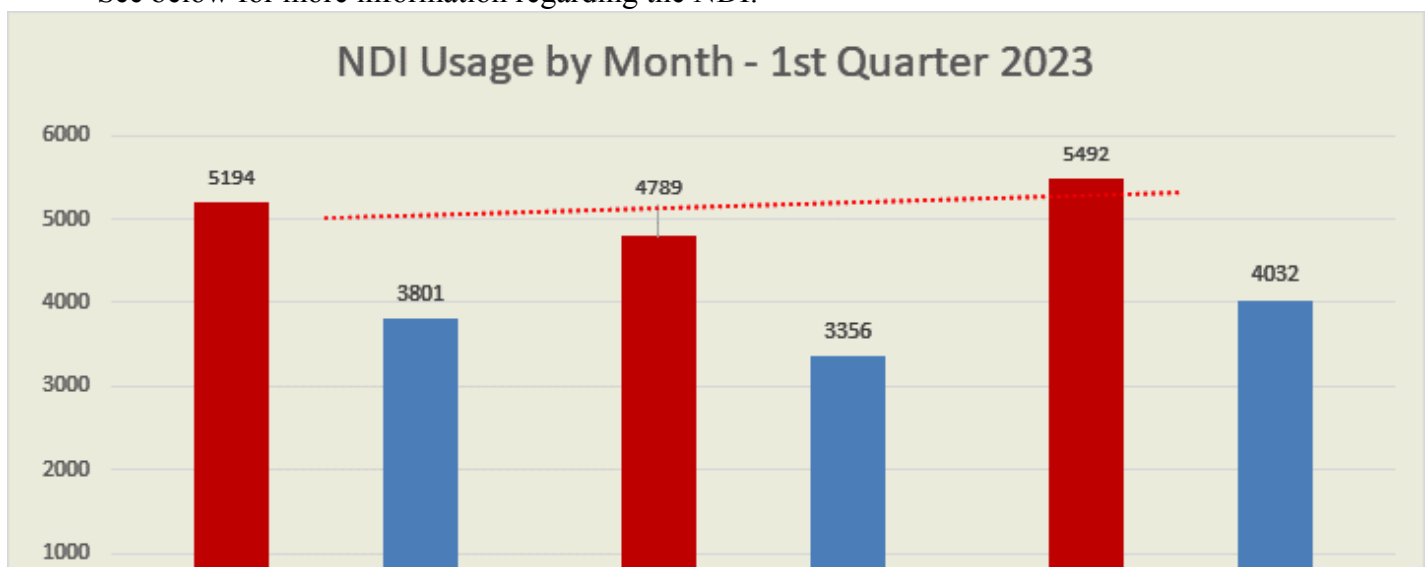
The federal government is following the example of IADLEST’s National

Decertification Index with a new database to track misconduct among federal LEO's. To start out the database will only be accessible to DOJ personnel, though later they plan to extend access to other federal agencies. On the other hand, the NDI invites participation by federal agencies and we consider it to be an essential tool for federal agencies to use as a part of their pre-employment screening.

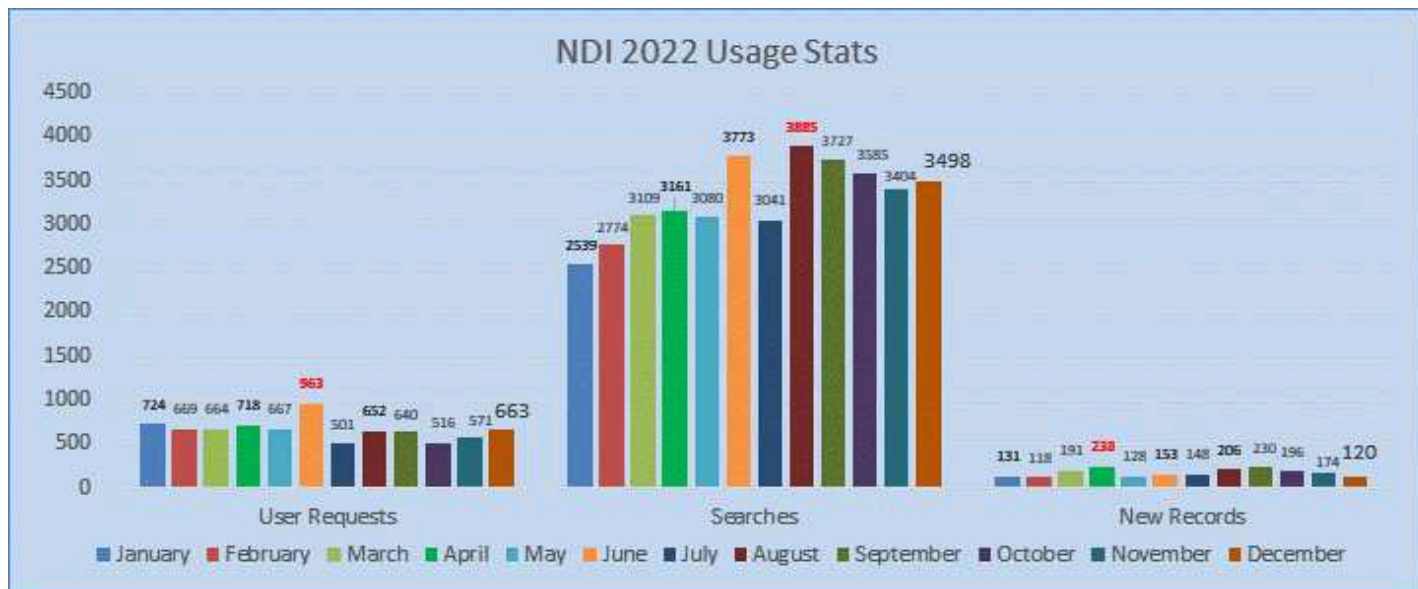
According to the DOJ, the database will include records related to criminal convictions, civil judgments, terminations, suspensions, resignations or retirements under investigation, as well as sustained complaints or disciplinary actions for serious misconduct. (p.1 2023a)

Nakamura et al. (2023) adds that these records will go back for seven years and that the impetus for the creation of this database originated from an executive order from President Biden in 2022 demanding more accountability from federal law enforcement. The deadline for all federal law enforcement to submit their data to this database is February 16, 2024 (Nakamura et al., 2023). They comment that the U.S. Bureau of Justice Statistics plans to publish annual aggregated data reports on this database. While not as exciting as an individualized data set, at least this report should be able to provide a snapshot look into the world of federal law enforcement. Hopefully, public demands for transparency will win the day and this database will be usable by all law enforcement and the general concerned public.

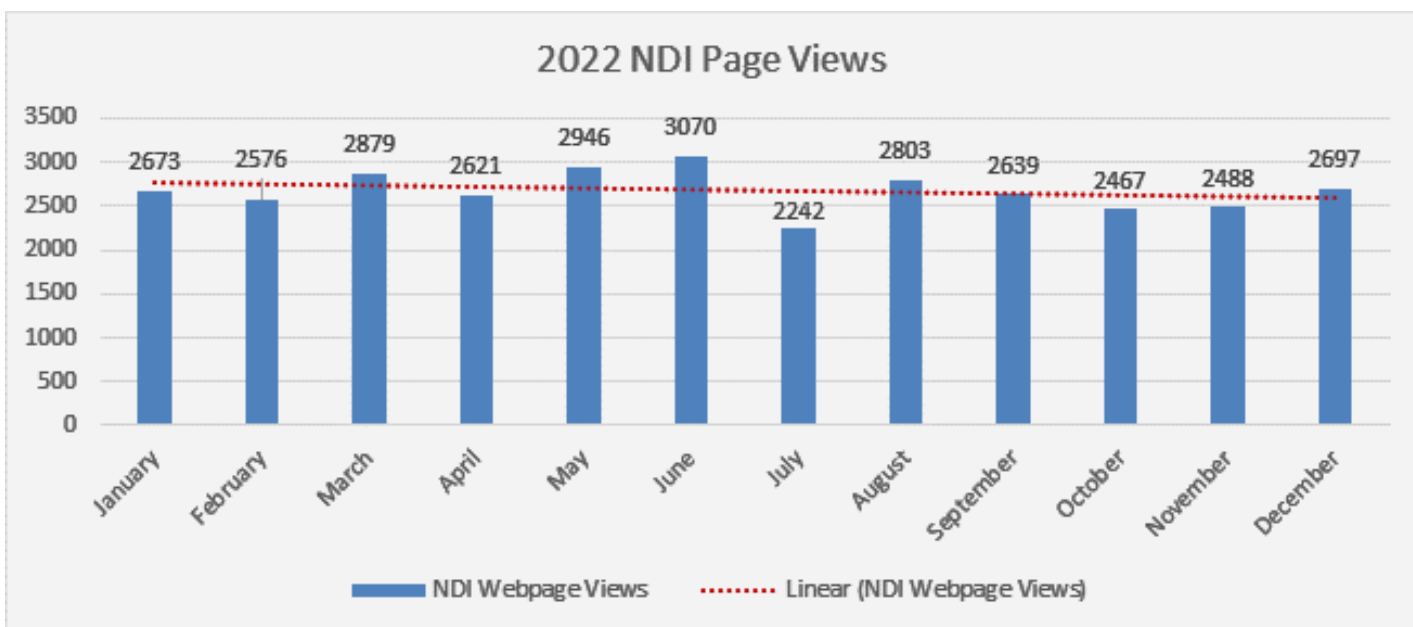
See below for more information regarding the NDI.



(International Association of Directors of Law Enforcement Standards and Training, 2023c)

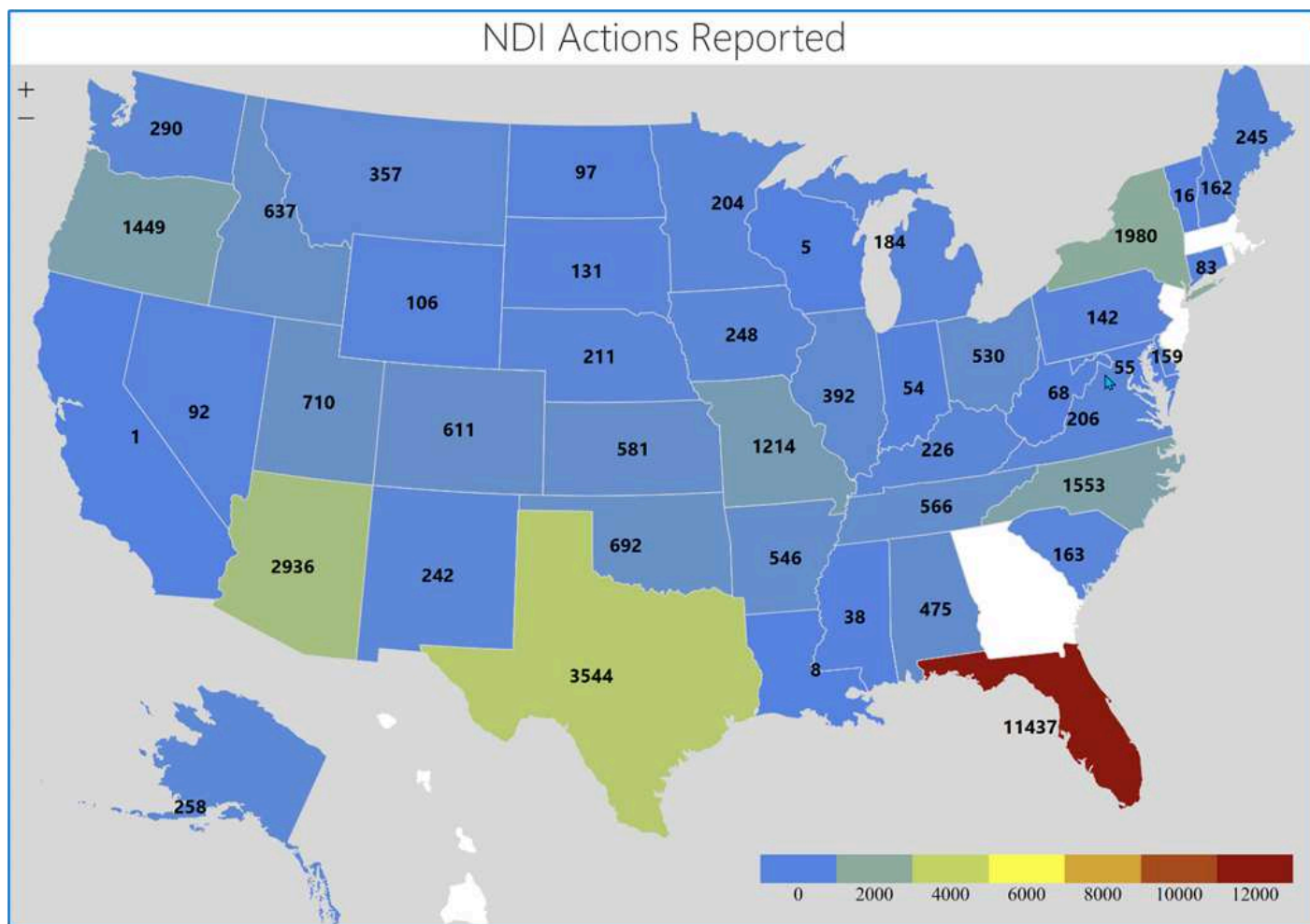


(International Association of Directors of Law Enforcement Standards and Training, 2023c)



(International Association of Directors of Law Enforcement Standards and Training, 2023c)

This is a representation of where all of the POST actions reported since its inception have originated from. Georgia recently has sent over several years worth of decertification data to IADLEST that has since been added and is not reflected in this map (Ayers, 2023).



(International Association of Directors of Law Enforcement Standards and Training, 2023c)

**Dissertation Intent**

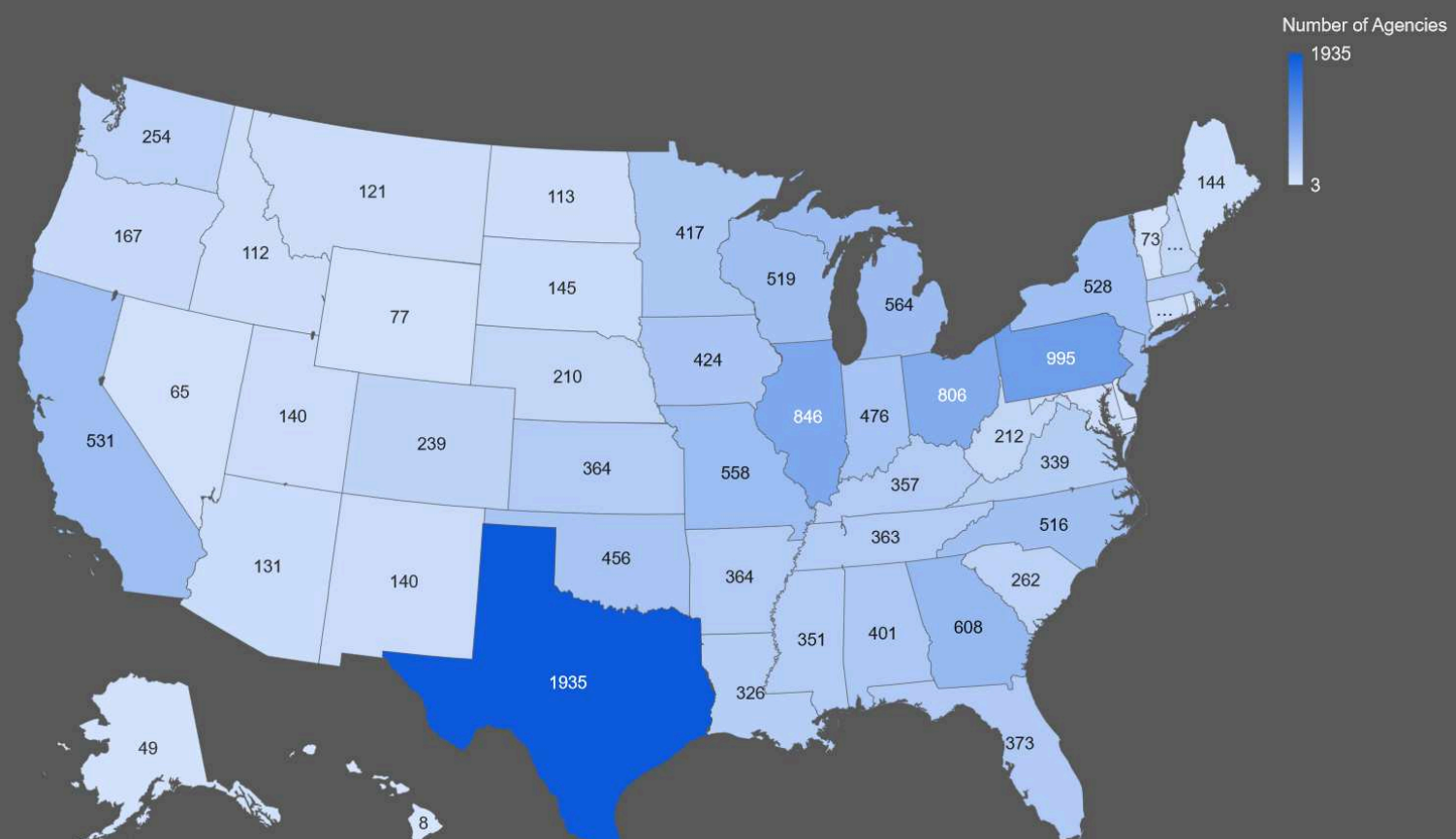
The intent of this dissertation is to establish the significance of varying decertification rates by selected states through the analyses of POST data. This will be compared to law enforcement officers per 100,000 people taken from the most recent U.S. Bureau of Justice Statistics Census of State and Local Law Enforcement Agencies completed in 2018. There is relevant historical data from the past two surveys by this same name in 2008 and 1996 that will be addressed. States were selected based on their population sizes relative to Georgia. In summary the work on this dissertation is designed to analyze police decertification and its effectiveness as a tool for police reform in the face of mounting societal pressures railing against police misconduct and secrecy.

## Chapter IV

### Research Findings

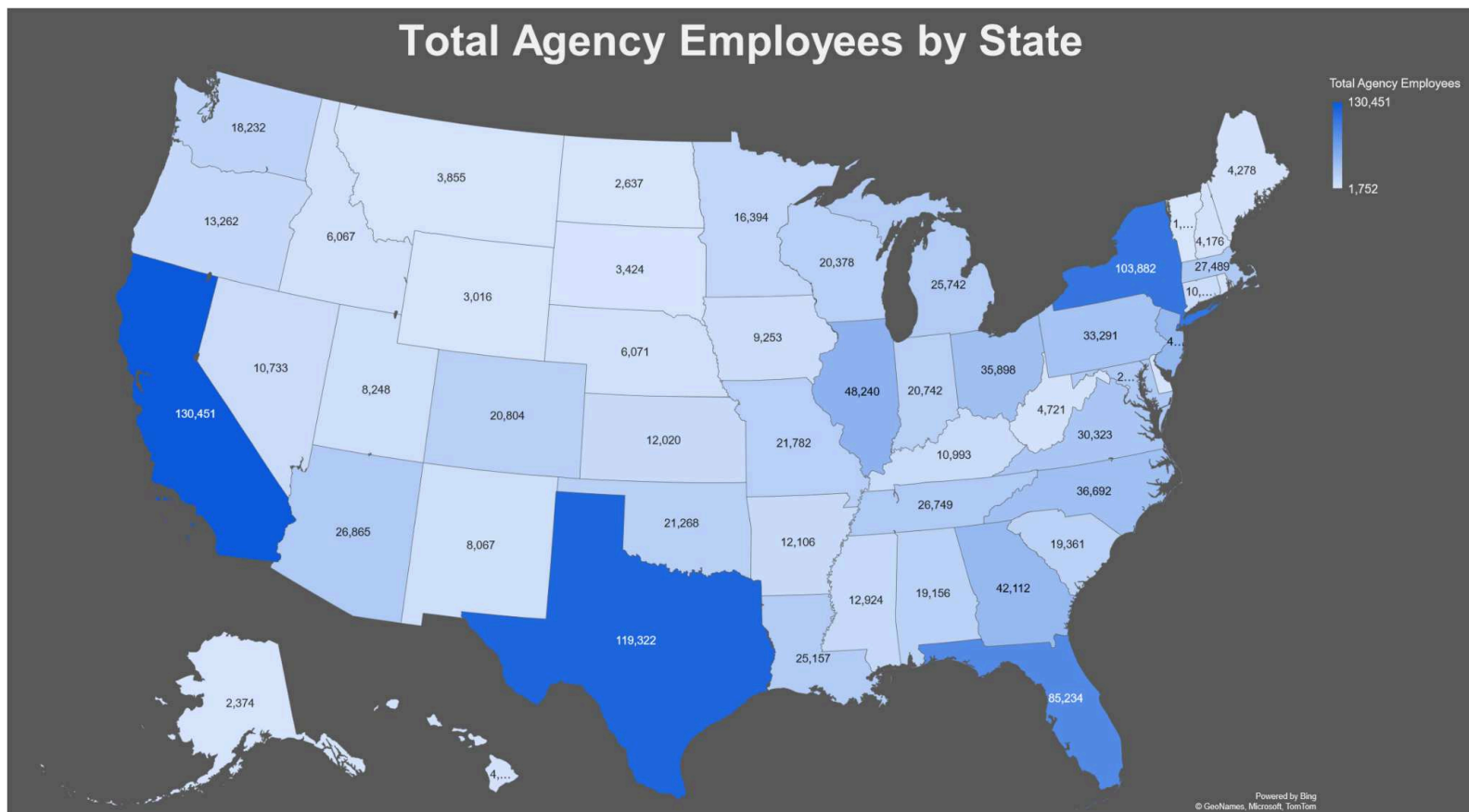
The decertification data collected and compared from each state is discussed in detail below. As will be discussed, the data provided or lack thereof in some cases, proves an important point on the importance of standardization in data collection when it comes to a routine function such as decertification conducted in all states. Before the data is broken down state by state some context would be helpful, courtesy of the work from the Bureau of Justice Statistics providing data for local and state officers by state. The map below illustrates the number of law enforcement agencies by state. As we can see, Texas is leading by far in sheer number of agencies. It must be remembered though that most agencies are small with 85% of law enforcement agency employees both civilian and sworn working for agencies smaller than 50 employees according to the most recent BJS data (Gardner & Scott, 2022).

### Number of Law Enforcement Agencies by State



This data presented comes from the most recent Bureau of Justice Statistics Census of State and Local Law Enforcement conducted in 2018. As we can see, Texas leads by far with Pennsylvania and Illinois coming in second and third respectively. Ohio comes in fourth and Georgia fifth. In some states there is more bureaucratic red tape to setting up a police agency than others.

The next map shows the 2018 BJS Census data for total agency full-time employees including civilian staff and those with limited arrest powers such as constables.

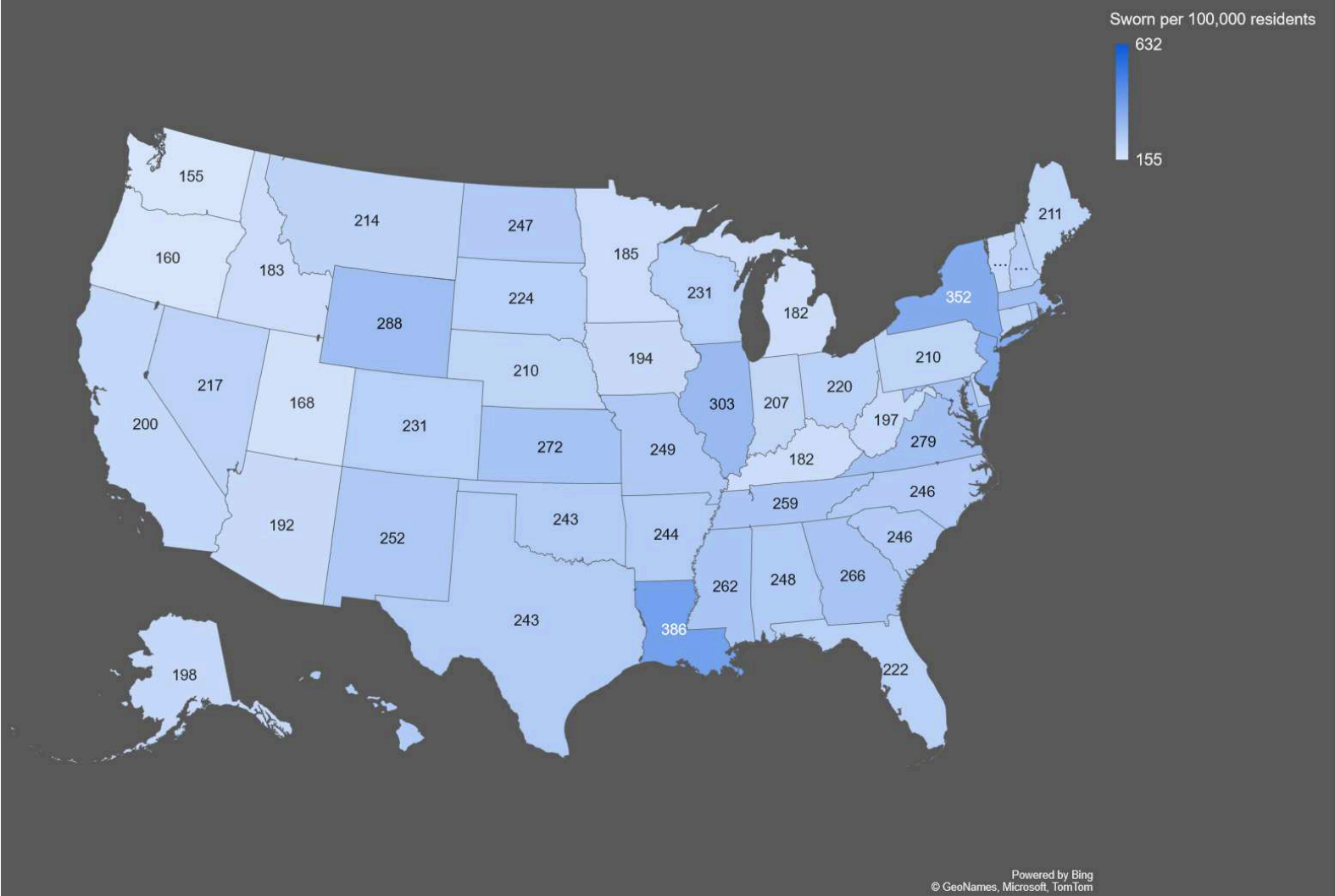


As can be seen in stark contrast with deep blue, the highest quantity of total full-time agency employees by far come from California, Texas, New York, Florida, Illinois, New Jersey, and Georgia in that order.

The next map depicts the number of sworn full-time officers per 100k residents by state

according to the 2018 BJS Census data.

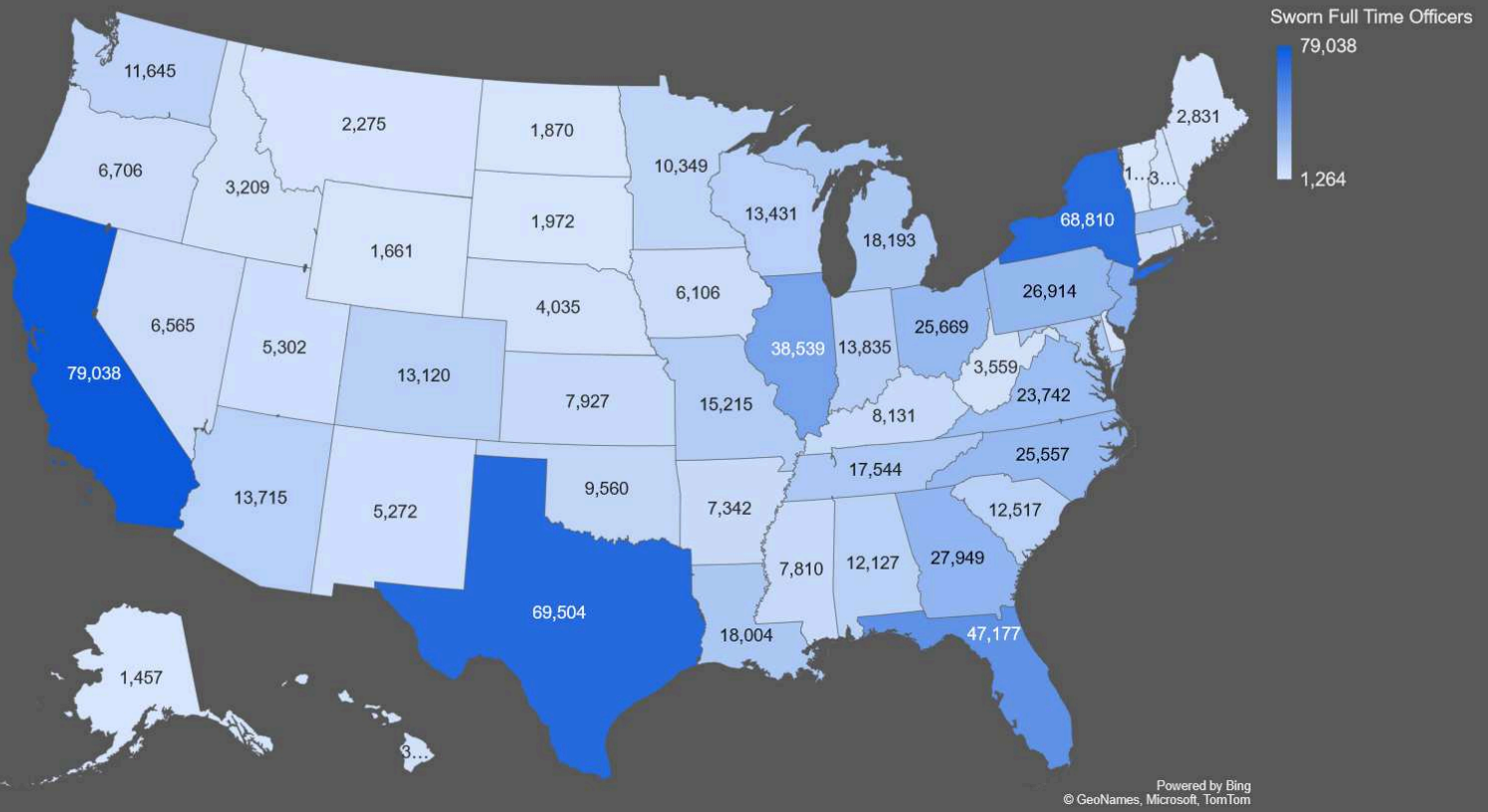
## Sworn Full Time Officers Per 100k Residents by State



The District of Columbia ranks the highest at 632 officers per 100k residents followed by Louisiana, New York, New Jersey, and Illinois.

The final map of this 2018 BJS Census data shows the total number of sworn full time state and local officers by state. These total state numbers will be compared with the decertification numbers gathered from each state to show what percentage of each states' officers are decertified.

## Total Number of Sworn Full Time Officers by State



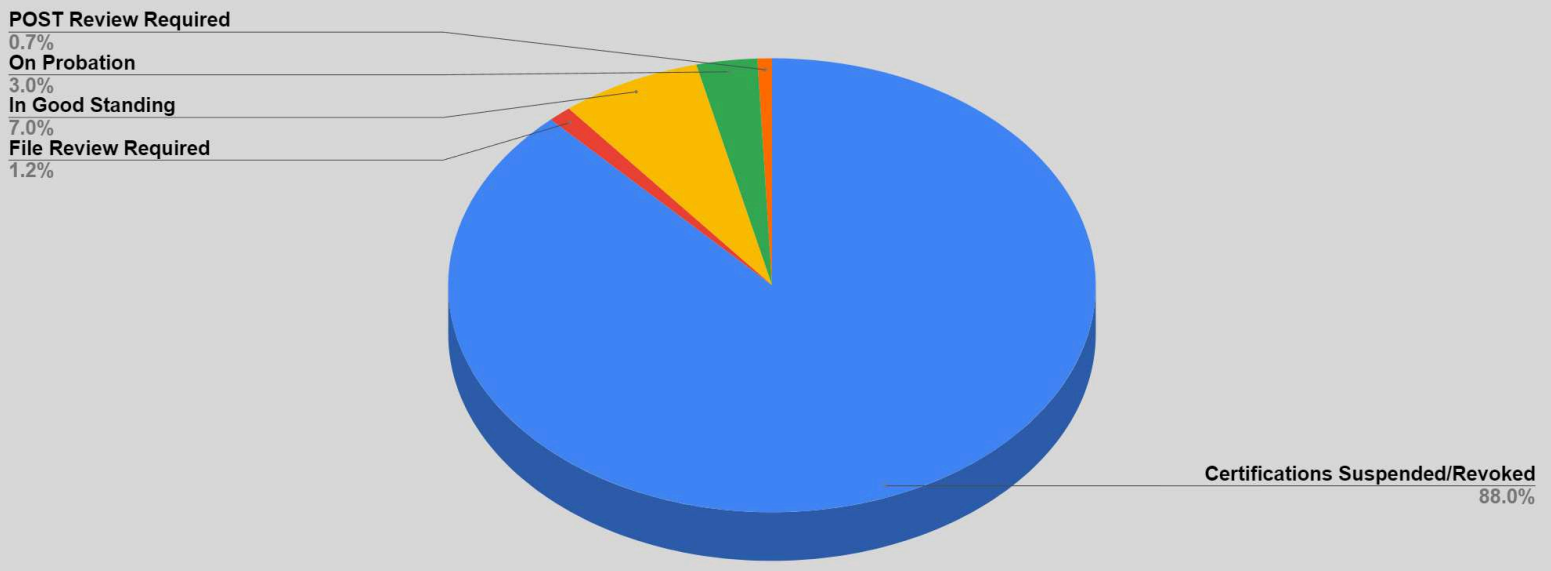
California is the clear leader here with almost 80k officers, followed by Texas, New York, Florida, Illinois, New Jersey, and Georgia in that order.

### Georgia Decertification

The state of Georgia was able to provide POST case and decertification data from 2018 - 2023 and some partial decertification data from 1924 - 2024. Since 1924 there have been a total of 11,272 correctional and police officers revoked in the state of Georgia. In the study period from 2018 - 2022 there were a total of 3,323 POST cases with a subset of 2,925 revocations including 911 operators and corrections and an inclusive subset of 1,620 police revocations. This is a 48.75% police officer decertification rate over this period of five years. These revocations

were separated out since some cases showed a current status of POST Review Required or File Review Required which does not guarantee decertification.

Georgia POST Decertifications by Current Status 2018 - 2022



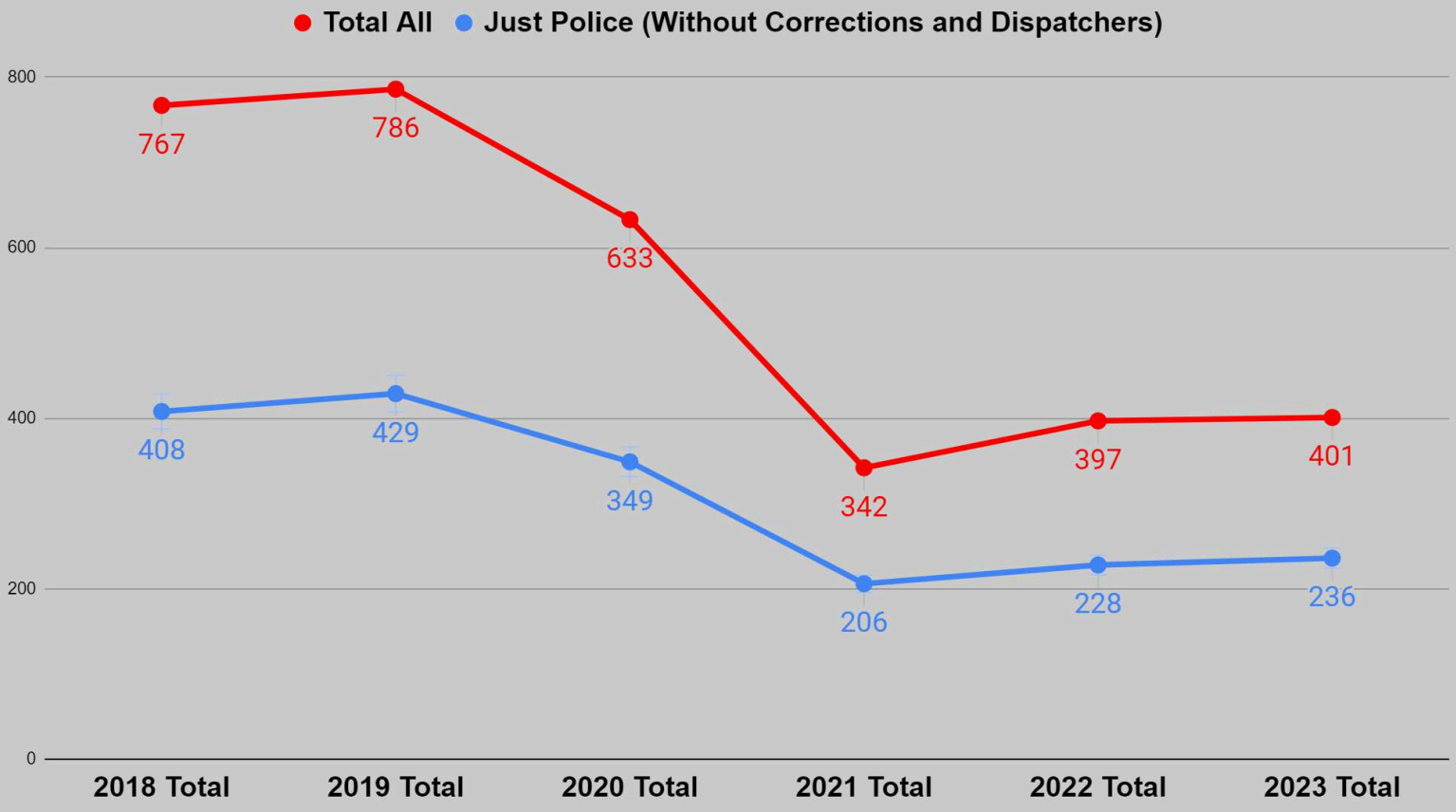
Of the 3,323 total GA POST cases provided, 2,925 were Suspended/Revoked, 234 In Good Standing, 101 On Probation, 39 File Review Required, and 24 POST Review Required. This data was filtered and only Certifications Suspended/Revoked were left in the data set to compare. Since the Georgia Peace Officer Standards and Training Council certifies not only police officers but also correctional officers and 911 dispatchers, the data had to be cleaned and dispatchers and correctional officers were separated out. Sheriff's office employees were left in the dataset since it was not possible to distinguish in the dataset whether a sheriff's office employee that was decertified was dual certified as a peace officer and jailor or just worked in the jail. Also Georgia Department of Community Supervision officers that serve probation and parole functions were

left in the data set since they have arrest powers, are typically armed, and are active in the community.

### Georgia Decertification Data

Below is a graphical representation of all Georgia POST decertification data for years 2018 - 2023.

Georgia POST Decertification Totals 2018 - 2022

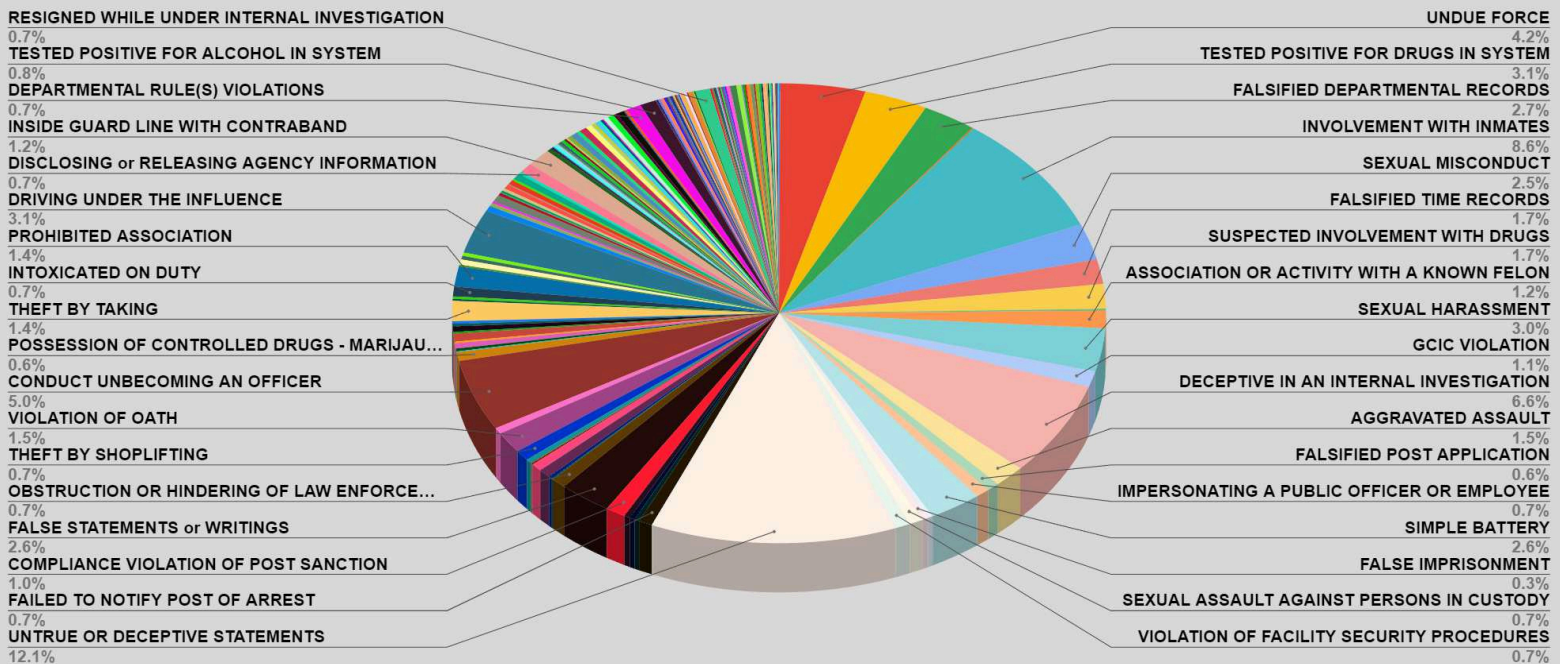


It appears that COVID-19 could have had an impact on Georgia’s decertification process.

The next pie chart shows the total violations broken down by the primary violation that initiated a POST investigation. It may be noted that the majority of decertifying offenses regarding

involvement with inmates for correctional officers (not shown here), sexual harassment, DUI, or some form of lying.

Georgia POST Decertifications by Primary Violation 2018 - 2022

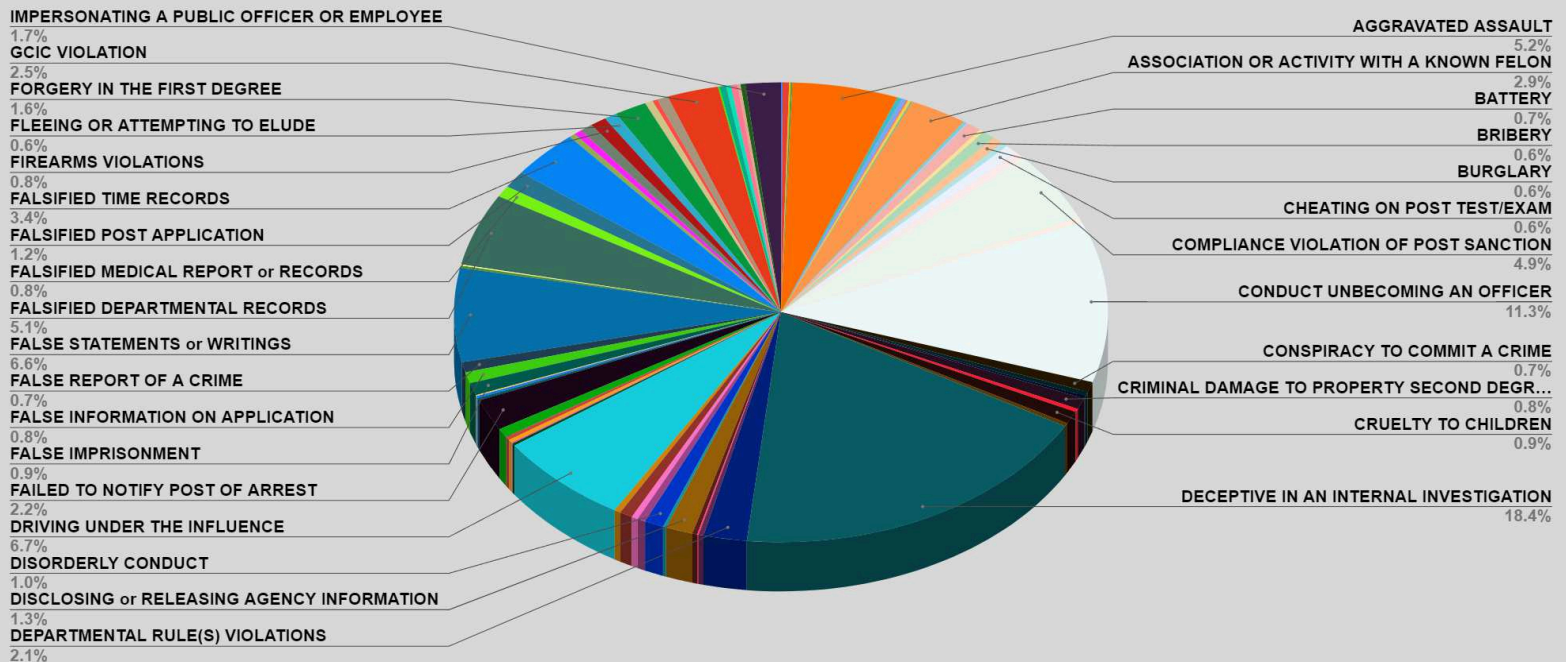


Note: This is representation of the primary violation data by case, not the number of counts of that violation in a single case. (Georgia Peace Officer Standards and Training Council, 2023)

The top primary violations by percentage were Untrue or Deceptive Statements (12.1%), Involvement with Inmates (8.6%), Deceptive in an Internal Investigation (6.6%), and Conduct Unbecoming of An Officer (5.0%). Conduct unbecoming an officer is the fourth most common offense but this is similar to how police officers charge individuals with a catch-all crime like Disorderly Conduct that typically can describe the problem if it defies existing policy guidelines. Police administrators do not have to write a policy for every eventuality or possibility since officers are supposed to use their best judgment and when they fail to do so in a big way they can still be disciplined, terminated, or decertified based on said conduct. If these violations are

broken down by the total violation counts we get to see a bit of a different pattern emerge. Keep in mind that some crimes and offenses may be somewhat easier to commit multiple times in one incident than others.

Georgia POST Primary Violation by Count 2018 - 2022

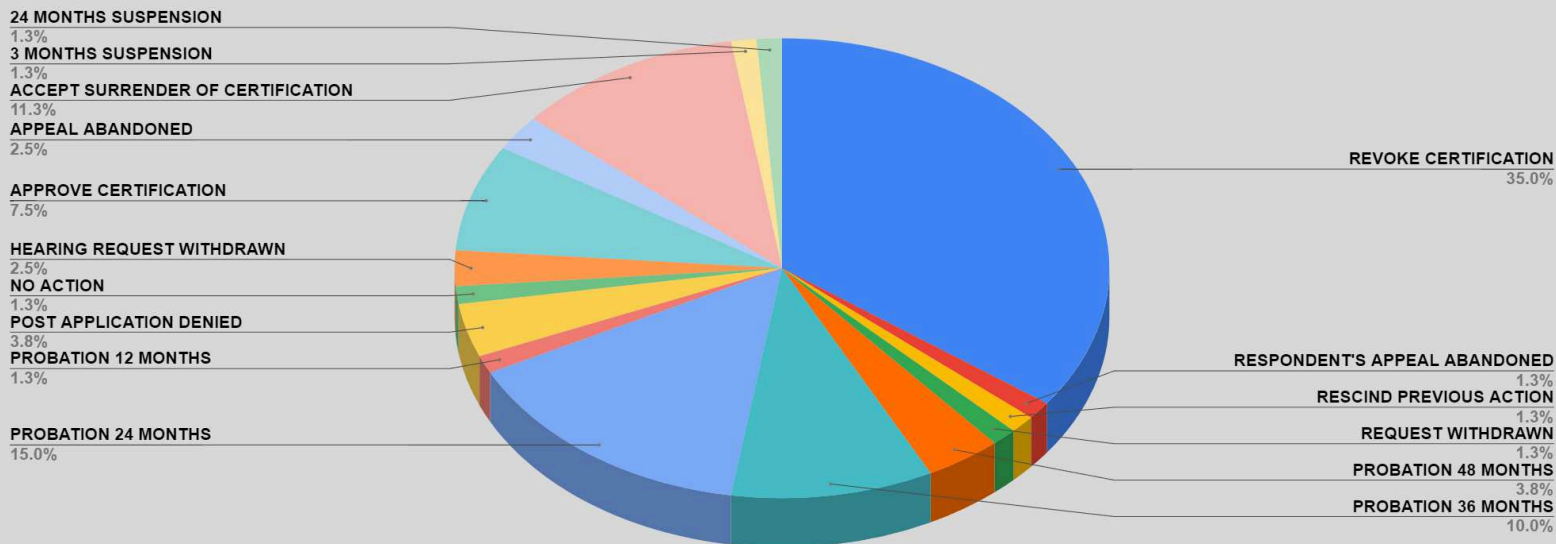


Viewing it by count allows many violations to become much more pronounced. Deceptive in an Internal Investigation easily leads the number one spot at 18.4% followed by Conduct Unbecoming of An Officer at 11.3%. Following in third is Driving Under the Influence at 6.7% and fourth False Statements and Writings at 6.6%. Aggravated Assault finished out fifth at 5.2%.

After these cases are opened what sanctions does Georgia POST generally dispense? Of the 1,620 GA POST (Police) individual records provided over the study period 2018 - 2022; 80 showed a record of action taken by the POST Council after they revoked the certification. This means that 4.94% of cases over this time period showed a record of the sanction delivered by the POST Council apart from revocation. This is often because GA POST already had a sanction on

an individual which they either violated the conditions of or committed another offense leading to their decertification. The following chart displays the data of these sanctions.

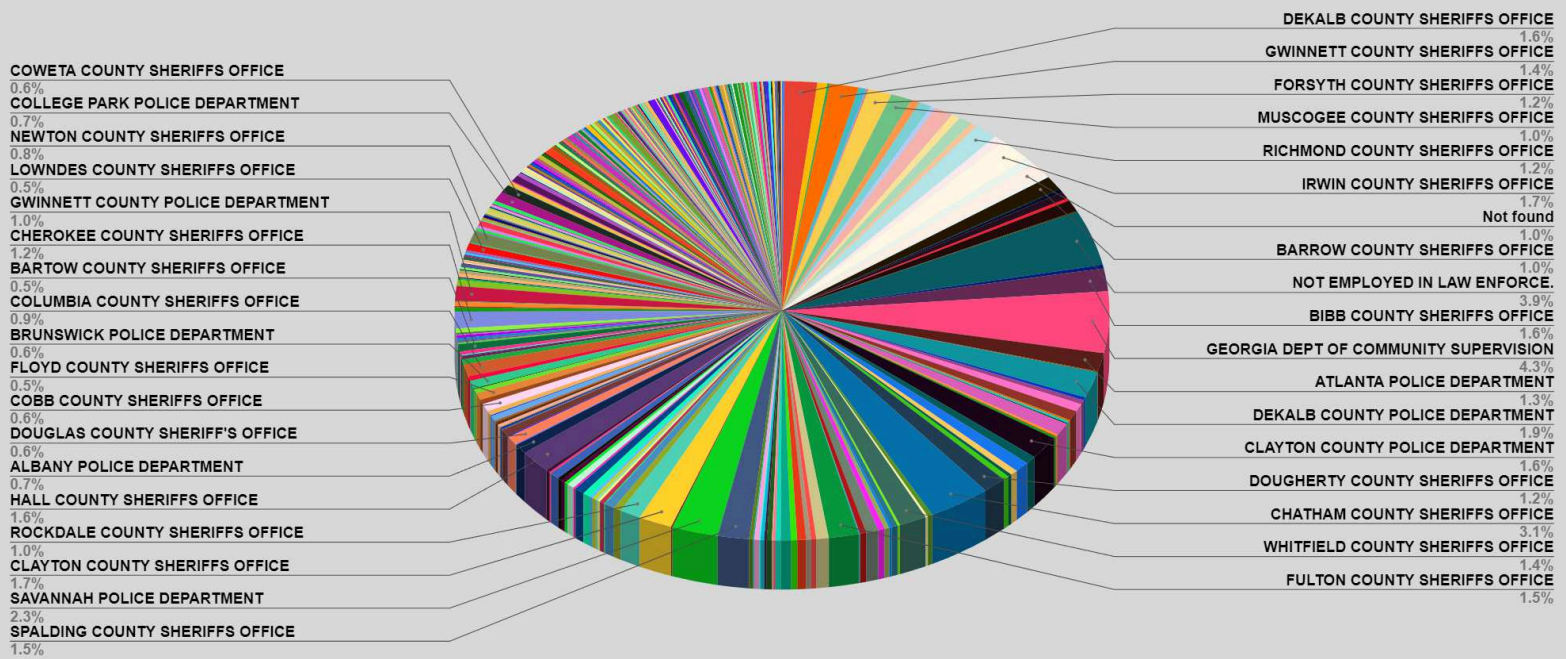
Georgia POST Sanction After Council Revoke 2018 - 2022



It is clear to see that Revoke Certification comes in at the number one spot at 35.0%. This is followed by Probation - 24 Months at 15.0% and Accept Surrender of Certification at 11.3% in third.

The following pie chart shows a breakdown of the percentage decertified in Georgia over our study period by agency. It can be seen that the largest share of decertified officers come from the largest agencies in the state.

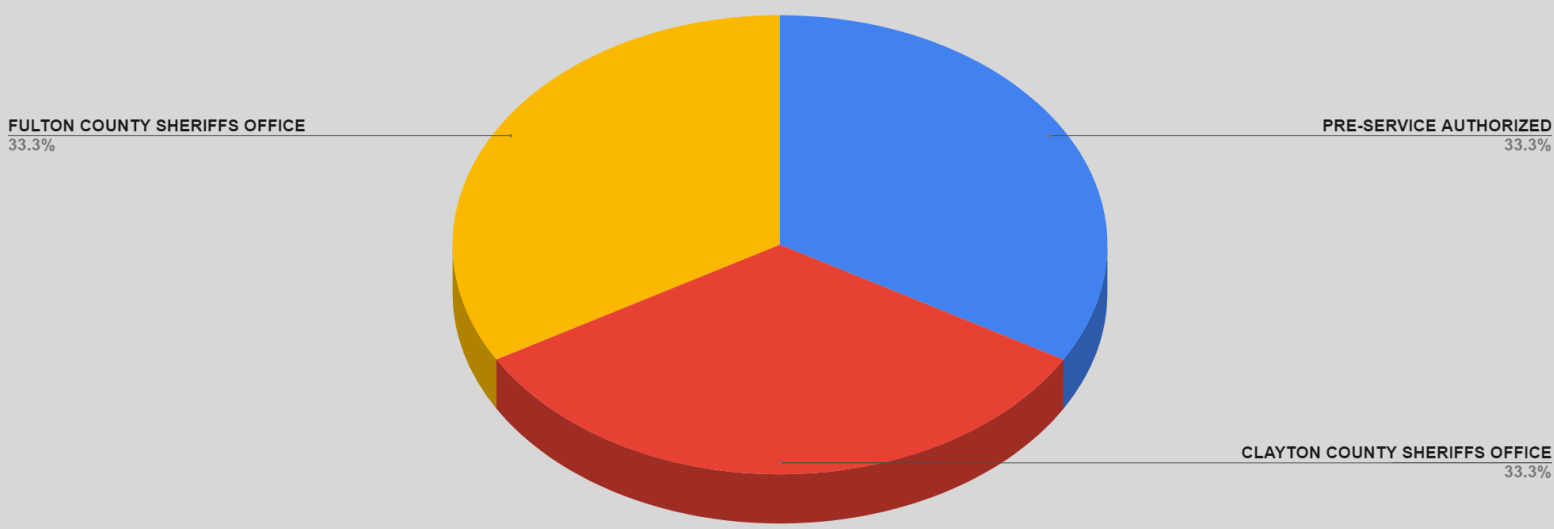
Georgia POST Decertifications by Investigation Employing Agency 2018 - 2022



The highest percentage at 4.3% is that of the Georgia Department of Community Supervision who are peace officers responsible primarily for probation and parole throughout the state. The second highest percentage at 3.9% are those Not Employed in Law Enforcement. Meaning these officers may have been fired before an investigation into their certification, they are between jobs at law enforcement agencies and still have a certification, or they are pre-service in the police academy and have not yet been hired by an agency. Chatham County Sheriff's Office comes in third at 3.1% followed by Savannah Police Department at 2.3% in fourth, and the Dekalb County Police Department at 1.9% in fifth place.

Of the 1,620 GA POST (Police) individual decertification records provided over the study period 2018 - 2022; only 2 had a current employer listed. This means that 0.12% of officers after their POST decertification were listed as still being employed by an agency. This may also be due to a lack of housecleaning on the part of agencies logging into their agency POST profiles and removing these officers since GA POST does not typically do that for agencies. Officers can be fired from agencies and still appear as employed on the POST profile if the agency administrators forget to remove the officer. The pie chart below displays each agency as a percentage.

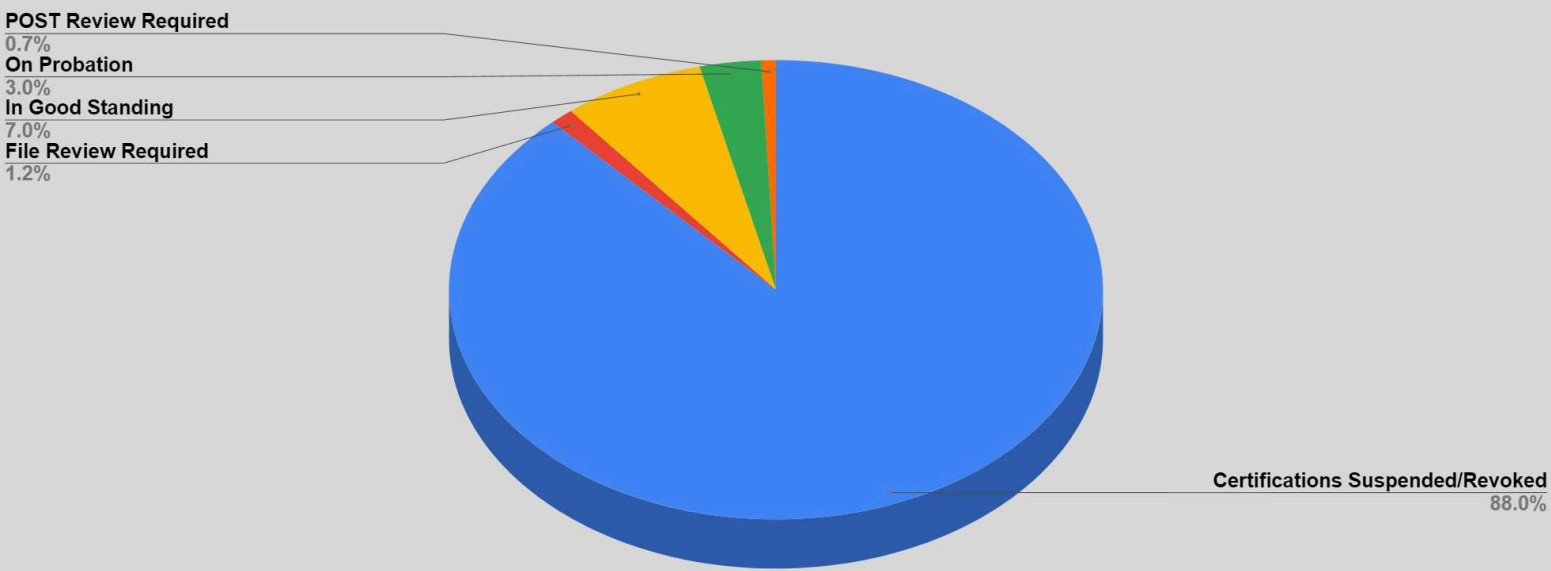
Georgia POST Decertifications by Current Employer 2018 - 2022



Fulton County Sheriff’s Office and Clayton County Sheriff’s Office were the only two still showing officers employed after decertification.

Each of the 1,620 GA POST cases had a current status for that officer and the chart below illustrates the breakdown of this status as a percentage.

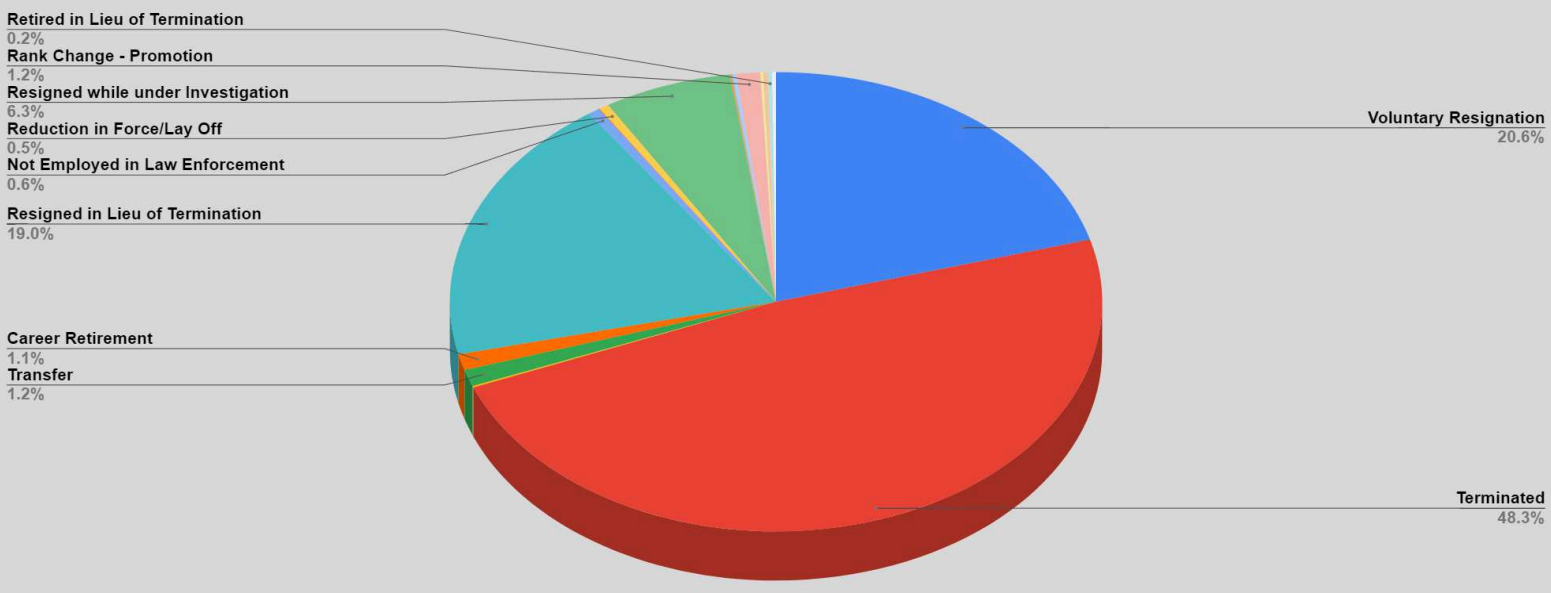
Georgia POST Decertifications by Current Status 2018 - 2022



This data shows that the majority of Georgia POST cases over the five year study period resulted in a Certifications Suspended/Revoked at 88.0%. Only 7% of cases resolved with the police officer’s certification In Good Standing. A POST Review Required status typically means that POST is currently investigating an officer. This happens automatically as well when an officer is terminated or resigns in lieu of termination. Additionally, an officer's certification, as in other states, will be forfeit if they do not maintain their minimum training standards: “Beginning January 1, 2013, POST shall review the status of each officer's training record in accordance with O.C.G.A. 35-8-21. A review will be made of the officer's previous calendar year training. Any peace officer who does not fulfill the training requirements of this Code section shall lose his power of arrest and POST shall issue a suspension of their certification as provided in O.C.G.A. 35-8-7.1(b)(1).” (Ga. Comp. R. & Regs. R. 464-5-.20, 2023, p.1)

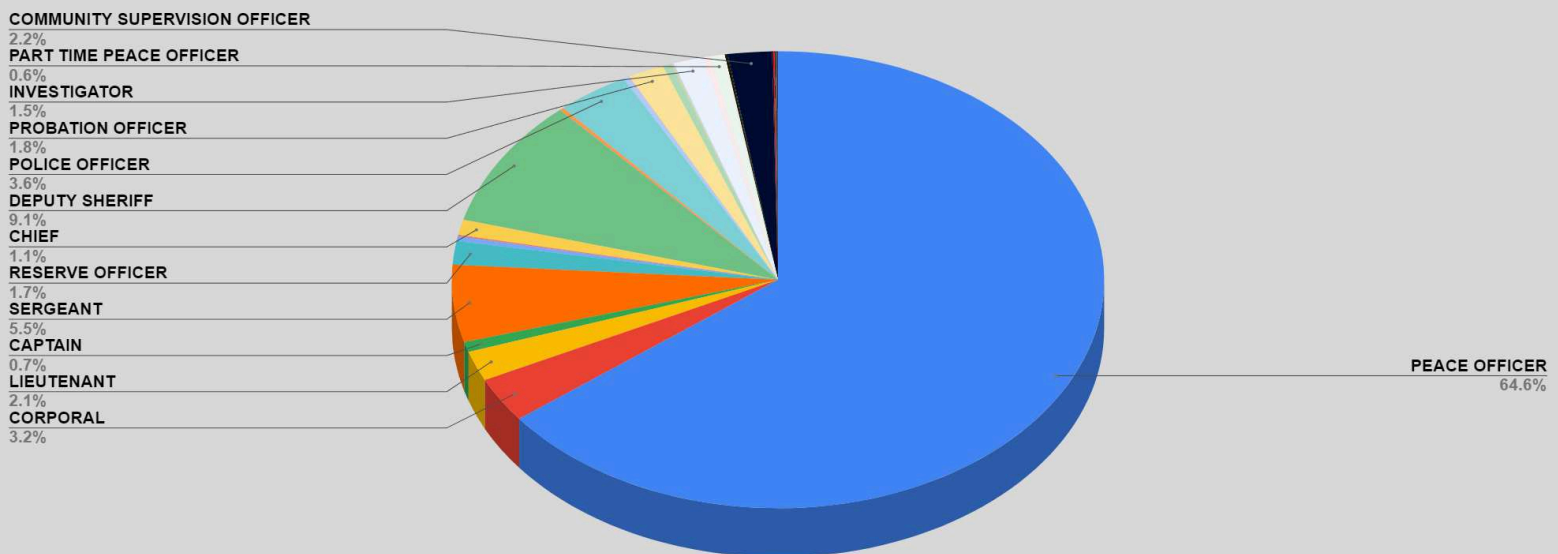
In the data provided by Georgia POST was additional historical case data from 1924 - 2024. This data was not as complete as the data set did not contain the current status of the certification and could not be sorted by Certifications Suspended/Revoked. However, other data set information was contained such as rank and status leaving the law enforcement agency that was not present on previous data sets. This data set was missing much of the more current decertification records from the 2020's so it was used only to provide some useful historical trends that are analyzed below. This data set contained a total of 11,272 records which filtered down into 5,203 police records when corrections were removed. This means that 46.16% of this historical data appeared to be law enforcement officers decertified. This is in line with the study results mentioned previously from 2018 - 2022 with a 48.75% police officer portion decertified of the total decertification record. The decertification data set from 1924 - 2024 is depicted below by status of the officer, i.e. how the officer left the agency.

Georgia POST Decertified by Status 1924 - 2024



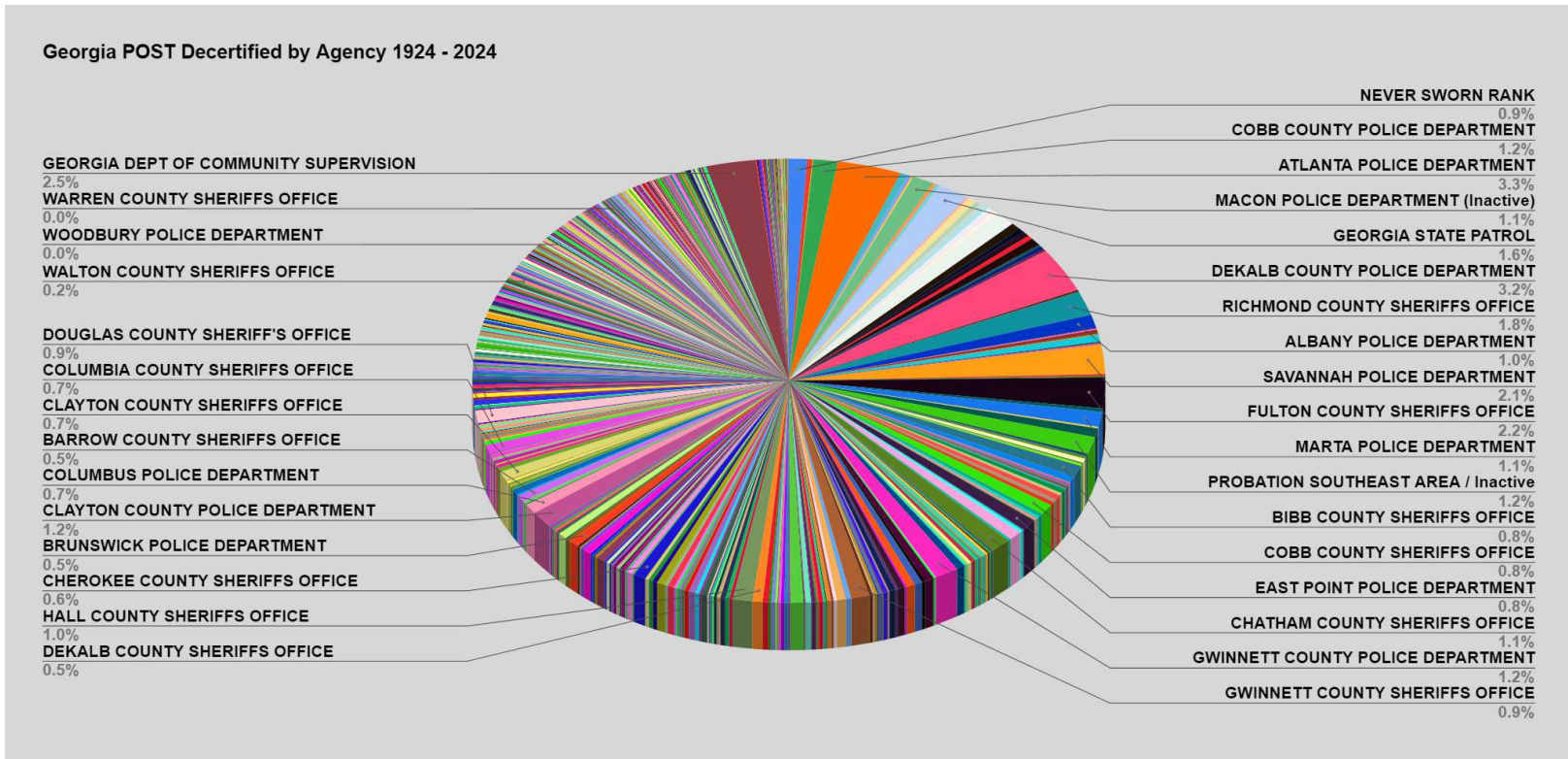
Termination is the clear pathway for most agencies at 48.3%. Voluntary Resignation comes in a distant second place at 20.6%. It should be noted that Georgia POST automatically investigates any officer in the state that is either terminated by their agency or resigned in lieu of termination (19.%). The most alarming statistic on this chart is that of the 61 officers (1.2%) that were given promotions before their certifications were revoked. Though of course, however unlikely, Georgia POST could have revoked their certification without the agency knowing, though this is unheard of. A separate intriguing data set is that of the rank of the officers when their certifications were revoked. The following chart displays this data by percentage.

Georgia POST Decertified by Rank 1924 - 2024



As one might expect, most officers that are decertified in Georgia do not have rank at 64.6%. One would hope agencies would only promote the best officers under their command. Deputy Sheriff's come in at a distant second at 9.1%. It should be noted that in the GA POST portal some sheriff offices list their deputies as "peace officers" instead of "deputy sheriff" so this data

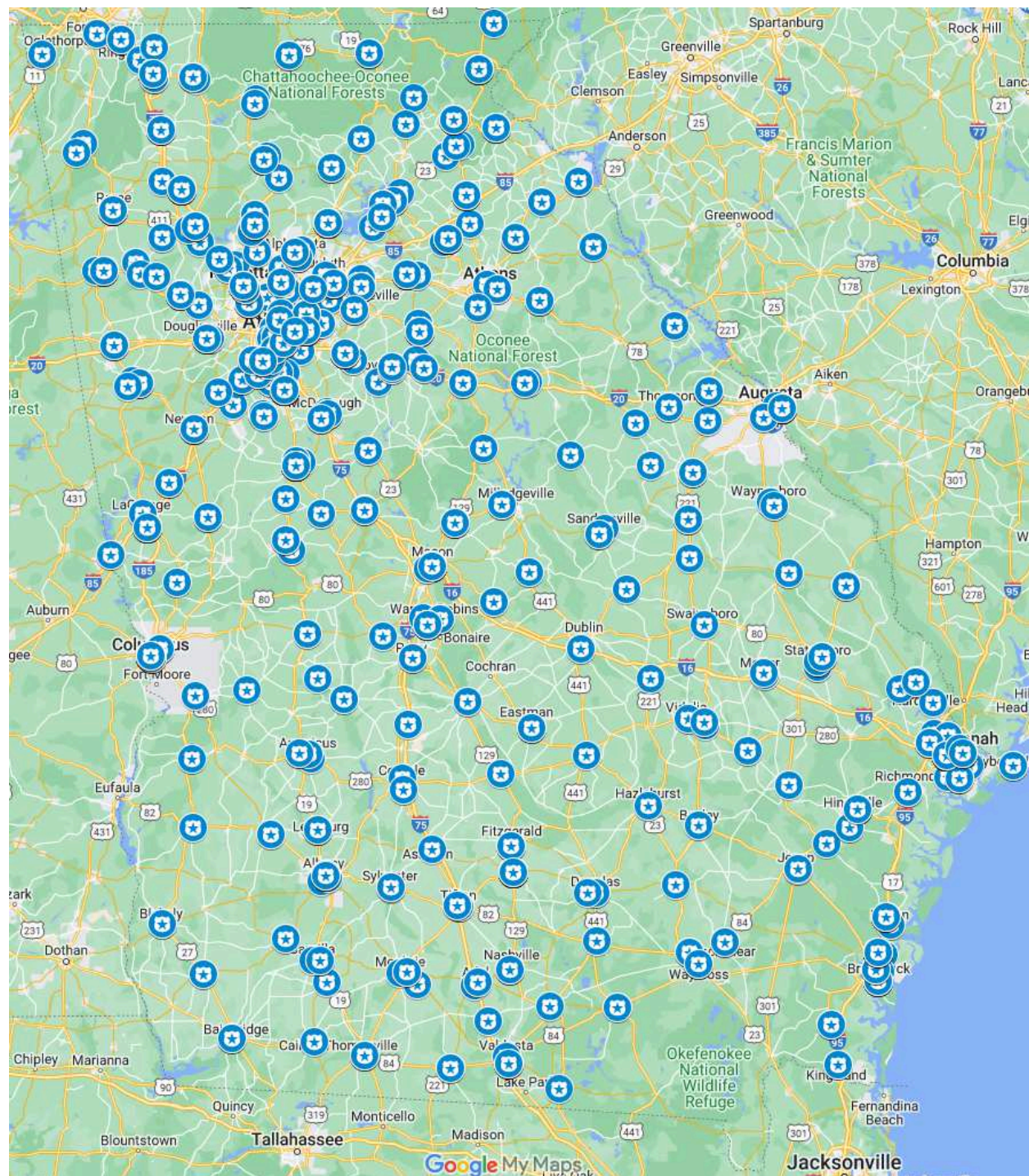
depends upon how the local agency administrators enter it. Sliding into third are Sergeants at 5.5%. Another perspective is to look at these 5,203 revocations by the last agency that employed them before their certification was revoked. This perspective produces the following chart.



There is a relatively even dispersal of decertifications with the Atlanta Police Department leading at 3.3%. Dekalb County Police Department comes in at a close second at 3.2% and the Department of Community Supervision in third at 2.5%. The Fulton County Sheriff’s Office follows in fourth at 2.2% and the Savannah Police Department at fifth with 2.1%. It is easy to see that the Atlanta metro area dominates decertification as would be expected for the high concentration of law enforcement agencies in that region.

Below is a map image and link to the detailed map of Georgia showing each officer's POST 1,620 cases over the years 2018 - 2022 by the location of their agency. It can be seen that the population centers of the state show more POST case statistics than less population regions

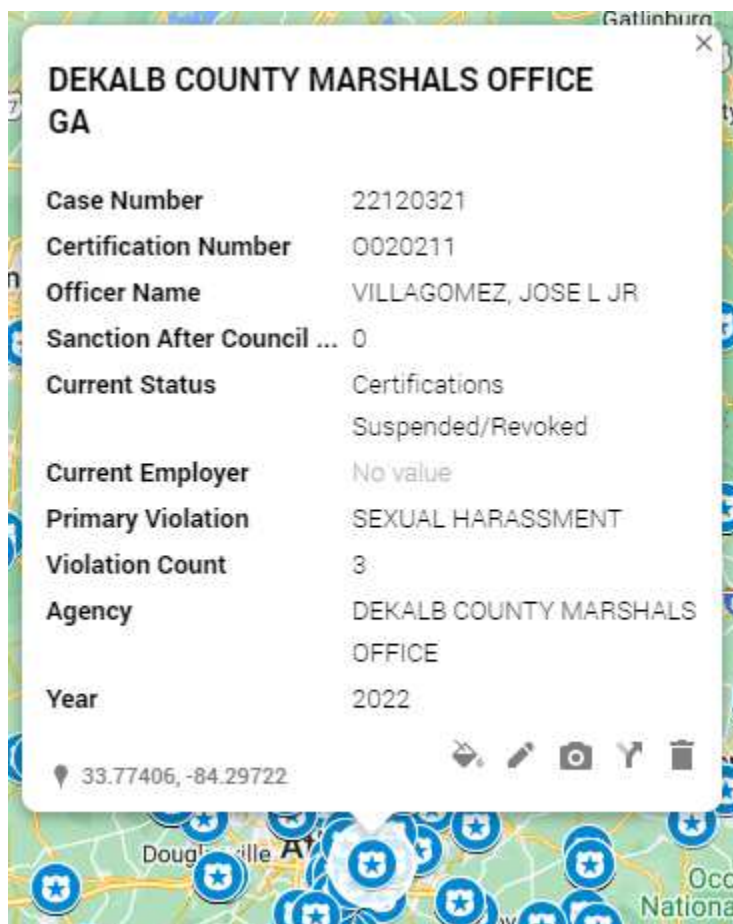
of the state as would be expected with more officers in more populated areas, though rural regions are still thoroughly populated with cases.



To view the details of each individual occurrence the map can be viewed at this link:

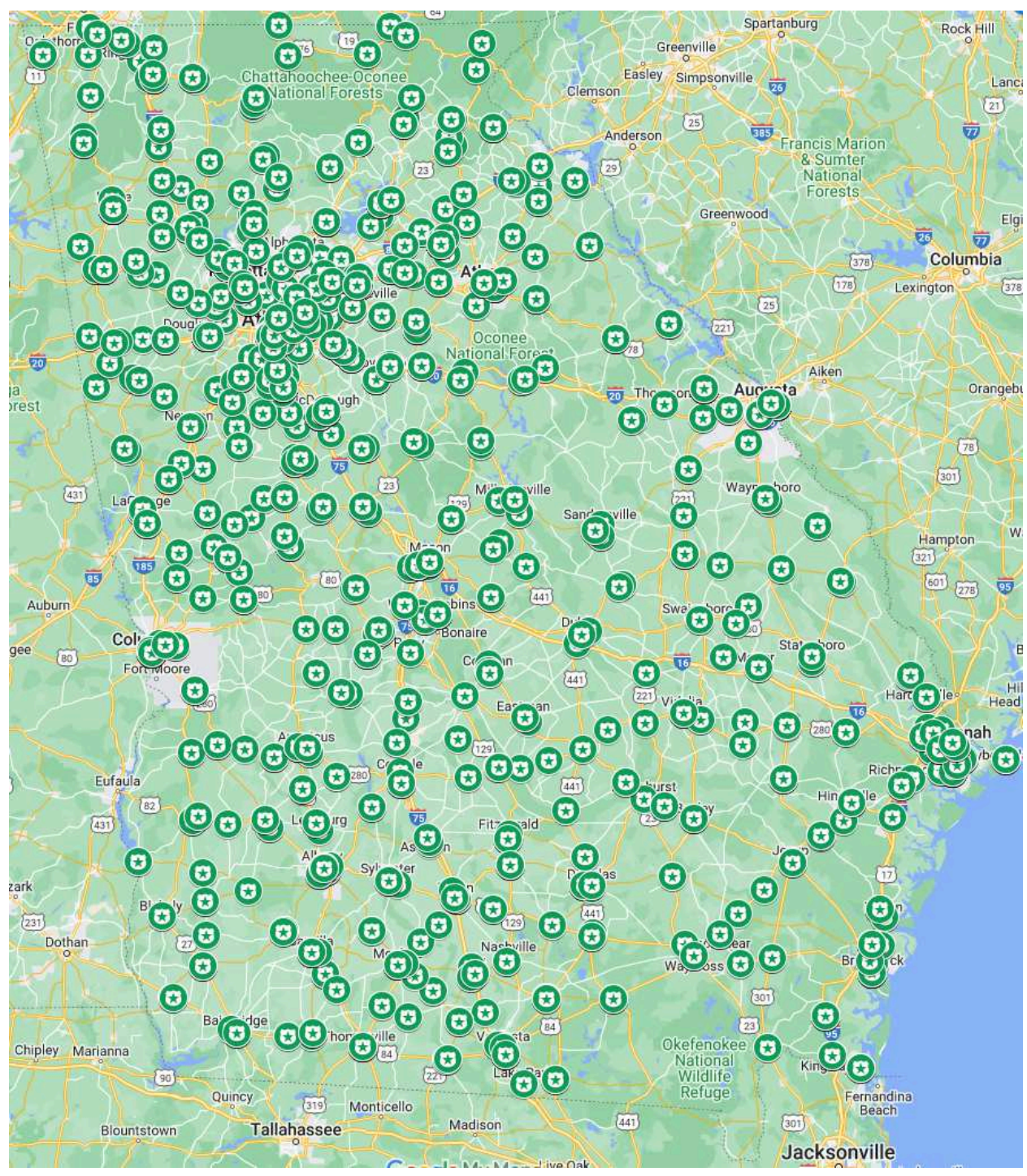
<https://www.google.com/maps/d/u/0/edit?mid=1Q8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=sharing>

Below is an image sample of this data presented on this map.



It should be remembered that for all this mapped data some locations of state agencies may not represent the area or region from which the officer was decertified. For example if a state trooper from the southeast part of the state is decertified the location data will still be mapped to the Georgia State Patrol headquarters in Atlanta. Below is a map image and link to the detailed map of Georgia showing each officer's POST decertifications over the years 1924 - 2016 by the location of their agency. It can be seen that the population centers of the state show more POST

case statistics than less population regions of the state as would be expected with more officers in more populated areas, though rural regions are still thoroughly populated with cases.



This map is more heavily populated with nearly 4,000 individual data points and the demographic shift around the population centers is still obvious.

To view the details of each individual occurrence the map can be viewed at this link:

<https://www.google.com/maps/d/edit?mid=1mRmVkaMZuJfX9Ode2a4Ulo5OZAjYoj0&usp=sharing>

Below is an image sample of this data presented on this map.



**Georgia Decertification Process**

The decertification process for the state of Georgia starts with a complaint to the Georgia Peace Officer Standard and Training Council either filed by the employing agency, or an outside party. These can be filed anonymously. GA POST automatically investigates officers that are

terminated from their agency or resigned in lieu of termination. These complaints are then routed to the Investigation Division consisting of only 12 investigators and one director covering a total of 12 districts. It should be noted that the authority of POST only governs the civil process of issuing certifications and decertifying those same individual certifications. They do not have authority to criminally charge any officer for conduct though many of their staff are sworn. Criminal issues are passed to the Georgia Bureau of Investigation often if the local agency does not choose to get involved to arrest their own officer on criminal charges if applicable. Once the investigator has compiled all the facts they can gather about the incident they present it to the POST Council for a decision. The POST Council is made up of the following:

“The Georgia Peace Officer Standards and Training Council shall consist of twenty-two (22) voting members and five (5) advisory members.(a) The following eleven (11) members shall be ex officio members of the council, as full voting members by reason of their office:

1. An appointee of the Governor who is not the Attorney General;
2. The Commissioner of the Department of Public Safety of his/ her designee;
3. The President of the Association of Chiefs of Police or his/her designee;
4. The President of the Georgia Sheriffs’ Association or his/her designee;
5. The President of the Georgia Municipal Association or his/her designee;
6. The President of the Association County Commissioners of Georgia or his/her designee;
7. The President of the Peace Officers’ Association of Georgia or his/her designee;
8. The Commissioner of the Department of Corrections or his/her designee;
9. The Chairman of the State Board of Pardons and Paroles or his/her designee;
10. The President of the Georgia Prison Wardens’ Association or his/her designee;
11. The Director of Investigations of the Georgia Bureau of Investigation or his/her designee;

(b) Six (6) members shall be appointed by the Governor for terms of four years, their initial appointments. Appointments shall be made so that there are always on the Council the following persons:

1. One chief of police;
2. Two municipal police officers other than a chief of police;
3. One county sheriff;
4. One city manager or mayor;
5. One county commissioner;
6. No person shall serve beyond the time he/she holds the office or employment by reason which he/she was initially eligible for appointment. Vacancies shall be filled in the same manner as the original appointment and successors shall serve for the unexpired term. Any member may be appointed for additional terms.

(c) Two (2) members who are peace officers shall be appointed by the Governor for terms of four (4) years:

1. Neither person shall serve beyond the time he/she is actively employed or serves as a peace officer. Vacancies shall be filled in the same manner as the original appointment, and successors shall serve for the unexpired term.

(d) Five (5) Advisory members appointed by the Council shall serve on the Council in an advisory capacity only without voting privileges;" (Ga. Comp. R. & Regs. R. 464-1-.02

Authority: O.C.G.A. Secs. 35-8-7, 35A-3)

This is a varied group of public administrators from across disciplines and with a thorough background to be able to comprehensively make these critical decisions. GA POST goes on to state that "POST Investigators are assigned cases of involuntary officer terminations,

suspensions of more than 30 days, and alleged criminal involvement of any officer. At the conclusion of the investigation, the investigator makes a report to POST. This report is reviewed and may be submitted to the Probable Cause Committee (PCC) for further action/recommendation. The PCC recommendation to Council may include:

Revocation of Certification, Suspension of Certification, Probation, Other Sanctions as Permitted by Law (O.C.G.A. 35-8-7.1(11))” (Georgia POST, 2024, p. 1)

"Revoke" (Revocation) means an action taken by the Council whereby the certification or registration of an officer is canceled and the officer shall no longer perform the functions of a certified officer.

"Suspend" (Suspension) means an action taken by the Council whereby the certification or registration of a peace officer is temporarily discontinued and the officer shall not perform the functions of an officer during the period the certification or registration is temporarily discontinued.

"Convicted of Sufficient Misdemeanors to Establish a Pattern of Disregard For the Law" means conviction of that quantity and/or quality of misdemeanors that warrant a sanction or revocation of a certificate of a certified officer or exempt person. The term conviction means a finding or verdict of guilt, a plea of guilty or a plea of nolo contendere regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. Conviction of minor traffic offenses shall not be considered by the Council and the Council shall not consider other offenses involving the operation of a motor vehicle where the applicant received a pardon.

"Unprofessional Conduct", for the purposes of imposing discipline under the Georgia Peace Officer Standards and Training Act, includes any departure from or failure to conform to the minimum standards of acceptable and prevailing practice of a peace officer. Acts of

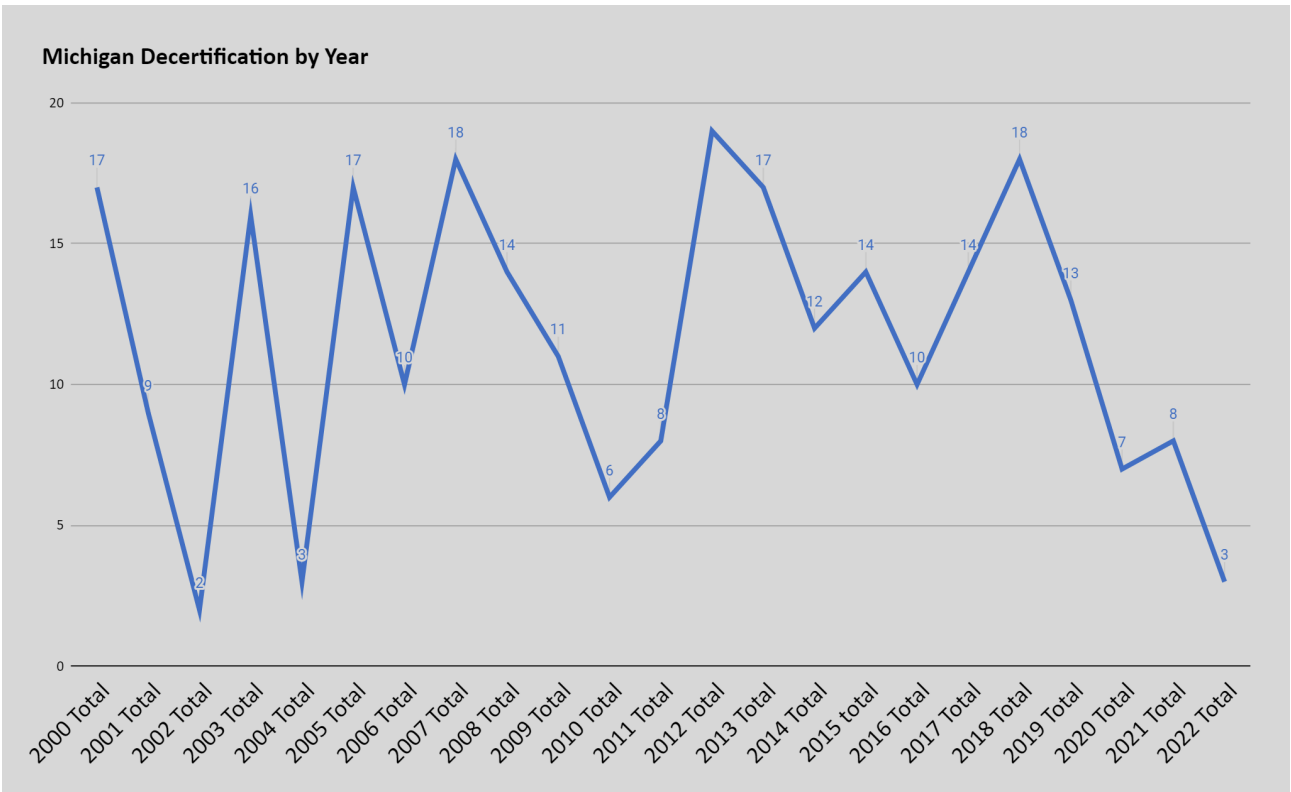
unprofessional conduct may include, but are not limited to, driving under the influence of alcohol or drugs; possession of marijuana or controlled substance; the failure to notify the Council of arrests and convictions; the failure to comply with a condition of probation or suspension imposed by the Council; the refusal to test for, or obtaining a positive test result for marijuana or controlled substance; and the conviction of a misdemeanor in the courts of this state or any other state, territory, country, or of the United States. The term "conviction" shall have the same meaning as set forth in O.C.G.A. § 35-8-7.1(a)(3). This rule shall not serve to limit the Council from examining any allegations of misconduct.” (Rules and Regulations of the State of GA, 2024, p.1)

This blurb from GA POST notes revocation which is interpreted in their data as decertification. Suspensions are temporary withholds of the privileges of a certification and probation is not a typical probation thought of by civilians. A probationary status for a certification typically includes fine amounts that must be paid and remedial training that must be accomplished before the certification is restored. GA POST can also issue a Public Reprimand which shows on their POST record. In some cases GA POST will determine that the actions that the agency took were sufficient discipline, up to and including termination, and will not levy any additional sanctions on an officer's certification.

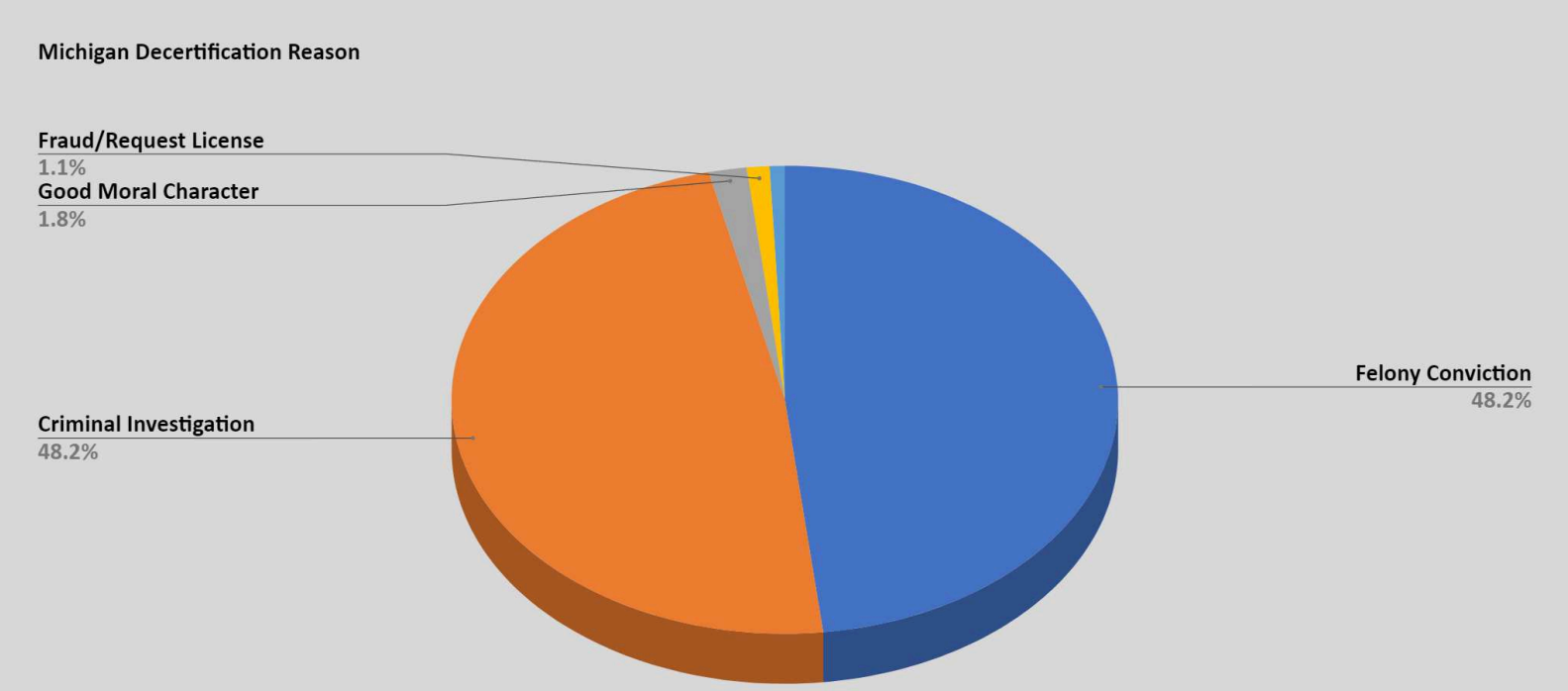
## **Michigan Decertification**

### **Michigan Decertification Data**

Michigan handles peace officer certification and decertification through their Michigan Commission on Law Enforcement Standards or MCOLES (2024a). They provided data not only of the years requested from 2018 - 2022 but from 2000 - 2022. The total decertifications by year are presented in the graph below.

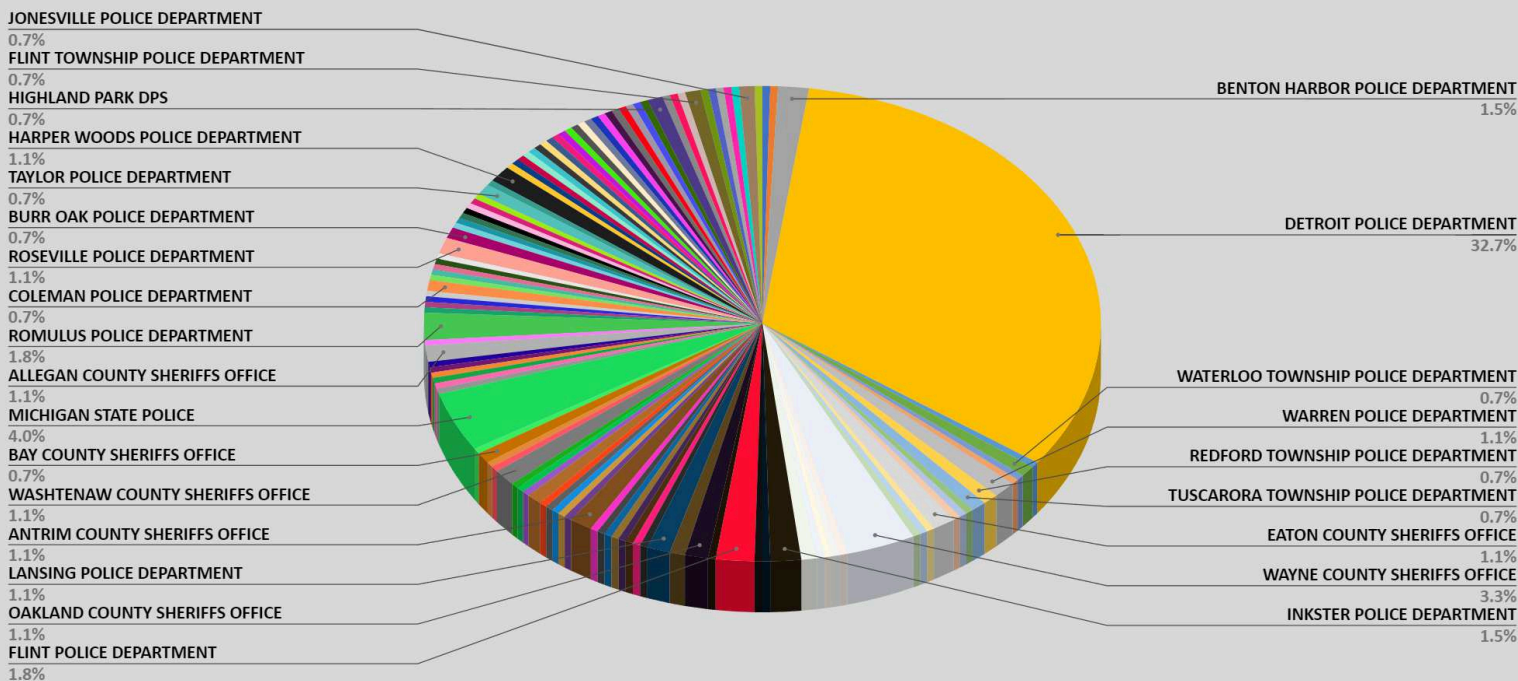


This may seem like wild variations in the numbers but this is a very small number of decertified officers with no year surpassing 20 officers decertified out of the 18,193 police officers in the state as of the 2018 BJS Census. As far as the reasons for which these officers are decertified, the pie chart below will describe this.



Felony Conviction is tied with criminal investigation at the majority of reasons for decertification followed by Good Moral Character, Fraud/Request License, and Separation of Service Review. In Michigan individuals it appears are not decertified unless they have been convicted of a felony or are under a serious criminal investigation. When these decertifications are broken down by agency the following pie chart is realized. It is plain to see that the Detroit Police Department easily takes the lead in decertified officers followed distantly by the Michigan State Police.

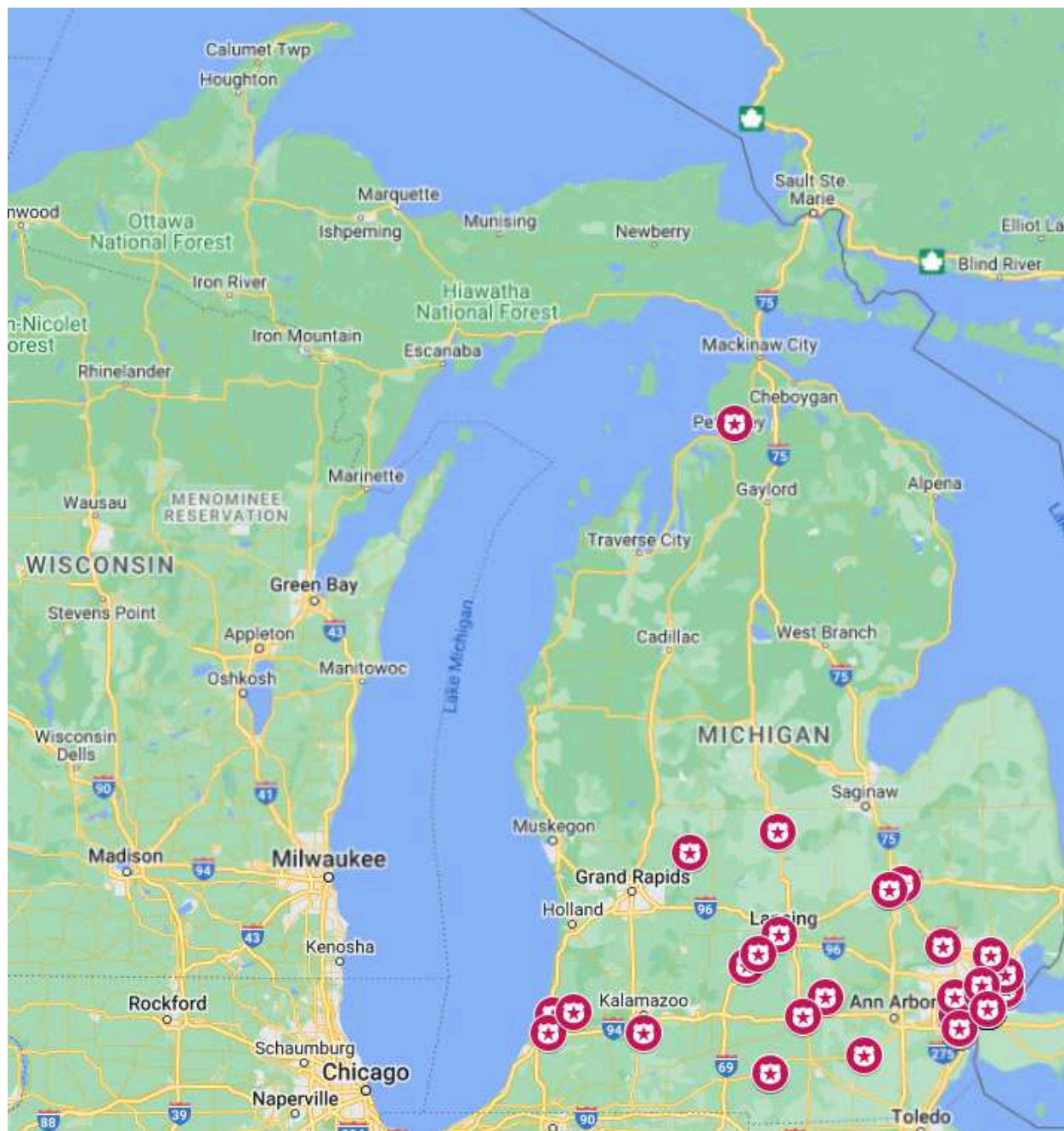
Michigan Decertification by Last/Current Agency



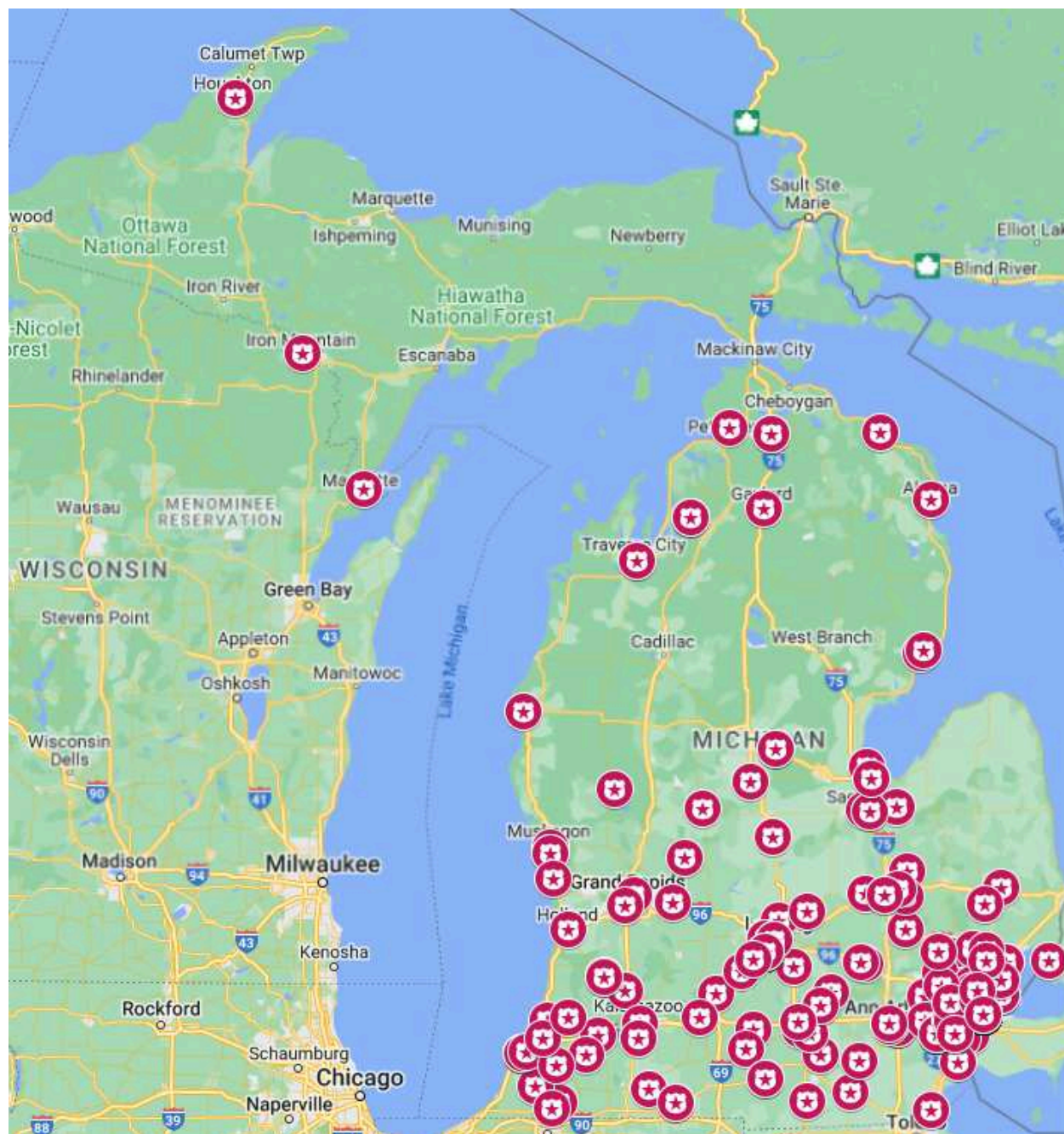
If we map this data geographically we can see that this trend holds from the pie chart above showing a higher concentration of decertified officers around the highly populated Detroit area

of Michigan. Each location on the map shown is pinned at the agency location where a decertification occurred. This map only shows the data from the study of 2018 - 2022. More information is attached to each map pin and can be found at the link below. To access the map click the following link:

<https://www.google.com/maps/d/u/0/edit?mid=1O8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=sharing>

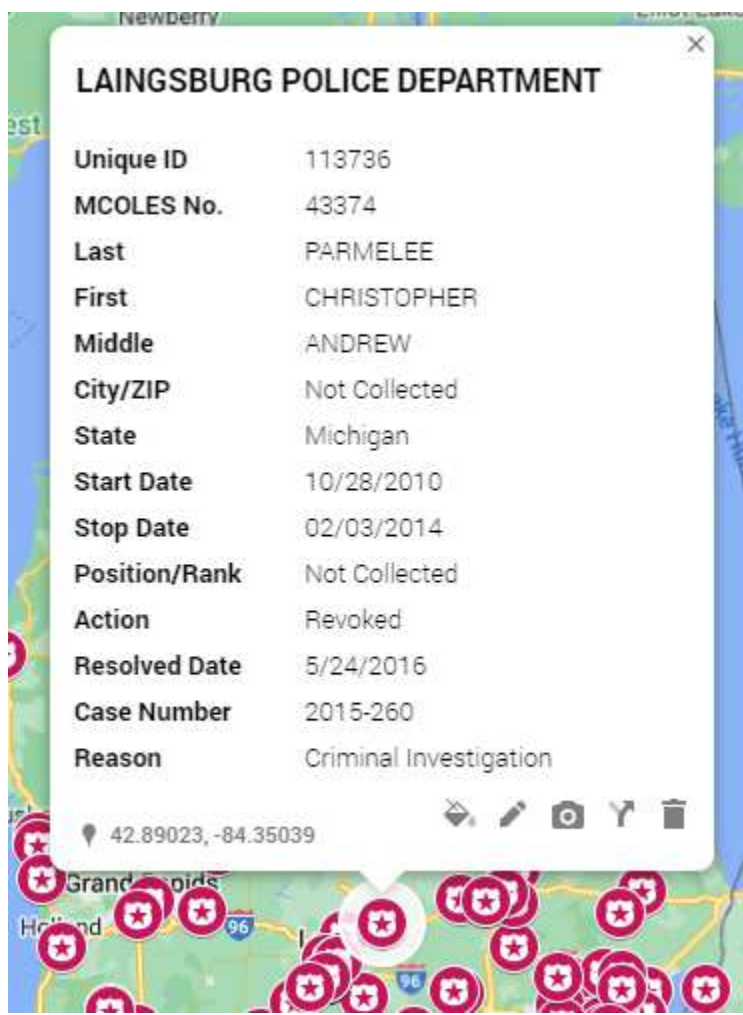


The next map shows the entire period for which data was received from 2000 - 2022.



As we can see there are very few officers decertified in the upper peninsula of Michigan and north end of the southern peninsula. The heavy focus is on the population centers of the southern end of the south peninsula. See the map link above for a detailed individual report of the data

collected and shown at each location. The following image is a sample of the data provided and collated in each pinned location.



### Michigan Decertification Process

Michigan’s version of a POST council is their MCOLES Commissioners. They have similar experts from across the law enforcement field that serve as voting members of this commission. This is the following list of those serving:

Commissioner	Representing
Kimberly Koster, Chair Term Expires: December 31, 2025	Michigan Association of Chiefs of Police
Sheriff Anthony Wickersham, Vice Chair Term Expires: December 31, 2027	Michigan Sheriffs Association
Col. James F. Grady II, Commissioner Represented by Lt. Col. Michael Krumm Ex-officio	Michigan State Police
Attorney General Dana Nessel, Commissioner Represented by Mr. David Tanay Ex-officio	Office of Attorney General
Sheriff Matthew M. Saxton, Commissioner Term Expires: December 31, 2025	Michigan Sheriffs Association
Mr. Ken Grabowski, Commissioner Term Expires: December 31, 2027	Police Officers Association of Michigan
Mr. Michael Sauger, Commissioner Term Expires: December 31, 2025	Fraternal Order of Police

Deputy Director Ronald L. Wiles, Commissioner Term Expires: December 31, 2025	Michigan Association of Chiefs of Police
Mr. Michael Wendling, Commissioner Term Expires: December 31, 2026	Prosecuting Attorneys Association of Michigan
Mr. Arthur Weiss, Commissioner Term Expires: December 31, 2025	Criminal Defense Attorneys of Michigan
Sheriff Gregory Zyburt, Commissioner Term Expires: December 31, 2026	Michigan Sheriffs Association
Chief Issa Shahin, Commissioner Term Expires: December 31, 2026	Michigan Association of Chiefs of Police
Lt. Mike Hawkins, Commissioner Term Expires: December 31, 2025	Michigan Association of Police
Mr. Jim Stachowski, Commissioner Term Expires: December 31, 2025	Police Officers Labor Council
Trooper Nate Johnson, Commissioner Term Expires: December 31, 2027	Michigan State Troopers Association

Chief James White, Commissioner Represented by 2nd Deputy Chief Grant Ha Ex-officio	Detroit Police Department
Ms. Linda Broden, Commissioner Term Expires: December 31, 2027	Detroit Police Officers Association
Ms. Chiante' Lymon, Commissioner Term Expires: December 31, 2026	Public Representative
Deputy Matthew Hartig, Commissioner Term Expires: December 23, 2026	Deputy Sheriffs Association of Michigan
Mr. John Johnson, Commissioner Represented by Anthony Lewis Term Expires: December 31, 2025	Residents of the State of Michigan
Pastor Tellis J. Chapman, Commissioner Term Expires: December 31, 2027	Residents of the State of Michigan
Pastor Jeffery A. Hawkins, Commissioner Term Expires: December 31, 2026	Residents of the State of Michigan
Dr. Lisa R. Jackson, Commissioner Term Expires: December 31, 2025	Residents of the State of Michigan
Mr. Timothy S. Bourgeois, MCOLES Executive Director	

(Michigan Commission on Law Enforcement Standards, 2024b, p. 1)

MCOLES provided a list of those decertified since September 2018 on their website and that number came to a grand total of 18 officers with an average period of 2 years from the time of the case beginning to the revocation by the date on the revocation letter (Michigan Commission on Law Enforcement Standards, 2024a). Some cases were resolved in one year while others took three. This seems a bit odd for a state with over 18,000 officers as of the last DOJ census. It appears that much of Michigan's "decertifications" happen as a result of officers voluntarily relinquishing their certification as evidenced in the minutes of one of the most recent MCOLES meetings in February of 2023. In this meeting Executive Director Bourgeois stated that three officers had relinquished their certifications after each had been charged with felonies. He noted that one additional officer faces the revocation of his certification pending the outcome of his case if he is found guilty of a crime requiring more than one year imprisonment (Michigan Commission on Law Enforcement Standards, 2024a). This typically means any felony count as misdemeanors typically require 365 days or less imprisonment. The minutes reflect that the Commissioners are reminded they must revoke any officer's certification that is convicted of more than one year imprisonment. Much of the time of this commission is spent on police academy matters as they have a multitude of functions and roles as do the POST offices of other states. In Michigan, revocation (decertification) appears to be a perfunctory mechanism utilized only if an officer stubbornly refuses to voluntarily relinquish their certification after felony charges are brought against them and they are found guilty in a court of law.

## Ohio Decertification

### Ohio Decertification Data

In Ohio the POST function is nestled within the Attorney General's Office connected to the Ohio Peace Officer Training Academy (OPOTA). They provided what data they had but noted that "our record is not maintained by date or voluntary surrender" (Peterson, 2023, p.1). Ohio provided a total of 562 decertifications with 53 of those being voluntary surrenders of certifications. Since there are no years present, no data can be drawn across years showing any trend analysis for the state of Ohio or any comparative data analysis with other states. However, since the powers of the Ohio Peace Officer Training Commission to revoke an officer's certification was established in 1997 the data can be presented as an average per year between the years of 1997 and the open record request served in 2023. This gives an average of 21.62 officers decertified per year in the 26 years the commission has been actively decertifying officers. According to the most recent DOJ census data Ohio has over 25,000 officers across the state making it comparable to Georgia's total state and local police officer counts. It should be noted that the Ohio Peace Officer Training Commission also governs the certifications of "private security, local corrections, jail personnel, bailiffs, and public defender investigators". (Ohio Attorney General, 2024) Though data on these certification was not requested as part of the open records request there is no delineator other than "officer name" in the dataset to show or suggest what type of certification was revoked or surrendered. Additionally, Ohio did not provide any data on the agency or department which officers worked for so mapping this data geographically was not possible, unlike other states.

### **Ohio Decertification Process**

The Ohio Peace Officer Training Commission is the official certifying body in Ohio and as is customary the commission, originally called council, was created in 1965 for the express purpose of standardizing and certifying law enforcement training across the state. Similarly to other states, the commission is made up of law enforcement professionals from across the state: “The commission consists of ten members appointed by the governor with the advice and consent of the Ohio Senate. Members serve three-year terms. The commission issues recommendations to the Attorney General about matters pertaining to law enforcement training. The Ohio Revised Code requires the commission's membership to consist of:

Two incumbent sheriffs.

Two incumbent chiefs of police.

One representative from the general public.

The special agent in charge of one of the field offices of the FBI.

A representative from the Ohio Bureau of Criminal Investigation.

A representative from the Ohio State Highway Patrol.

A member from the Ohio Department of Education, Trade and Industrial Education Services.

A representative of a Law Enforcement Fraternal Organization.”

(Ohio Attorney General, 2024, p.1).

According to Section 109.77 of the Ohio Revised Code (2023) the executive director of the commission is charged with the duties of revocation for the below listed offenses:

(F)(1) Regardless of whether the person has been awarded the certificate or has been classified as a peace officer prior to, on, or after October 16, 1996, the executive director

of the Ohio peace officer training commission shall revoke any certificate that has been awarded to a person as prescribed in this section if the person does either of the following:

(a) Pleads guilty to a felony committed on or after January 1, 1997;

(b) Pleads guilty to a misdemeanor committed on or after January 1, 1997, pursuant to a negotiated plea agreement as provided in division (D) of section 2929.43 of the Revised Code in which the person agrees to surrender the certificate awarded to the person under this section.

(2) The executive director of the commission shall suspend any certificate that has been awarded to a person as prescribed in this section if the person is convicted, after trial, of a felony committed on or after January 1, 1997. The executive director shall suspend the certificate pursuant to division (F)(2) of this section pending the outcome of an appeal by the person from that conviction to the highest court to which the appeal is taken or until the expiration of the period in which an appeal is required to be filed. If the person files an appeal that results in that person's acquittal of the felony or conviction of a misdemeanor, or in the dismissal of the felony charge against that person, the executive director shall reinstate the certificate awarded to the person under this section. If the person files an appeal from that person's conviction of the felony and the conviction is upheld by the highest court to which the appeal is taken or if the person does not file a timely appeal, the executive director shall revoke the certificate awarded to the person under this section.

(G)(1) If a person is awarded a certificate under this section and the certificate is revoked pursuant to division (E)(4) or (F) of this section, the person shall not be eligible to

receive, at any time, a certificate attesting to the person's satisfactory completion of a peace officer basic training program.

The Ohio Peace Officer Training Commission exercises the following duties and responsibilities in fulfilling their role and mission as charged to them by the Ohio Attorney General:

To fulfill its statutory responsibility and improve law enforcement training in Ohio, the commission may recommend to the Attorney General:

- Rules for approving peace officer, private security, corrections, public defender investigator, bailiff, canine, and firearms training and certification.
- The curriculum, minimum attendance, equipment and facility requirements necessary for approval of training programs.
- Minimum qualifications required for instructors at approved training sites.
- Categories or classifications of advanced in-service training programs for peace officers.
- Minimum requirements for the certification of canines used by law enforcement agencies.

The commission is also authorized to:

- Recommend studies, surveys, and reports designed to evaluate its own effectiveness.
- Visit and inspect any peace officer training school within the state.
- Establish fees for the services the commission provides.
- Make recommendations to the Attorney General or the General Assembly with respect to the fulfillment of its statutory responsibilities.
- Report progress to the Attorney General throughout the year and to the governor and the General Assembly annually. (Ohio Attorney General, 2024, p.1)

In their most recent meeting in November 2023 the commission is concerned about continuing education for peace officers and how thousands are falling behind and not completing their continued professional training (CPT) in a timely manner. It appears that similarly to Michigan, decertification is a more automatic and perfunctory measure levied after a felony has been committed and been found guilty. As the above code section mentions it is the responsibility of the executive director, not the entire commission body, to suspend the certification of an officer and then revoke said certification if no appeal is put forward or successful in dismissing the felony charges.

## **New York Decertification**

### **New York Decertification Data**

In New York, the New York State Division of Criminal Justice Services handled the open records request and responded with a link back to their website where they update an excel spreadsheet monthly of every decertified officer in their state and post it for public consumption. Of the states in this data set only New York and California posted their decertification data for public consumption without the need for an open records request, bringing a new level of transparency. Though California has their decertification list embedded in a sleek website, New York allows much more searchability and usability of their data by providing it in a spreadsheet format. New York state provides their decertification list here:

[https://www.criminaljustice.ny.gov/Officer\\_Decertification.htm](https://www.criminaljustice.ny.gov/Officer_Decertification.htm) The data they provided goes

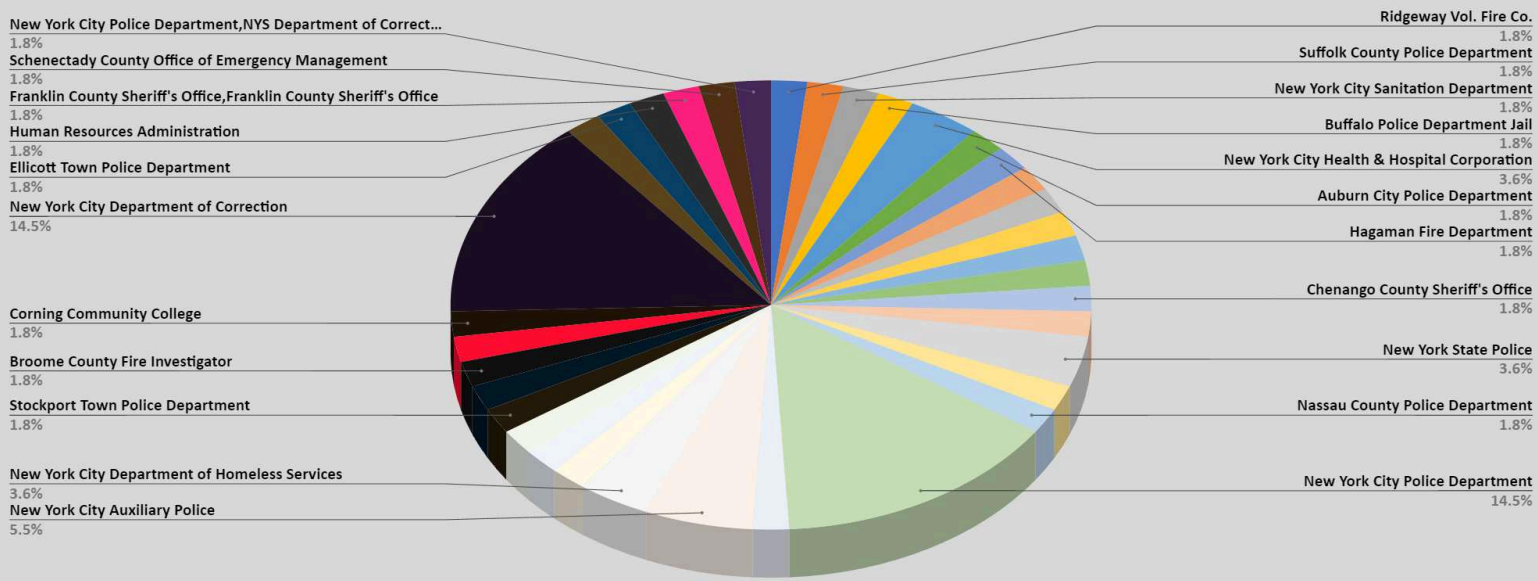
back to 2016 with one sole individual decertified in 2005 that is on their list. From this data the following trend emerges in the data seen in decertification by year in the line graph below.

NY Decertification Totals (All Decerts - Blue) Just Police with Correctional Officers Removed - Orange



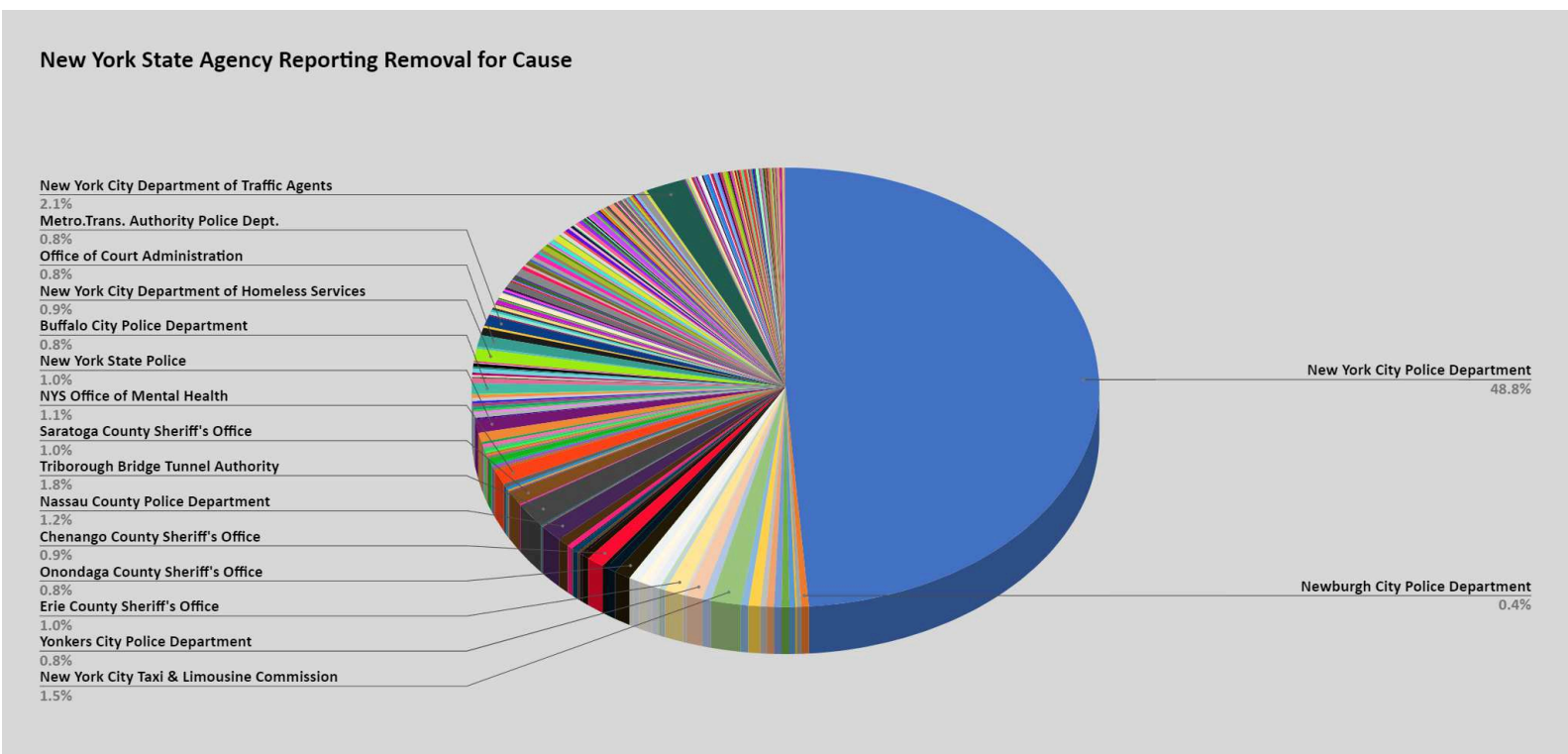
After this decertification process was started in New York in 2016 it ramped up quickly and remained at a steady rate, spiking and maintaining a higher decertification rate after the police reform activities post-George Floyd. As with Florida and Georgia, New York did not separate correctional officers and police officers and this data had to be parsed out before a better comparison could be drawn. It is interesting to see the 2023 statistics dip back down to near 2020 numbers. No doubt, more research is needed to determine the cause of this occurrence and only time will tell if this is a trend or singular outlying year in the data. Now, if this data is separated out by department, the following pie chart can be generated.

### New York State Decert. by Active Employer



It is easy to see that the largest police department in the United States, the NYPD, has the largest number of decertified officers. This data includes 2016 - 2023 decertification data. It is also clear that the New York City Department of Correction leads by a wide margin as well. In third place is the New York City Auxiliary Police at 5.5%. Fourth place is again tied with three-way tie among two New York City departments between the NYC Department of Homeless Services, the NYC Health and Hospital Corporation, and the New York State Police coming in at 3.6%. It should be noted that most of the data provided does not have an Active Employer and that this

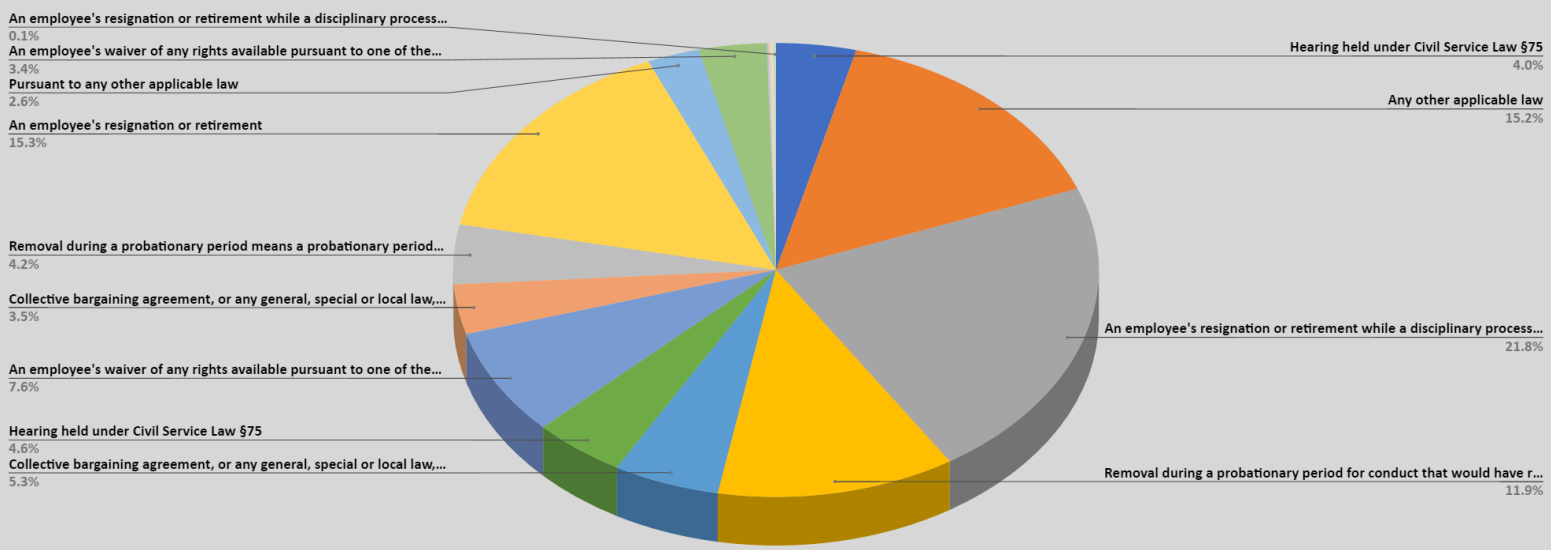
means most officers were already released from their positions at the time of decertification. Only 55 out of the 1300 individual decertification record entries showed an Active Employer. This data becomes a lot more one sided towards the NYPD when the data is analyzed by the reporting agency. This was the agency the officer worked at when the removal for cause (decertification) was reported.



The NYPD clearly dominates the decertification data with almost 50% of the decertifications belonging to their agency. New York City Department of Traffic Agents comes in at a distant 2.1% with Triborough Bridge Tunnel Authority finishing out third at 1.8%.

If this data is parsed into the reason for decertification or how New York terms it, removal for cause, the following pie chart may be generated:

### New York State Reason for Decertification

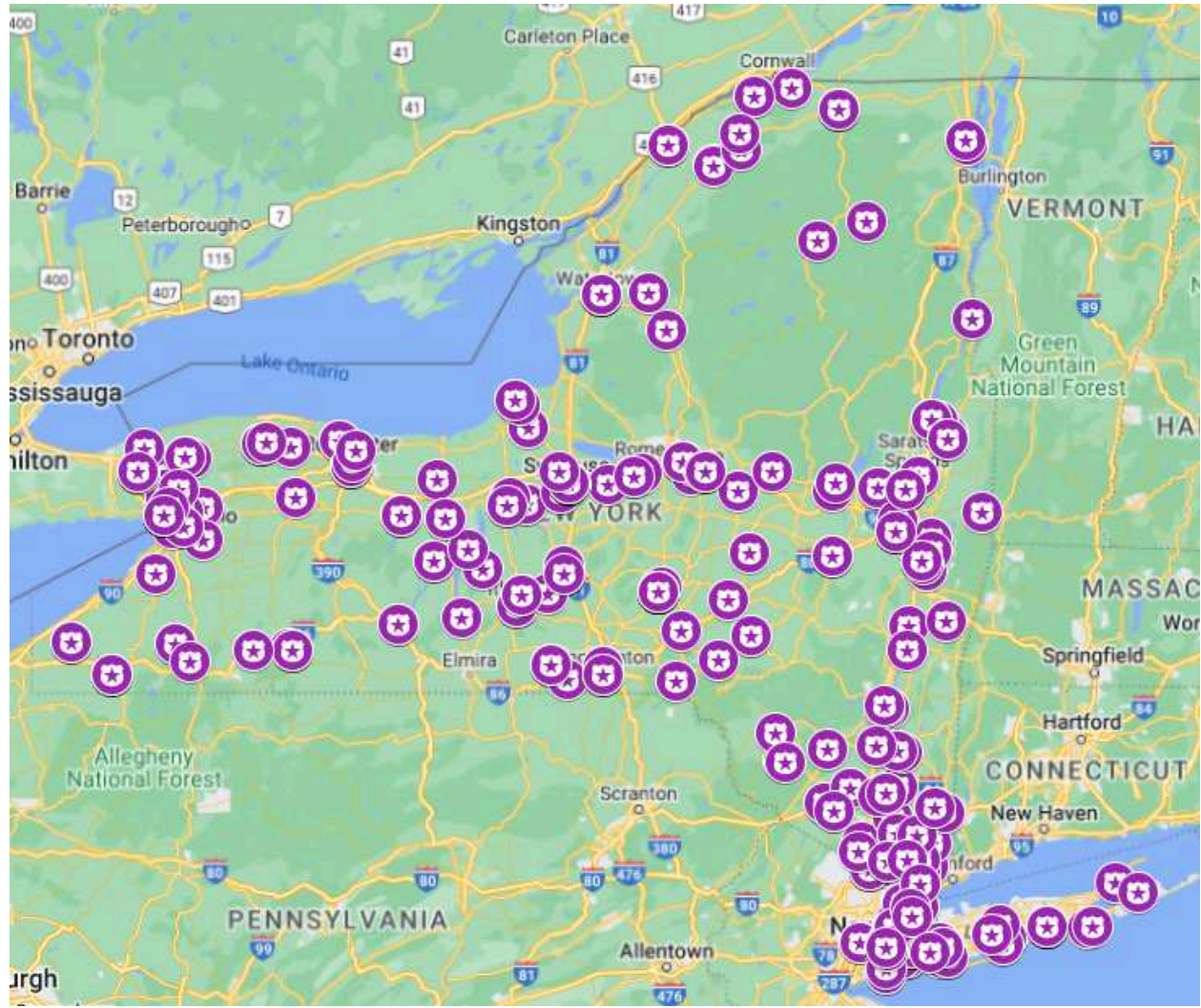


The top reason why police officers are decertified in New York is “An employee's resignation or retirement while a disciplinary process has commenced pursuant to 9 NYCRR §6056.2(g)(1)” (New York State Division of Criminal Justice Services, 2023, p.1) at 21.8%. It appears that most officers see the writing on the wall as it were and relinquish their certification before the state revokes it. The second most common reason for decertification is “An employee’s resignation or retirement” (New York State Division of Criminal Justice Services, 2023, p.1) at 15.3%. It must be noted that this is a separate code section under the law and falls under §6056.2(h)(2)(b). The

third most common reason is that of “Any other applicable law” (New York State Division of Criminal Justice Services, 2023, p.1) at 15.3%. This falls under code section §6056.2(g)(1)(c).

If this data is plotted by geographic location by the police department from 2016 - 2023 that the offending officer originated from the following map may be generated. To access this map go to the following link:

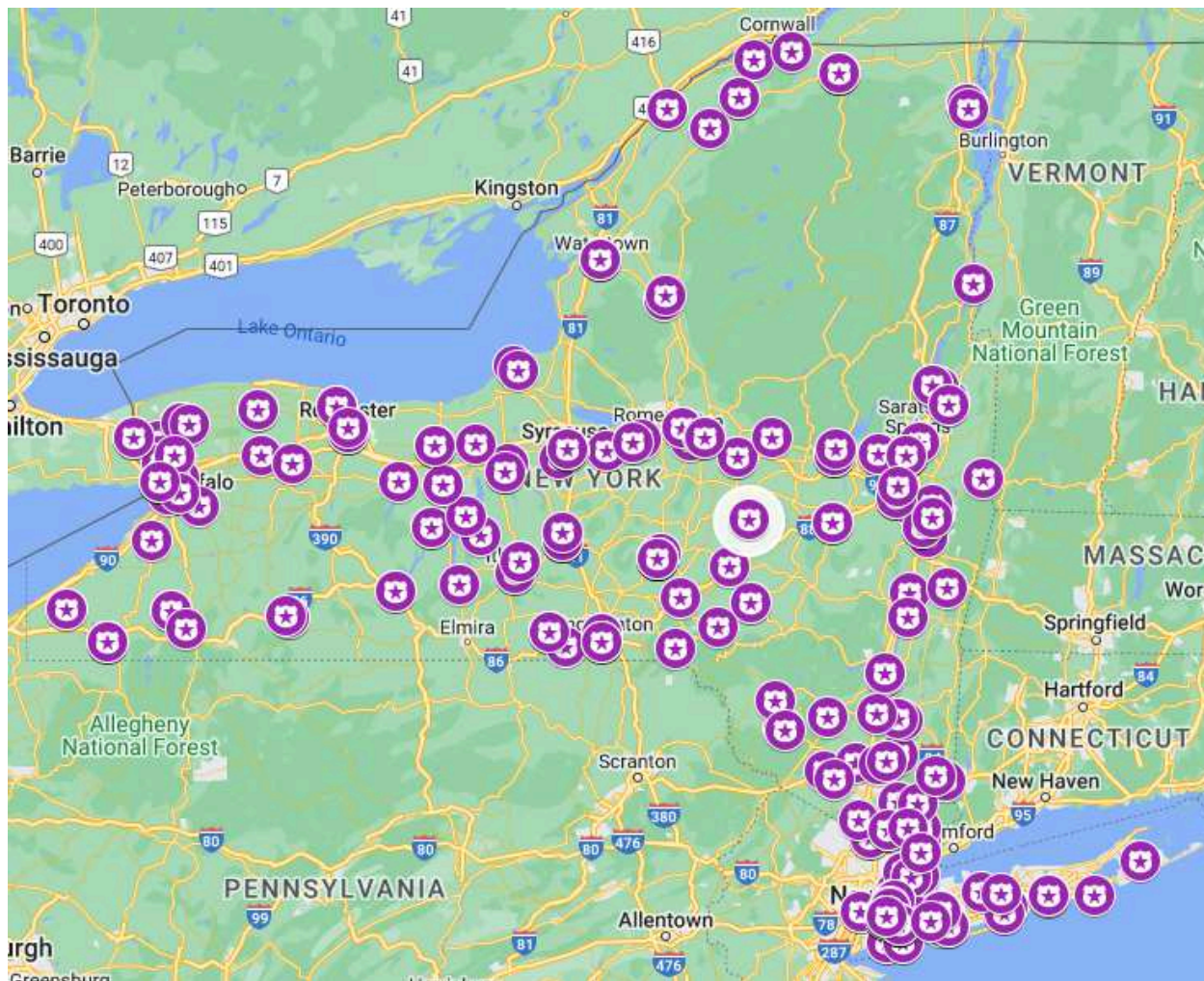
<https://www.google.com/maps/d/edit?mid=1mRmVkaMZuJfX9Ode2a4Ulo5OZAjYoj0&usp=sharing>



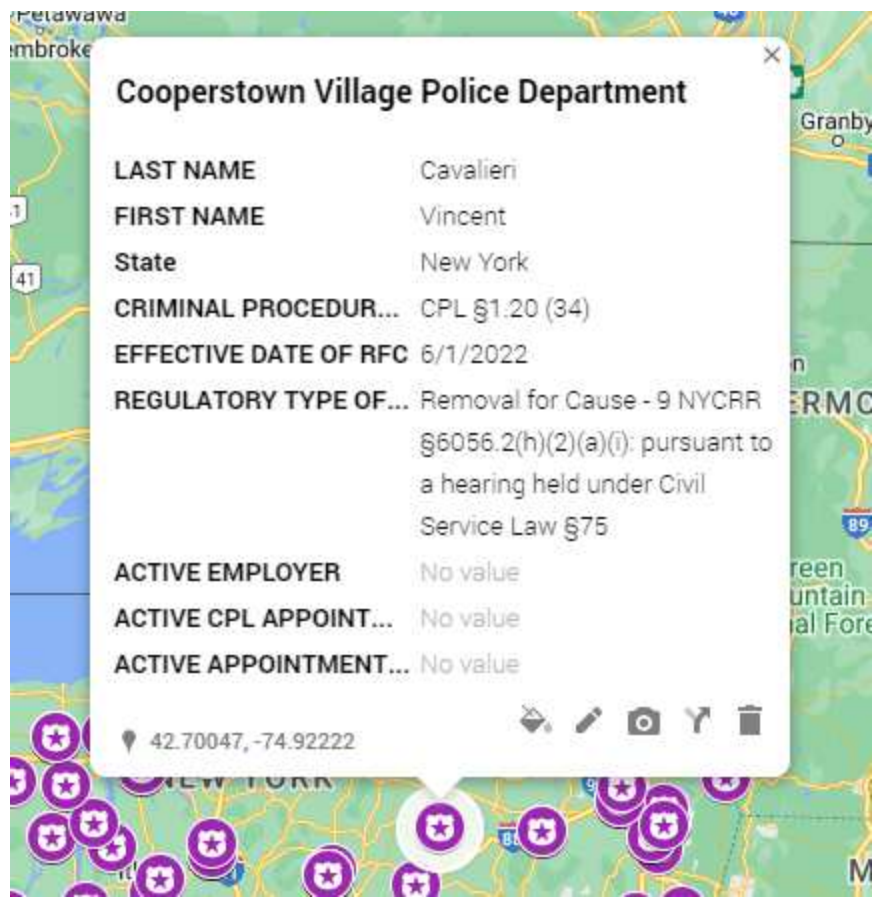
It is easy to see that decertifications cluster around the more populated Buffalo to Albany corridor and around the densely populated New York City metro area. This next map shows just

the years in the research comparison from 2018 - 2022 displayed as before by the police department. To access this map go to the following link:

[https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=s...  
haring](https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=s...)



It is easy to see that the geographic trends hold the same and the population centers account for the majority of decertifications across the study period of 2018 - 2022. Each of these map pins contain the decertification information for each case which can be accessed at the map link above. Below is a representation of what one of those records looks like.



**New York Decertification Process**

The New York State Division of Criminal Justice services notes that:

Regulations establishing the decertification process first took effect on Oct. 26, 2016. Emergency regulations that strengthened the process and state oversight took effect Oct. 16, 2021, and adoption of final regulations occurred on Nov. 2, 2022. The Division of Criminal Justice Services provides decertification information to the National Decertification Index, which is maintained by the International Association of Directors of Law Enforcement Standards and Training. All police employers must check the Decertification Index prior to hiring an individual and comply with other state-mandated hiring requirements. (New York State Division of Criminal Justice Services, 2023, p.1)

They go on to add that “All police officers removed for cause under emergency regulations effective Oct. 16, 2021, will have their training permanently invalidated and no longer have the option of retaking the state-mandated basic training.” (New York State Division of Criminal Justice Services, 2023, p.1) There is a caveat for those in the academy as stated: “Decertification of basic training does not preclude a peace officer from seeking future employment as a peace officer. A new employer must ensure, however, that the individual retakes and successfully completes state-mandated basic training within one year of appointment.” (New York State Division of Criminal Justice Services, 2023, p.1) New York state terms decertification RFC or removal for cause and lists the following criteria for which an officers certification may be removed under Part 6056 of 9 New York Code, Rules, & Regulations (NYCRR)

(g) Removal for cause of a full-time or part-time employee means removal for incompetence or misconduct:(1) pursuant to (a) a hearing held under section 75 of the Civil Service Law; (b) a collective bargaining agreement, or any general, special or local law, or charter provision in accordance with section 76 of the Civil Service Law; or (c) any other applicable law; or(2) by an employee's resignation or retirement while a disciplinary process has commenced pursuant to paragraph (1) of this subdivision which may result in removal; or(3) after an employee's waiver of any rights available pursuant to one of the processes described in paragraph (1) of this subdivision which may result in removal.(h) Removal during a probationary period means a probationary period not successfully completed due to conduct that would have resulted in removal of a permanent employee pursuant to subdivision (g) of this section.” (New York Comp. Codes R. & Regs. Tit. 9 § 6056.2)

Section (h) of Part 6052.2 clarifies this much better laying out the specific reasons for which police officers may be decertified in the state of New York.

(h) Removal for cause of a full-time or part-time police officer or peace officer means when an officer has an interruption in service as defined in paragraph (2) of this subdivision subsequent to and in connection with allegations of misconduct as defined in paragraph (1) of this subdivision which are known or should be known to the employer or any officer or employee of the employer agency or is being investigated by another agency or entity. (1) Misconduct, includes: (a) Criminal activity, whether criminally charged or prosecuted, regardless of where the act took place if said conduct would constitute an offense in New York, which is defined as: i. Any felony offense; ii. Any sex offense or sexually violent offense as defined in article 6C of the Correction Law; iii. All serious offenses as defined in subdivision 17 of section 265 of the Penal Law; iv. Crimes involving official misconduct and obstruction of public servants as defined in article 195 of the Penal Law; crimes involving bribery of a public servant as defined in article 200 of the Penal Law; crimes involving perjury as defined in article 210 of the Penal Law; offenses relating to judicial proceedings as defined in article 215 of the Penal Law; v. Crimes involving forgery as defined in article 170 of the Penal Law; crimes involving false written statements as defined in article 175 of the Penal Law; crimes involving fraud as defined in article 190 of the Penal Law; or vi. Crimes involving assault and menacing as defined in article 120 of the Penal Law; crimes involving obscenity as defined in article 235 of the Penal Law; crimes against public sensibilities as defined in article 245 of the Penal Law. (b) Dishonesty which is defined as: i. False statements or conduct that subverts or attempts to subvert the i. Employment application process; or ii. State

certification process defined in General Municipal Law §209-q. ii. Conduct involving dishonesty, fraud, deceit, or misrepresentation. (c) Use of Excessive Force which is defined as: i. Force which violates the use of force policy required under Executive Law §840(4)(d)(3). (d) Abuse which is defined as: i. Inappropriate conduct of a sexual nature, civil or criminal, regardless of adjudication; ii. Engaging in sexual conduct while on duty; or iii. Engaging in sexual conduct with someone detained or in the custody or control or under the supervision of a police or peace officer. (e) Conflicts of interest which is defined as: i. Acts constituting gross negligence: where the police or peace officer's act or failure to act creates a danger or risk to persons, property, or to the efficient operation of the department, recognizable as a gross deviation from the standard of care that a reasonable police or peace officer would observe in a similar circumstance. ii. Acts constituting gross misconduct: in determining what constitutes "incompetence or gross misconduct," the Department may take into account practices generally followed in the profession, current teaching at public safety training facilities, and technical reports and literature relevant to the field of law enforcement. (2) Interruption from service includes separation: (a) pursuant to: i. a hearing held under section 75 of the Civil Service Law; ii. a collective bargaining agreement, or any general, special or local law, or charter provision in accordance with section 76 of the Civil Service Law; or iii. any other applicable law; or (b) by an employee's resignation or retirement; or (c) after an employee's waiver of any rights available pursuant to one of the processes described in subdivision (h)(2)(a) of this section. (i) Removal during a probationary period means a probationary period not successfully completed due to conduct defined in paragraph (1) of subdivision (h) of this section. (New York Comp. Codes R. & Regs. Tit. 9 § 6056.2(h))

It is easy to see that unlike our two previously mentioned states, of Michigan and Ohio, the decertification process in New York is certainly more involved and allows for removal of a certification after a hearing under section 75 under their Civil Service Law instead of relying on a criminal conviction. This Civil Service Law hearing also comes with its own requirements, namely a statute of limitations of 18 months for any complaints of police misconduct or incompetency with an exception for any crime. In the case of a crime the statute of limitations for the crime prevails (Civil Service Employee Association New York, 2019). Though it appears that the New York state law puts the onus on the agency to ensure compliance and to report misconduct and incompetence, New York also has the Law Enforcement Misconduct Investigative Office under the Office of the New York State Attorney General. This office (LEMIO) was created by a 2020 law passed in response to the murder of George Floyd and the national backlash begging for police reform. LEMIO “has jurisdiction over New York’s more than 500 local law enforcement agencies. LEMIO investigates wrongdoing, examines departmental policies and procedures, makes recommendations for reform, and publicly reports its findings.” (Law Enforcement Misconduct Investigative Office, 2024, p.1) “LEMIO was created by Executive Law 75, which also imposed two new requirements on law enforcement agencies:

- Agency personnel must report wrongdoing to LEMIO (Executive Law 75(5)(a)).
- If an agency has five or more complaints about its personnel within two years, the agency must refer the instance to LEMIO (Executive Law 75(5)(b)).” (Law Enforcement Misconduct Investigative Office, 2024, p.1)

LEMIO also allows for the submitting of online complaints through their complaint form which they note is available to all members of the public and law enforcement employees and

officers. They urge that before reports of misconduct are submitted to LEMIO that you “report it to the involved law enforcement agency. LEMIO is required to inform agencies of allegations involving their personnel unless we determine that special circumstances require confidentiality.” (Law Enforcement Misconduct Investigative Office, 2024, p.1) It appears that LEMIO wants to give agencies a chance to at least be aware of and work to correct their problems in their own house before they come in to investigate the problems themselves. Impressively, LEMIO also has thorough reports attached to their website under Resources - Reports in which they detail their investigations case by case and include photo evidence of the accusations along with Google Map screenshots of the incident location and a descriptive timeline of the sequence of events. Additionally, LEMIO also has an annual report that they produce which includes an overview of their work and investigations throughout the year of 2023 which includes calls for legislative changes to improve law enforcement practice and transparency. This document includes ongoing lawsuits as well by the Office of Attorney General Civil Rights Bureau, which works in concert with LEMIO, against police departments such as their current case against NYPD for the routine excessive uses of force and false arrests of lawful protestors. (Law Enforcement Misconduct Investigative Office, 2023)

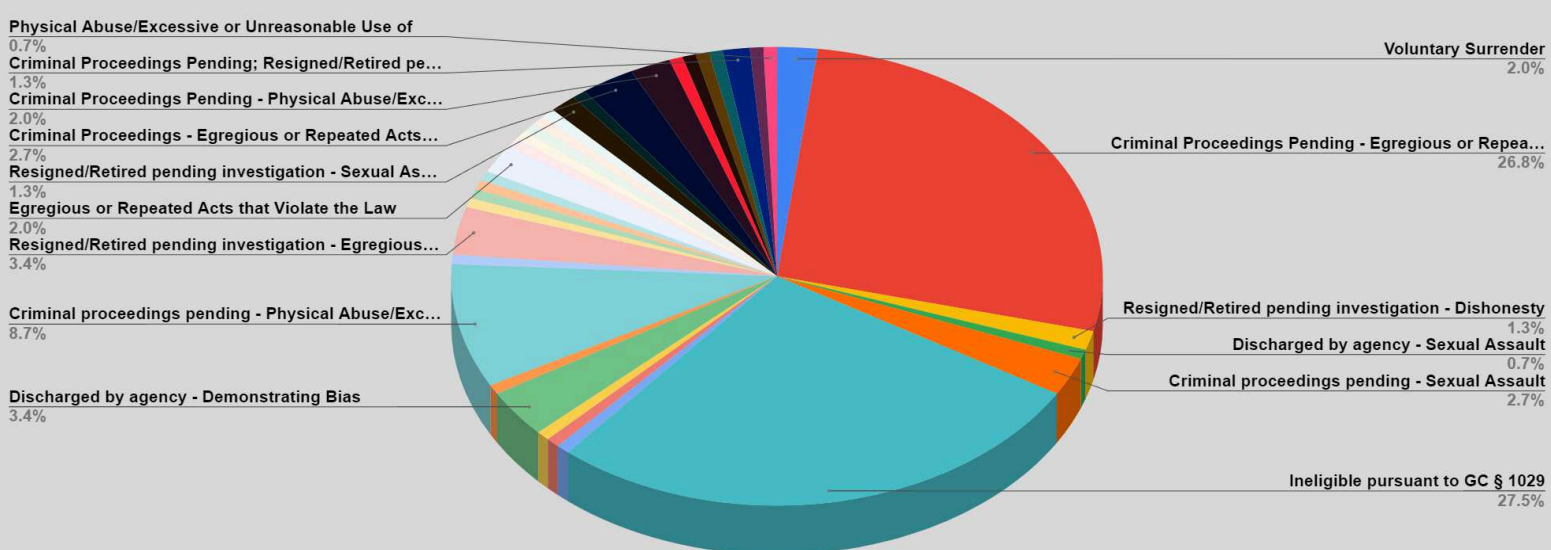
## **California Decertification**

### **California Decertification Data**

California POST or CA POST handles the certification and decertification of officers in California. They just recently started collecting this data after passing a new law, Senate Bill 2 in 2021, after the death of George Floyd allowing the state to start decertifying officers. They share this decertified list on their website and routinely update it (California Commission on Peace Officer Standards and Training, 2024c). The state of California clearly comes out on top by the

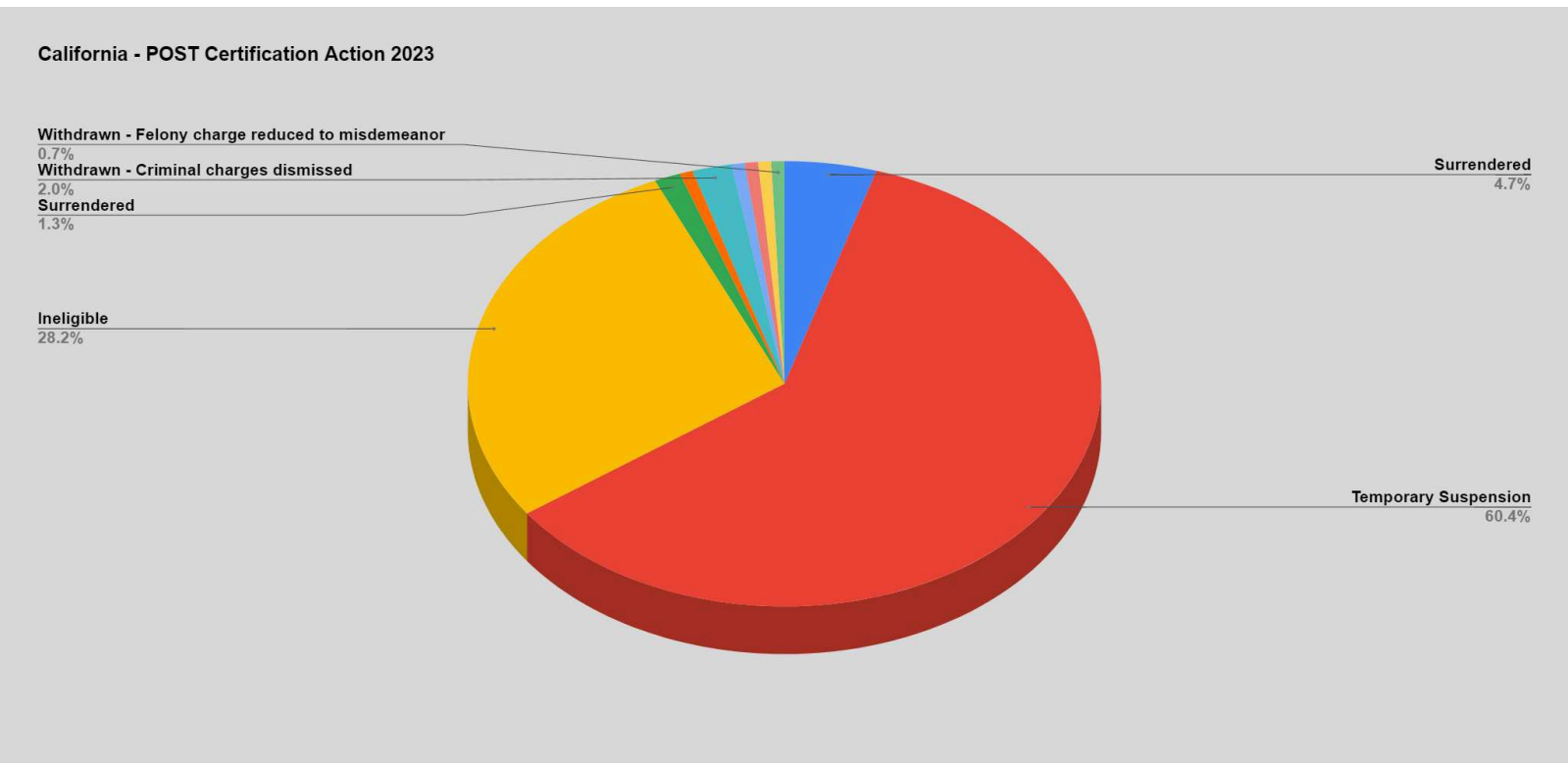
number of officers with it's over 79,000 as of the last DOJ census. Of course this is no surprise since California is the largest state by far by population. Since beginning their decertification journey in 2023 though they managed to decertify 149 officers in 2023. While this is a good start it appears incongruent with over 79k officers in the state. So what are California peace officers being decertified for? The pie chart below breaks down all 2023 decertifications by offense type.

California - Decertification Reason 2023



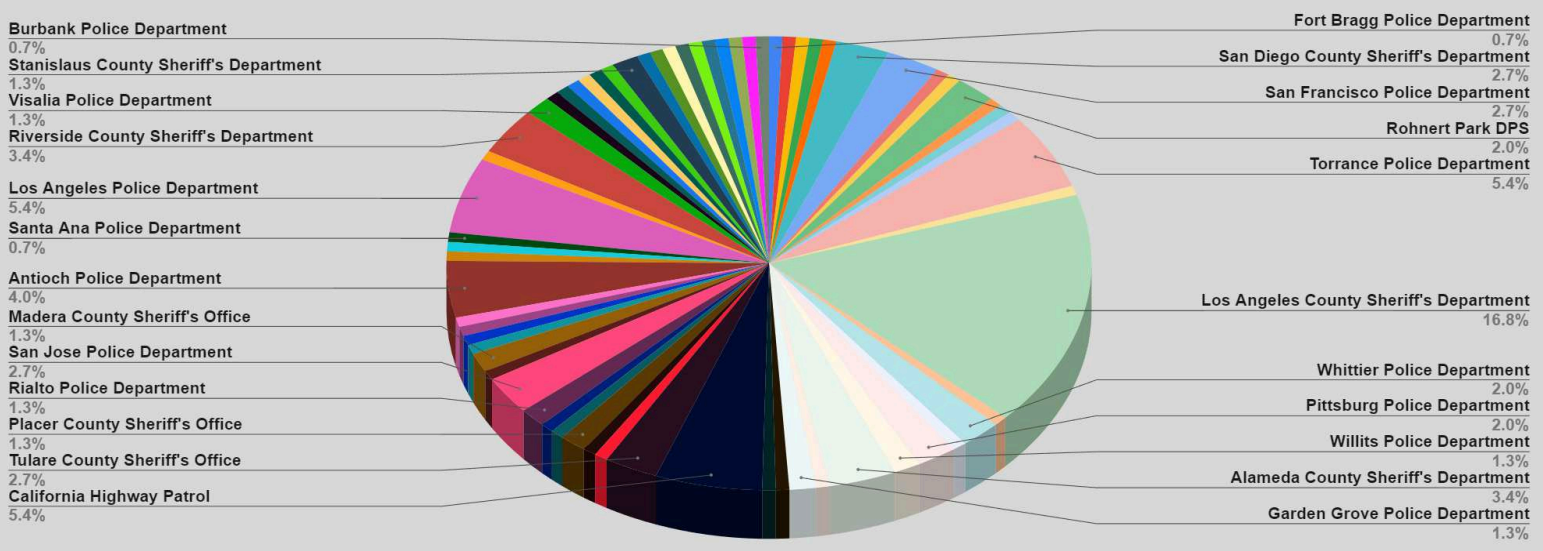
The number #1 reason by far that officers were decertified in California in 2023 was their ineligibility pursuant to GC 1029 at 27.9%. This refers to California Government Code Section §1029 which outlines “that individuals are disqualified from service as a peace officer in the case of, among other things, certain specified criminal convictions, or adjudications, including military adjudications and offenses committed in another state that would have been

disqualifying had they been committed in California, placement on the *National Decertification Index*, and other circumstances” (Cal. Gov’t Code § 1029). (CAPOST, 2024, p.1) It should be noted how important it is to see this California statute not only reference the National Decertification Index (NDI), but use it as a vehicle and justification for the decertification of an officer in their state. The second highest reason for decertification in 2023 in a close second was Criminal Proceedings Pending - Egregious or Repeated Acts that Violate the Law at 26.8%. At a very distant third was Criminal Proceeding Pending Physical Abuse/Excessive or Unreasonable Use of Force at 8.7%. It should be noted that only 2.0% of officers decertified in California in 2023 chose to surrender their certifications. It is also worth noting that in 7 of these 149 decertified cases, actions were withdrawn. Two were withdrawn by the order of the Executive Director and four were withdrawn due to charges being dropped or reduced to a misdemeanor. The remaining one was fired for an alleged abuse of power and POST did not find enough evidence to suspend or revoke their certification. So what actions does CA POST take most often? Below is a pie chart of the actions taken for all of 2023.



It is clear to see that CA POST prefers to overwhelmingly temporarily suspend officers certifications at 60.4%. The secondary option of Ineligible at 28.2% means that an officer cannot hold office in reference to a violation of the provisions of the aforementioned Cal. Gov Code 1029. California POST certification actions will be discussed in the next section in more detail. Several of the agencies represented in this data contain the “last employed” date of the officer at that agency. Only 50 of the 149 agencies show what date the officer left the agency. Most of these dates are at a minimum a year old and many are several years old. Due to the age of many of these it appears that when California instituted this decertification process the new CA POST Board went into “cleanup” mode and decertified many old cases from the 90’s and early 00’s that should have been decertified decades ago as well as tackling some newer more egregious cases. So what agencies do these 149 officers hail from? The following pie chart displays this data by agency by percentage.

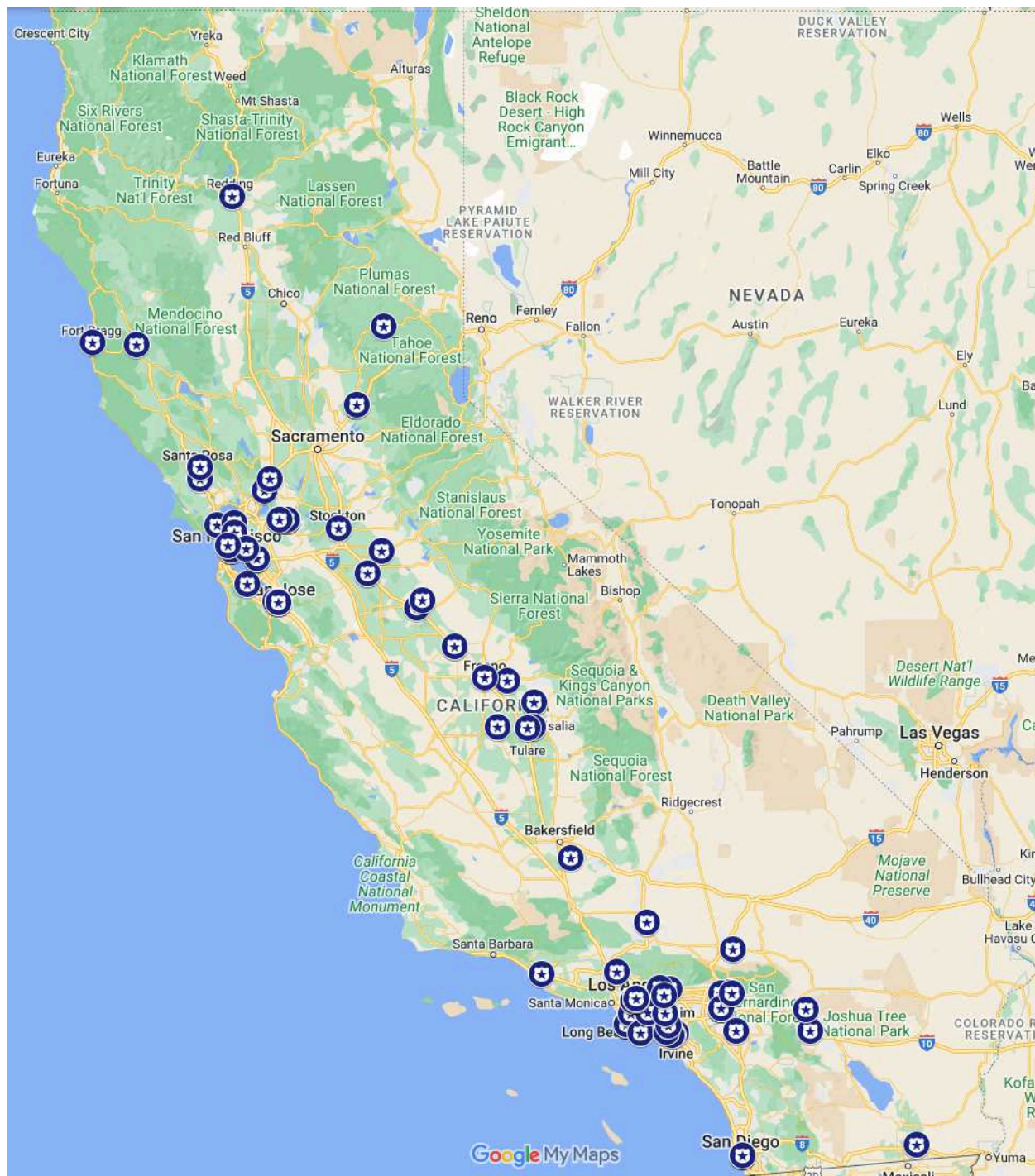
California - Last Employing Agency 2023



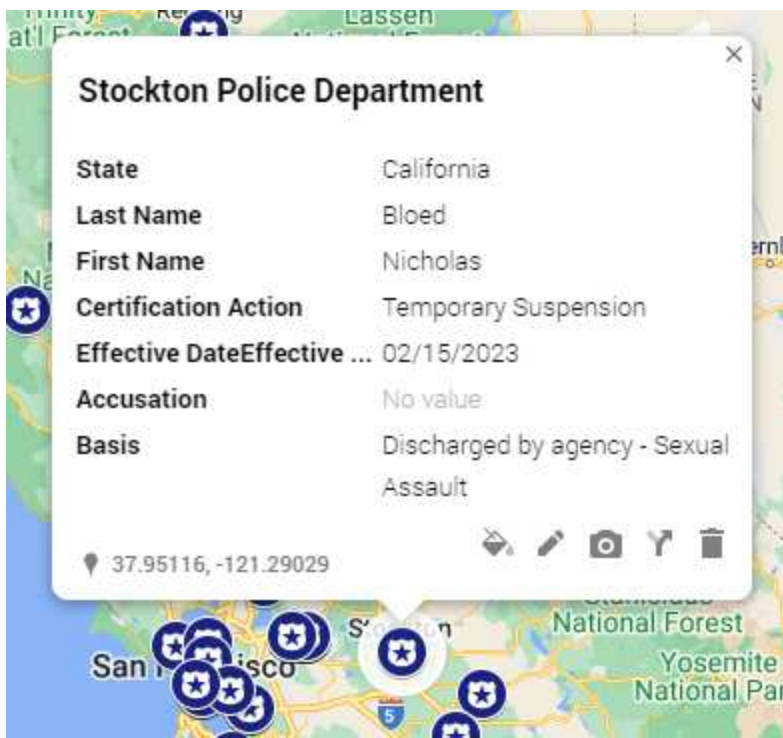
Note: “Last Employing Agency is not necessarily the reporting agency or the agency where the serious misconduct occurred.” (California Commission on Peace Officer Standards and Training, 2024a, p.1))

It is easy to see that the Los Angeles County Sheriff’s Department dominates with a commanding 16.8% number #1 spot on the leaderboard for decertifications. Coming in at a distant second is a rare three way tie between the California Highway Patrol, the Los Angeles Police Department LAPD, and the Torrance Police Department at 5.4%. Rounding out third is Antioch Police Department at 4.0%. Torrance, CA is a coastal suburb of Los Angeles. The geographic representation of this data is a stark reminder of the population density of the state of California and how most of the population is along the central valley and the LA and San Francisco metro areas. Below is an interactive map displaying the agency locations for the 2023 data set. To access this map follow this link:

<https://www.google.com/maps/d/edit?mid=1mRmVkaMZuJfX9Ode2a4Ulo5OZAjYoj0&usp=sharing>



Each agency location contains the public decertification details provided by CA POST. Below is an example of an agency location and case information.



### California Decertification Process

CA POST has a variety of different tools at their disposal for discipline and takes into account differing offenses. An officer in California can be decertified under the new law for serious misconduct. CA POST defines serious misconduct below:

Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer.

Abuse of power, including, but not limited to, intimidating witnesses, knowingly obtaining a false confession, and knowingly making a false arrest.

Physical abuse, including, but not limited to, the excessive or unreasonable use of force.

Sexual assault as described in subdivision (b) of Penal Code §832.7, and shall extend to acts committed amongst members of any law enforcement agency.

Demonstrating bias on the basis of actual or perceived race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner.

Acts that violate the law and are sufficiently egregious or repeated as to be inconsistent with a peace officer's obligation to uphold the law or respect the rights of members of the public.

Participation in a law enforcement gang.

Failure to cooperate with an investigation into potential police misconduct.

Failure to intercede when present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances. (California Commission on Peace Officer Standards and Training, 2024a, p.1)

In addition, they are required to publish the Certification Actions List showing the name of the officer and the action taken against their certification. They also provide an online complaint form for reporting purposes and add that they only investigate officers on the basis of decertification for misconduct and any criminal investigations against officers should be referred to the California Department of Justice (California Commission on Peace Officer Standards and Training, 2024c). CA POST governs this process through the Peace Officer Standards Accountability Advisory Board whose nine appointed members reviews serious misconduct cases, conducts public hearings, investigates findings, and publishes an annual report detailing their activities (California Commission on Peace Officer Standards and Training, 2024b). These

cases are presented to them by the Peace Officer Standards and Accountability Division and the Board is responsible for rendering a majority decision on what actions should be taken against the officers certification (California Commission on Peace Officer Standards and Training, 2024b). This board is made up of the following:

The Board is comprised of 9 appointed members, with specified experience as follows:

One member shall be a peace officer or former peace officer with substantial experience at a command rank, appointed by the Governor; one member shall be a peace officer or former peace officer with substantial experience at a management rank in internal investigations or disciplinary proceedings of peace officers, appointed by the Governor; two members shall be members of the public, who shall not be former peace officers, who have substantial experience working at nonprofit or academic institutions on issues related to police accountability, one of these members shall be appointed by the Governor and one by the Speaker of the Assembly; two members shall be members of the public, who shall not be former peace officers, who have substantial experience working at community-based organizations on issues related to police accountability, one of these members shall be appointed by the Governor and one by the Senate Rules Committee; two members shall be members of the public, who shall not be former peace officers, with strong consideration given to individuals who have been subject to wrongful use of force likely to cause death or serious bodily injury by a peace officer, or who are surviving family members of a person killed by the wrongful use of deadly force by a peace officer, appointed by the Governor; and, one member shall be an attorney, who shall not be a former peace officer, with substantial professional experience involving

oversight of peace officers, appointed by the Governor. (California Commission on Peace Officer Standards and Training, 2024b, p.1)

The act of requesting an individual who has lost a loved one to a wrongful use of force by a peace officer to then sit on a decertification board certainly sends a strong message. The other appointments mirror other POST Council/Boards across the country with other states but this certainly brings a different approach with not only victims' families sitting on the Board but also a number of civilians with experience working in academia and in the community tackling police accountability issues. The disciplinary certification options for the Board are as follows:

**Ineligible** - An individual has been disqualified from eligibility to be a peace officer based on a disqualifying event as set forth in Government Code section 1029.

**Revoked** - The peace officer has been decertified and may not exercise the duties and powers of a peace officer. A revocation is permanent, and the certification shall not be reactivated.

**Voluntary Surrender or Surrender** - A person who holds a certificate issued by the commission, knowingly and willingly, returns the certificate to the commission, forfeiting all rights and privileges associated with that certificate. A “surrender” has the same effect of a revocation in that it cannot be reactivated.

**Immediate Temporary Suspension or Temporary Suspension** - The immediate suspension of a peace officer’s certification, pending the outcome of an investigation related to allegations of serious misconduct, pursuant to Penal Code section 13510.8(d). The “temporary suspension” may be issued under the following circumstances:

- When a peace officer is arrested or indicted for a felony or other crime listed in GC§ 1029,

- When a peace officer is discharged from a law enforcement agency for serious misconduct, or
- When a peace officer has separated from employment as a peace officer during a pending investigation into allegations of serious misconduct.
- The temporary suspension remains in effect until either a final determination is made by the Commission or the Executive Director withdraws the “temporary suspension” if a withdrawal is deemed to be warranted.

Suspension - a disciplinary action of the Commission wherein a peace officer certification has been suspended for a specified period of time, not to exceed three years. A peace officer whose certification has been suspended may not be assigned duties which include the exercise of peace officer powers. (California Commission on Peace Officer Standards and Training, 2024b, p.1)

### **Texas Decertification**

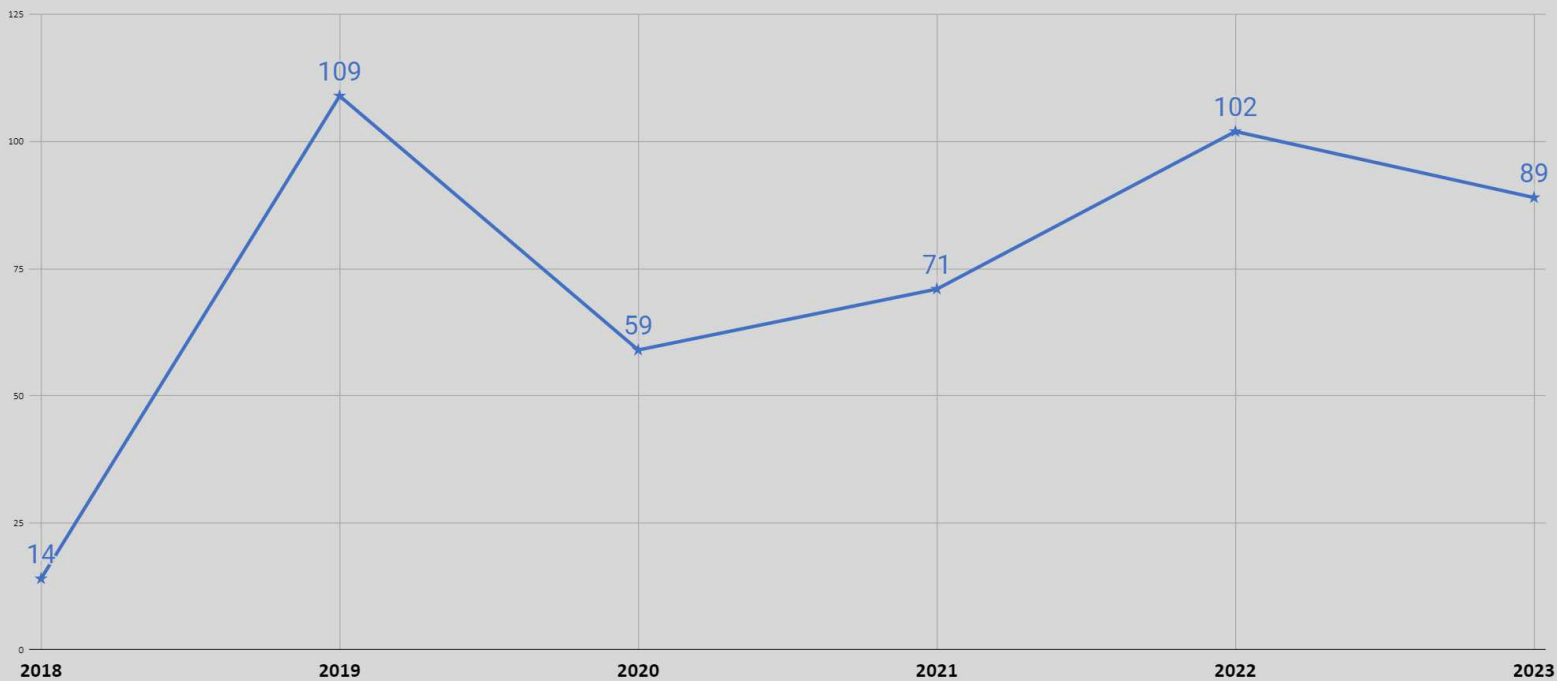
Texas is the next populous state after California, both in citizens and police officers. According to the most recent 2018 DOJ Census of State and Local Law Enforcement Agencies Texas had 69,504 officers. The Texas Commission on Law Enforcement (TCOLE) is in charge of the POST function for Texas and provided decertification data from 2018 - November of 2023. In this time period a total of 444 officers were decertified. This is a total decertification percentage of 0.64% and an average decertification percentage of just 0.10% over the five year study period 2018 - 2022. A total of 355 or 0.51% of the total state and local police officers were decertified over the study period 2018 - 2022. TCOLE provided additional clarifying information in their response: “Our records do not show direct connection from the action to the agency they

worked for at the time. We have used the dates on the action and service, but if the licensee(s) had an F-5 (discharge form) submitted before the action was applied, they will appear in this report as not having a department at the time (NULLdepartment/county). Additionally, TCOLE's data system does not show a reason for decertification other than the process submitted; either permanent voluntary surrender or commission revoked.” (TCOLE, 2023, p.1)

### Texas Decertification Data

The graph below displays the total decertifications for police officers in Texas for 2018 - 2023.

Texas - Decert. Trend Line 2018 - 2023

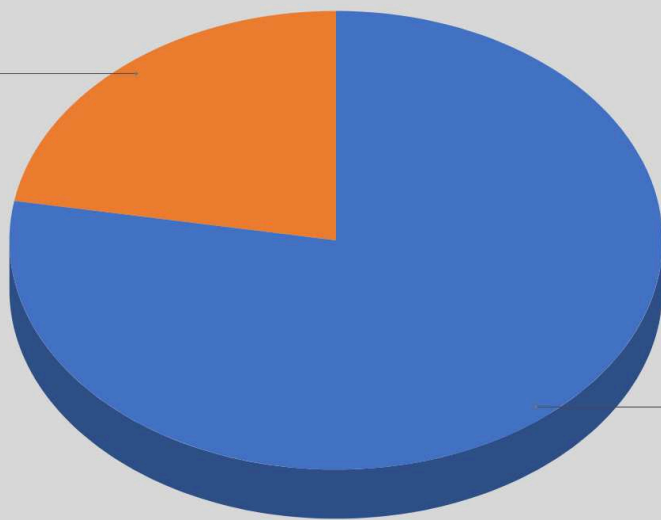


There is quite a large degree of variability in the data here, particularly in 2018 when decertifications shoot up from 14 to over 100 the following year. Texas has a binary approach to actions taken with TCOLE only showing revocations and voluntary surrenders of certifications.

The pie chart below displays the high degree to which TCOLE relies on officers relinquishing their certification as revocations account for only 22.3% of the total 355 officers decertified over this period. The remaining 77.7% were allowed to permanently voluntarily surrender their certifications.

Texas - POST Action Taken 2018 - 2022

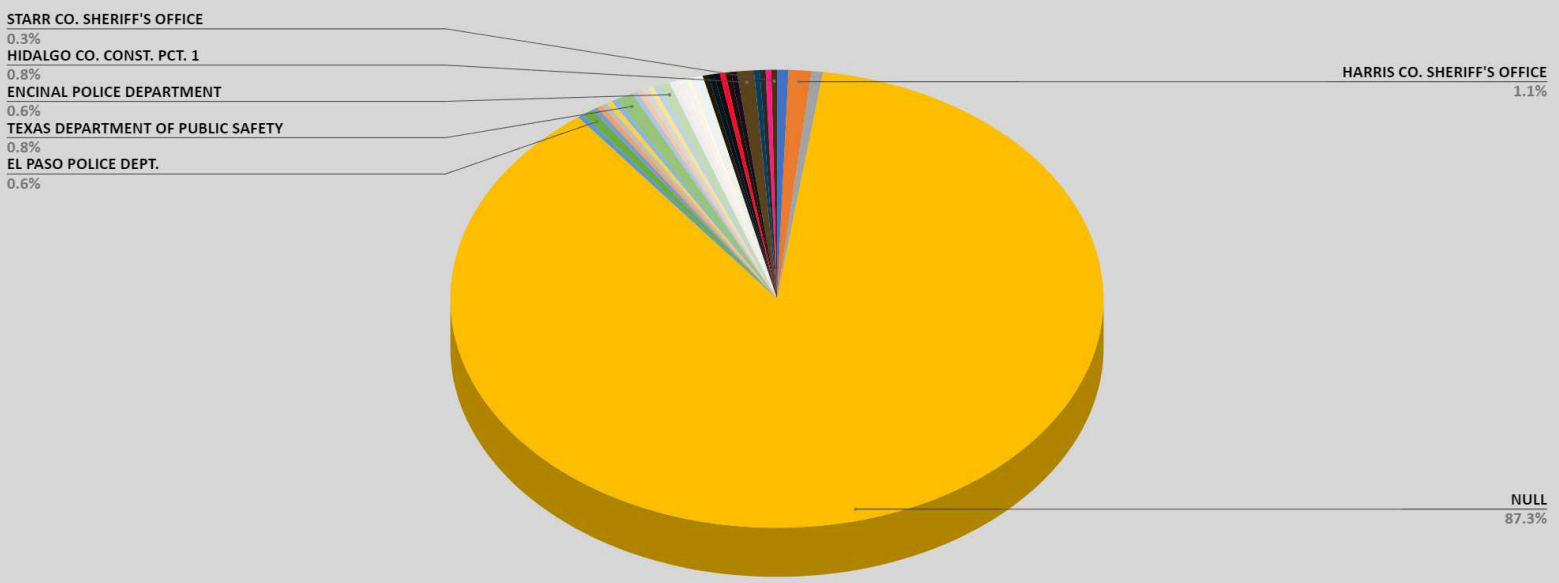
Revoked  
22.3%



Permanent Voluntary Surrender  
77.7%

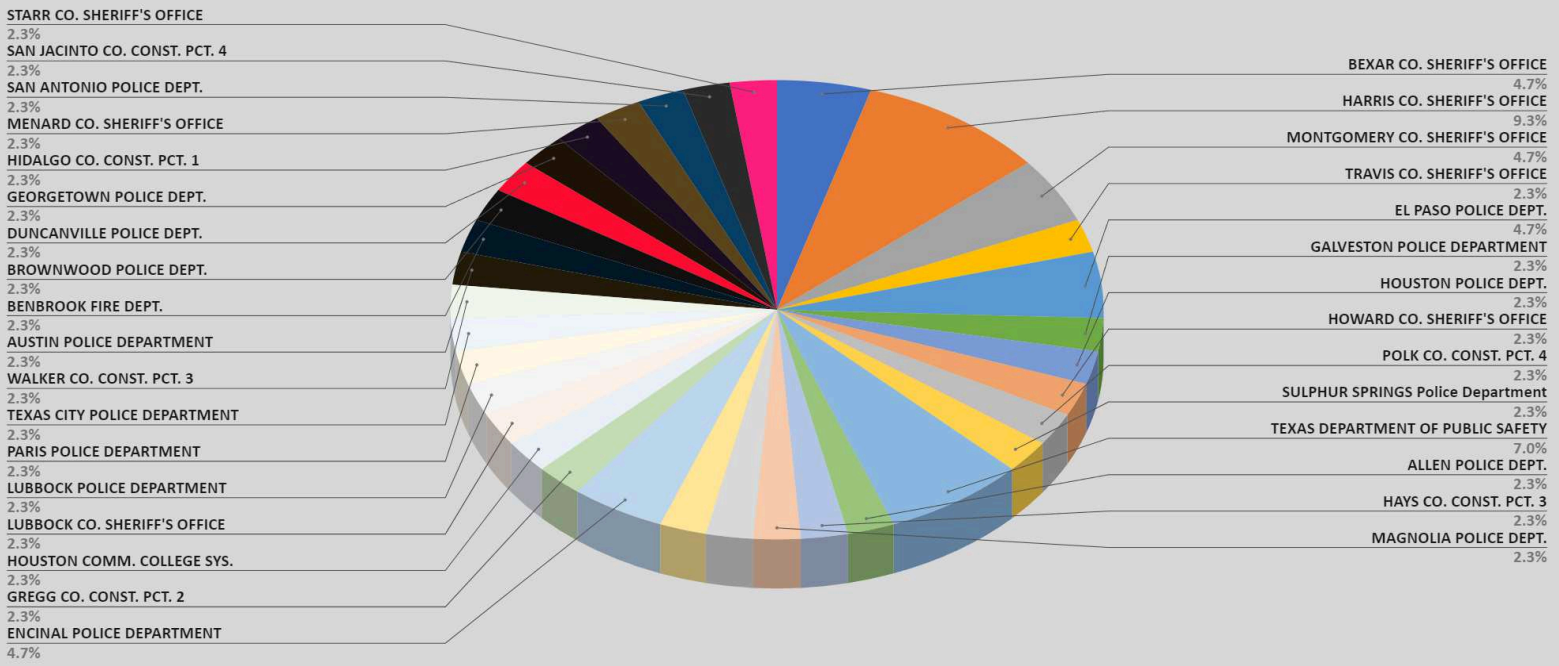
As noted by TCOLE previously, a NULL value is shown when officers have left/been fired from an agency before their certification is removed. This shows up starkly in the data as referenced below in the following pie chart displaying decertified officers by agency.

Texas - Decert. by Agency 2018 - 2022

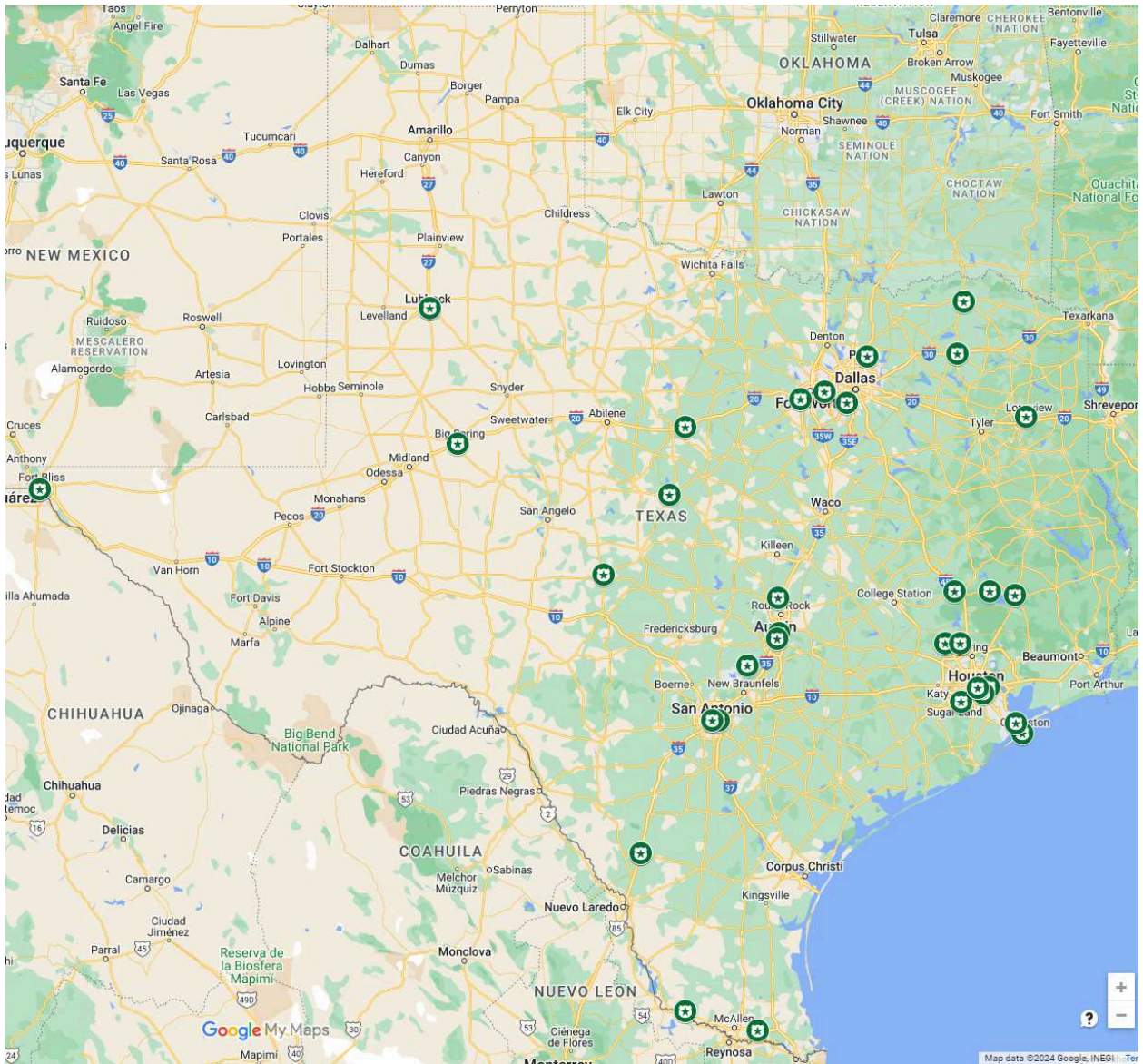


The NULL value represents 87.3% of the data, showing that most officers are terminated or leave willingly from their agency before their certification is removed. This makes it hard to track data patterns of agencies that may have a pattern of problem officers. Not to suggest there is a problem with that agency though, since it may be the exact opposite in that strong agency leadership may be reporting and terminating officers for their misconduct more actively than other agencies. This data does still show some large organizations as the Harris County Sheriff's Office comes in at 1.1% followed by a tie for third between the Hidalgo County Constable Precinct 1 and the Texas Department of Public Safety both at 0.8%. This data becomes a little more useful when the NULL values are removed. Below is the depiction of that result.

Texas - Decert. by Agency 2018 - 2022



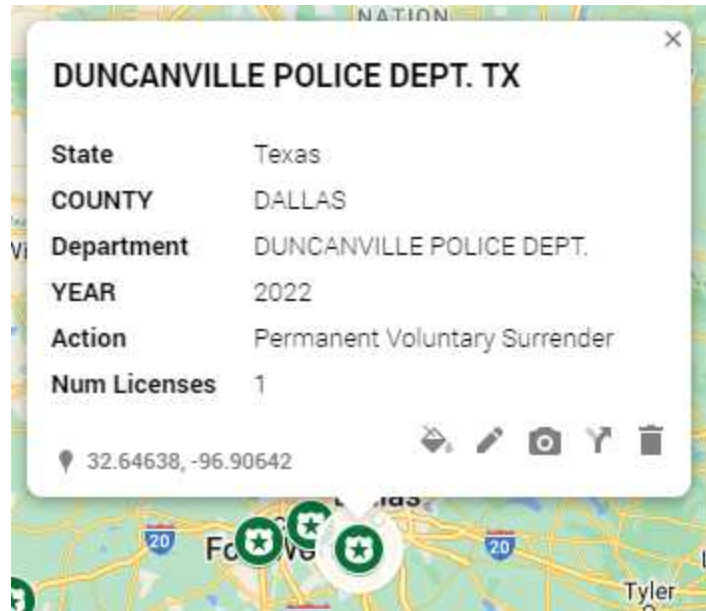
The leader by a decent margin is the Harris County Sheriff’s Office at 9.3%. Falling in line at second is the Texas Department of Public Safety at 7.0%, and round out third is a four way tie among the Montgomery County Sheriff’s Office, El Paso Police Department, Bexar County Sheriff’s Office, and Encinal Police Department all at 4.7%. The reason for this is due to the small numbers at play here with each pulling just 2 decertifications each over the study period. The remaining agencies at 2.3% represent 1 decertification over the study period. Due to only 43 of the 355 decertification records containing agency data, mapping this data was not as expressive a function as other states. Below is a geographical representation of the available agency location data.



To access and explore this data go to the following link:

[https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna600F0OeNY&usp=s...  
haring](https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna600F0OeNY&usp=s...)

Though this map data is of limited usefulness, a general decertification trend around the population metro areas does begin to emerge. This data includes the very limited decertification information in each map pinned location. See below for an example of the data present.



### **Texas Decertification Process**

The Texas Commission on Law Enforcement (TCOLE) “is governed by nine members, including a Presiding Officer, appointed by the governor and they serve with the consent of the senate. The executive director answers to these commissioners.” (Texas Commission on Law Enforcement, 2024a, p.1) “The Commissioners serve staggered terms of six years and serve without compensation except for reasonable and necessary expenses. Three are members of the general public, three are law enforcement chief executive officers, and three are line personnel from law enforcement agencies at the time of their appointment.” (Texas Commission on Law Enforcement, 2024b, p.1) This Commission meets at least four times a year and these meetings are open to the public to attend (Texas Commission on Law Enforcement, 2024b). The formalized mission of these commissioners is similar to other state POST agencies in that they “set policy, approve rules and procedures formulated by the Executive Director and staff, and take formal disciplinary actions against licensees on the recommendation of the Executive Director and state Administrative Law Judges.” (Texas Commission on Law Enforcement,

2024b, p.1) It is worth noting that since Texas does not have term limits for their governor then quite possibly one person is able to select the makeup of the TCOLE Commission for decades. Regarding the history of TCOLE, the organization first was authorized by the state legislature to revoke certifications in 1969, a short four years after they were established by the legislature as an agency and one year after they were authorized by the legislature to issue certifications (Texas Commission on Law Enforcement, 2024b). In '69 they were able to decertify officers for a “violation of standards, and automatically revoke for the commission of a felony offense.” (Texas Commission on Law Enforcement, 2024d, p.1) In 1970, they gained the additional authority to “prohibit peace officers from being employed if convicted of Driving While Intoxicated (DWI) or Driving Under the Influence of Drugs (DUID) within 10 years or ever convicted of a felony.” (Texas Commission on Law Enforcement, 2024d, p.1) Nine years later, in 1979, reserve officers were added to this prohibition as well. The last rules/procedural change TCOLE shows in their history occurred in 1986 when age and training requirements were increased. They do of course have a lot on their plate, with the legislature “authorizing forty-six Full Time Equivalent (FTE’s) or employees that handle the Commission’s statutory charges: As of August 1, 2009, these employees oversaw 2,595 law enforcement agencies with 110,452 active licenses, 299 training providers, and 97,626 licensees.” (Texas Commission on Law Enforcement, 2024d, p.1) Their overall legislatively directed responsibilities include the following:

- (1) adopt rules for the administration of this chapter and for the commission’s internal management and control;

(2) establish minimum standards relating to competence and reliability, including education, training, physical, mental, and moral standards, for licensing as an officer, county jailer, or public security officer;

(3) report to the governor and legislature on the commission's activities, with recommendations on matters under the commission's jurisdiction, and make other reports that the commission considers desirable;

(4) require a state agency or a county, special district, or municipality in this state that employs officers or county jailers to submit reports and information;

(5) contract as the commission considers necessary for services, facilities, studies, and reports required for:

(A) cooperation with municipal, county, special district, state, and  
(B) federal law enforcement agencies in training programs; and

(6) conduct research and stimulate research by public and private agencies to improve law enforcement and police administration. (Sec. 1701.151. General Powers of Commission; Rulemaking Authority) Texas Occupational Code (Occ.)

“Section 1701.501 provides that the Commission may establish procedures for the revocation of licenses, suspensions of licenses, and reprimands to licensees, or adopt other necessary enforcement procedures for a violation of Chapter 1701, Occupations Code, or a Commission rule. Commission rules 223.15 and 223.19 contain provisions for these actions. Commission rules 211.27, 211.28, and 211.29 require the reporting of an arrest, charge, or indictment for a criminal offense above the grade of Class C misdemeanor by the licensee, arresting agency, and appointing agency. The licensee is also required to provide the Commission with final disposition documents within 30 days

of the effective date of the disposition.” (Texas Commission on Law Enforcement, 2024c, p.1)

Interestingly, Texas Occupational Code Section 1701.501 states that “ the commission shall revoke or suspend a license, place on probation a person whose license has been suspended, or reprimand a license holder for a violation of:(1) this chapter;(2) the reporting requirements provided by Articles 2.132 and 2.134, Code of Criminal Procedure; or(3) a commission rule.” Tex. Occ. Code § 1701.501 This language is softened in this same code section for elected officers, i.e. sheriff’s, with the following: “The commission may revoke a license issued under this chapter to an officer elected under the Texas Constitution only if the officer is convicted of:(1) a felony; or (2) a criminal offense directly involving the person's duties as an officer.” Tex. Occ. Code § 1701.501 This code section was updated in 2023 with senate bill 1445 adding, among other things, the requirement for TCOLE to submit all revoked officers to a national database, i.e. the NDI. Additionally, the new bill required TCOLE to not accept any officers coming from another state with a revoked certification and to check every officer during the background investigation process against this database. Creatively, the state legislature also creates a stick to beat agencies with in this bill “Except with respect to an officer elected under the Texas Constitution, the commission shall revoke or suspend a law enforcement agency's authority to employ a license holder, place on probation an agency whose authority to employ a license holder has been suspended, or reprimand a law enforcement agency for a violation described by Subsection (a).” Tex. Occ. Code § SB1445 This means that with the exception of the sheriff or other elected officer, TCOLE can actually revoke, suspend, place on probation, or reprimand an actual law enforcement agency which is complicit in these violations of law and TCOLE Commission requirements. This is a great mobilizing force to encourage agencies to not

hide their problems and deal with them quietly in-house, but to remediate and terminate their problems so that the TCOLE Commission will not attach blame to the agency.

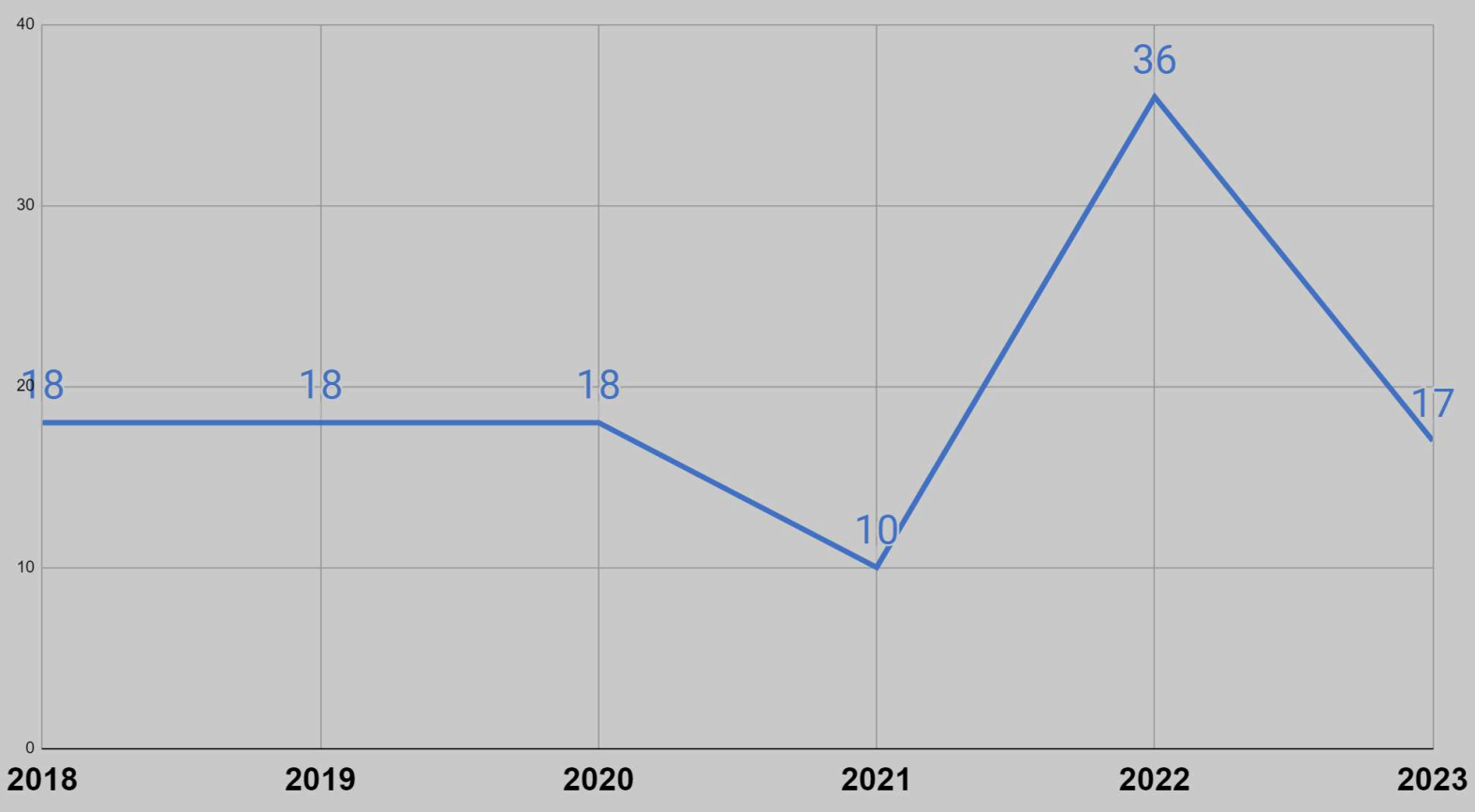
### **Illinois Decertification**

Illinois nestles its POST function within the Illinois Law Enforcement Standards and Training Board or ILESTB. They provided data from 2018 to June of 2023. This resulted in a total count of 117 decertifications within this time period. For context, as of the most recent 2018 BJS Census, Illinois had a total of 38,539 sworn full time law enforcement officers. This is an average decertification rate per year over the 5 year study period 2018-2022 of just 0.05% of the total state and local law enforcement population. If all the decertifications provided were compared as a percentage to the total number of officers that is still only 0.30% decertified over a more than 5 year period. This is the second lowest decertification percentage of the states in this study tied with Michigan and only pulling ahead of Connecticut. It is worth noting that Illinois with their 38k law enforcement officers comes in 5th place nationally when ranked by most officers per state and is significantly more than Georgia's 7th place position at approximately 28k. The average officers decertified by year over this 5 year period were 20.

### **Illinois Decertification Data**

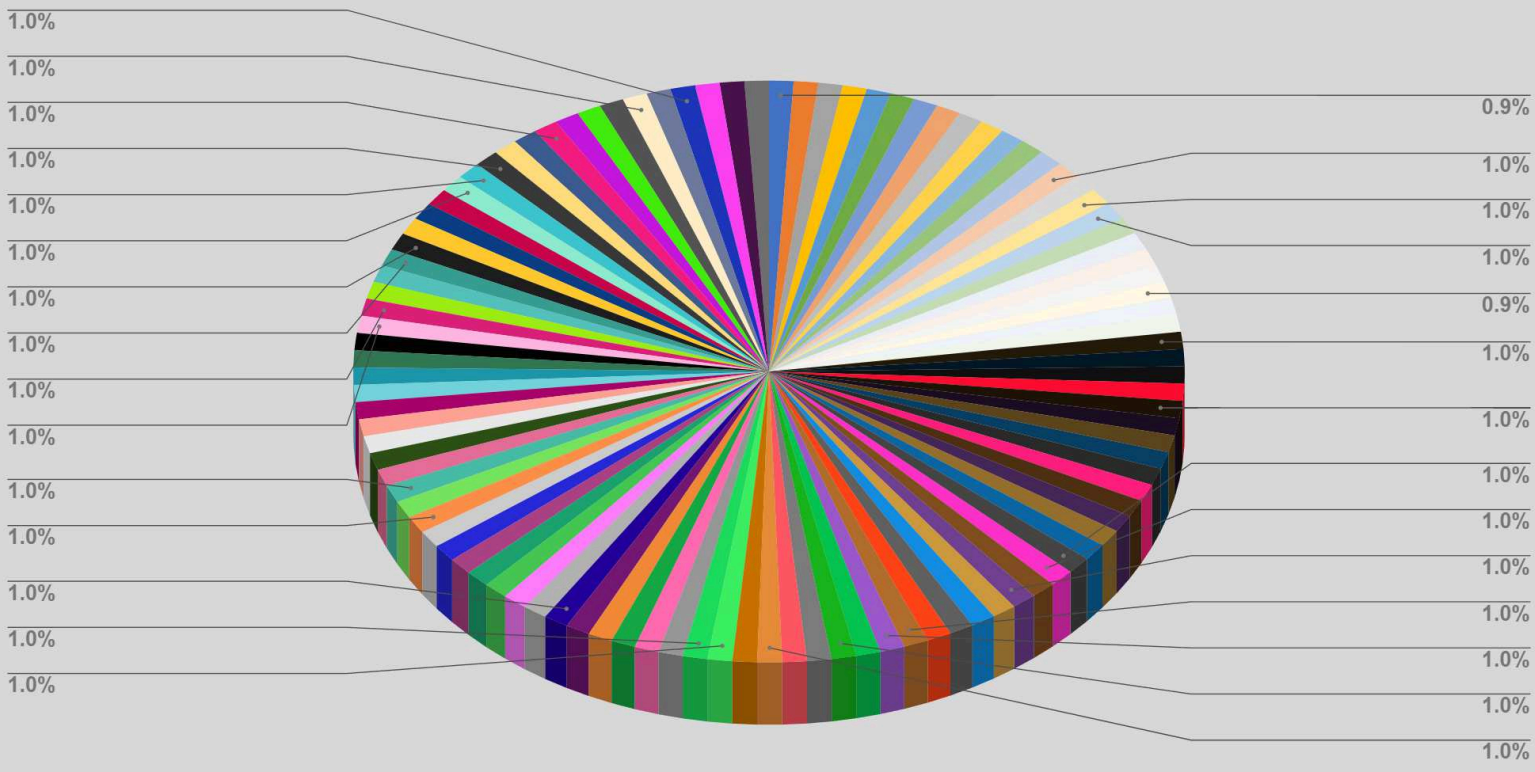
The following graph provides the total decertification data for Illinois from 2018 to June of 2023. The 2023 data was removed for the rest of the analysis for a clean comparison with the other states in the research.

### Illinois - Decertifications by Year 2018 - June 2023



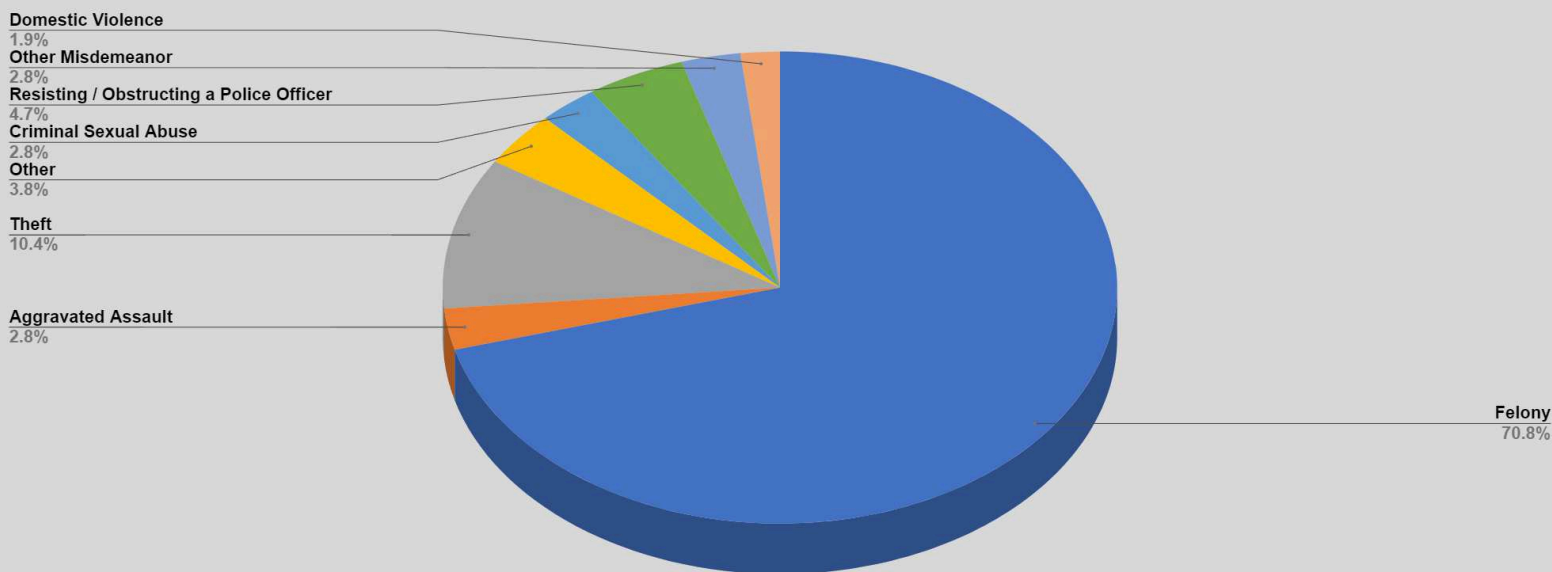
It appears that 18 is Illinois' favorite number and it is surprising to see such clean repetition in the data set. However, it appears that in 2022, perhaps due to increasing public scrutiny, Illinois ramped up decertifications, doubling their numbers. The 2023 year would likely show an upward trend as well since 17 had already been decertified only halfway through the year. Illinois did include birth year in their decertification data and it is represented in the following pie chart below:

### Illinois - Decertifications by Birth Year 2018 - 2022



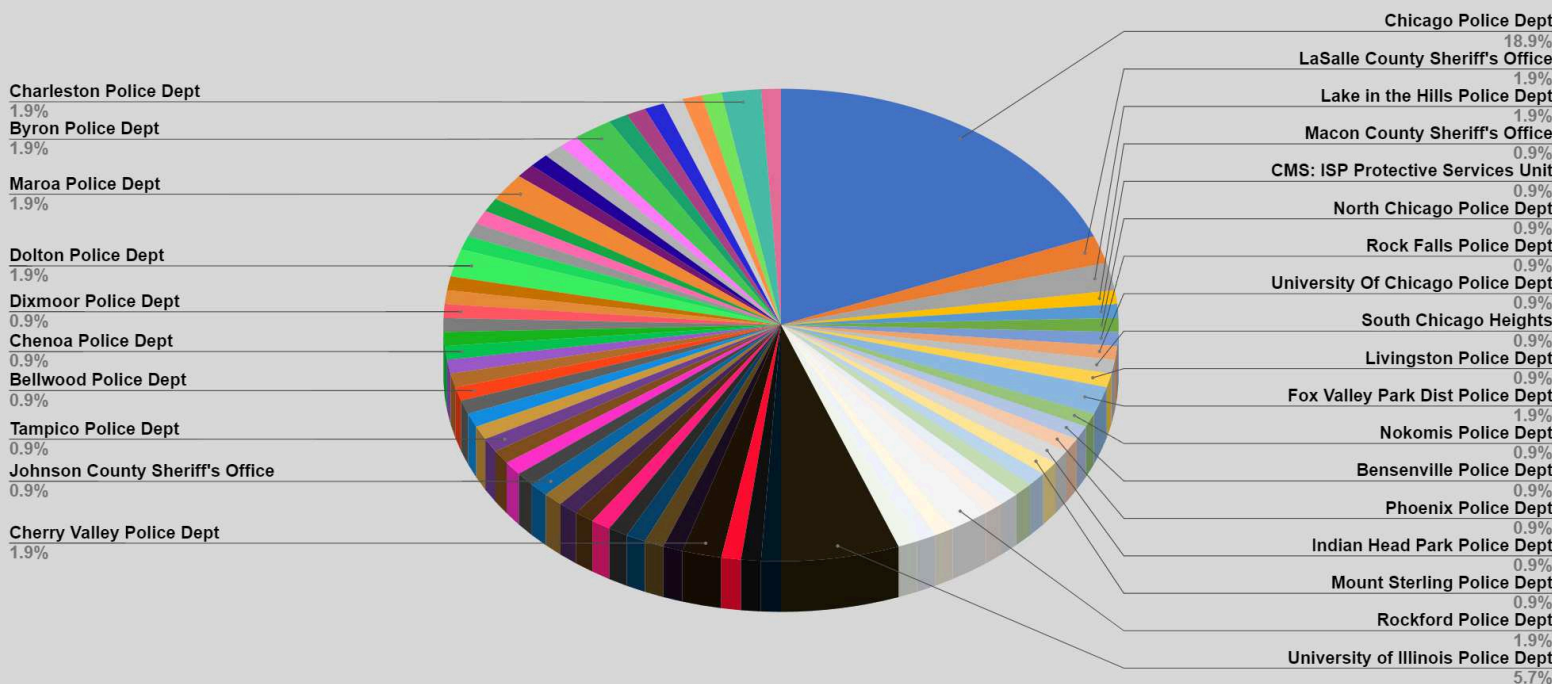
It is easy to see that there is no distinction in birth year contained within the data set as almost every year equals 1.0% of the data. An interesting point is that the oldest birth year was 1948 and the youngest was born in 1995. The next metric provided by Illinois and analyzed is that of the offense which led to the officers' decertification. The following pie chart displays this data:

Illinois - Decertification by Offense 2018 - 2022



It is obvious that felonious actions are the primary driver to police officer decertification in Illinois coming in at a commanding 70.8%. Theft is a distant second at 10.4% and Resisting/Obstructing a Police Officer follows in third at 4.7%. The following pie chart displays these decertifications by the agency for which the officers worked:

Illinois - Decertification by Agency 2018 - 2022

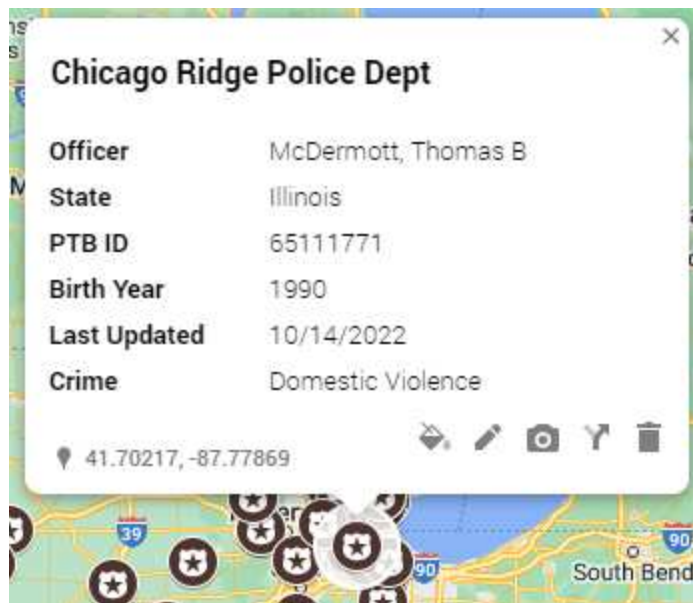


Similar to the overall population of the state, Chicago and by extension Chicago Police Department dominates the data at 18.9% of all officers decertified over this time period. The University of Illinois Police Department comes in at a distant second at 5.7% and the remaining agencies fall in at 1.9% (2 officers decertified) or 0.9% (1 officer decertified). The data provided by the agency was mapped geographically producing the following map. To view or interaction with the map follow this link:

<https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=sharing>



The high concentration of map pins around the Chicago area make it easy to see the data representation noted earlier in percentage format. There does exist a smattering of agencies across the state as well as a cluster around St. Louis that showed decertifications as well. Each of these map pins contain the decertification data provided by Illinois and may be explored. See the following example:



### **Illinois Decertification Process**

The Illinois Law Enforcement Training and Standards Board, known locally as the Board, was founded in 1965 and currently contains 15 members. Similar to Georgia some of these positions are appointed by the governor and others are ex-officio i.e. due to the position they hold. Of the 7 currently appointed members there are currently 3 chiefs of police, 2 mayors, 1 sheriff, and 1 city manager. The 6 ex-officio members maintain the following titles: Cook County (Chicago area) Clerk of the Circuit Court, Cook County Sheriff, Illinois State Police Director, Illinois Attorney General, Chicago Police Department Superintendent, and Illinois Department of Corrections Acting Director (Illinois Law Enforcement Training and Standards

Board, 2024b). This Board is chaired by the Director of the Police Benevolent and Protective Association and the Lake County (north Chicago) Sheriff serves as the Vice Chairman. This is surprising to see the chair of this Board be the leader of a police union. Some of the tasks assigned to the ILETSB are

developing and providing quality training and education, setting standards, aiding in the establishment of adequate training facilities, and providing financial assistance. Please note that the Board receives no State general revenue funds. Funding of in-service and recruit training comes from monies acquired from the surcharge fund and Federal and State grants. The funding mechanism in the State of Illinois is unique in that it is one of two states in the amount of funding provided by the Governor and the General Assembly to promote law enforcement training. (Illinois Law Enforcement Training and Standards Board, 2024b, p.1)

It is odd to see a state agency with these responsibilities funded only through grants. It makes more sense that a police union leader was chosen to lead this organization as well if no state funds were directly allocated to this quasi-government agency. It begs the question of how much control does the state have over an entity that is not directly funded but union controlled and operated. The act of decertifying an officer who pays union dues to the PBPA certainly appears diametrically in opposition to the interests of the chairman of the Board. So for what reasons are officers decertified in Illinois? “Under Section 6.1 of the Illinois Police Training Act, an officer’s certificate is automatically revoked upon the conviction, or plea of guilt, of a felony or certain misdemeanors (see the list below). For this reason, it is the duty of each officer and the employing agency to notify the Board as soon as an officer is arrested for a decertifiable offense. Each employing agency must also notify the Board of any case developments that lead to

conviction, plea of guilt or dismissal.” (Illinois Law Enforcement Training and Standards Board, 2024a, p.1)

#### Decertifiable Misdemeanors

Aggravated Assault	Aiding Escape	Criminal Sexual Abuse
Deceptive Practices	Delivery of Cannabis on School Grounds	Domestic Battery
Escape	Failure to Report a Bribe	Failure to Report Sex Abuse of a Child
False Personation, Solicitation	Harassment by Telephone	Harassment of Representatives for the Child, Jurors, Witnesses and Others
Harassment of Witnesses	Harassment Through Electronic Communication	Indecent Solicitation of a Child
Indecent Solicitation of an Adult	Interfering with the Reporting of Domestic Violence	Keeping a Gambling Place
Manufacture or Deliver Cannabis	Obstructing an Emergency Management Worker	Obstructing ID
Obstructing Service of Process	Offering a Bribe	Payment of Jurors by Parties Prohibited
Possession of Another’s Identification Card	Prostitution	Public Indecency
Resisting/Obstructing of a Police Officer	Retaliating Against a Judge by False Claim	Sexual Exploitation of a Child

Simulating Legal Process	Solicitation Misconduct Local Government	Solicitation Misconduct State Government
Solicitation of a Sexual Act	Solicitation to Meet a Child	Tampering with a Certification by a Public Official
Theft	Transmission of Obscene Messages	Unlawful Clouding of Title
Violation of Bail Bond	Violations of Order of Protection	

Upon conclusion of the underlying case indicating a conviction or plea of guilt, the officer's identification will be added to the Board's decertification list which is shared with the National Decertification Index maintained by the International Association of Directors of Law Enforcement Training Standards and the federal Bureau of Justice Administration.

Decertification occurs as a matter of law and defers to the conclusions made through the judicial process.” (Illinois Law Enforcement Training and Standards Board, 2024a, p.1) Though this is a long list of misdemeanors it appears that mostly felonies seem to be getting officers decertified with a reflection back on the earlier pie chart depicting over 70% of officers decertified due to felonies. Many of these misdemeanors in the list above are felonies in other states as well. If all the misdemeanor categories are added in the earlier pie chart that would result in only 25.4% of the decertification data as misdemeanors. There have been recent changes though that are continuing to take effect. In January of 2021 the governor of Illinois signed the Illinois Safety, Accountability, Fairness, and Equity, - Today Act or SAFE-T Act. This piece of legislation came with a deluge of criminal justice reform not least of which was the creation of a the following misconduct and decertification changes:

## Complaints and Misconduct

In the areas of complaints and misconduct, the Act:

Creates a statewide decertification process for officers.

Allows the attorney general to investigate, initiate civil lawsuits, and enforce settlements against police agencies that have a pattern of depriving individuals of their rights.

Creates stricter body camera regulations and a Class 3 felony for clear and willful attempts to obstruct justice.

Allows for investigation of anonymous complaints against officers.

Bans the destruction of police misconduct records.

Allows complaint filings against police officers without sworn affidavits or other legal documentation.

Removes the requirements that officers under investigation must be informed of complainants' names or of the officer in charge of the investigation.

Prohibits local governments from retaliating against employees who report improper government actions.

Expands notification of police misconduct to the Illinois State Training and Standards Board.

Makes data on misconduct more accessible.

Requires a publicly available database for any police misconduct that results in decertification.

## Certification and Decertification Process

In the certification and decertification process area, the Act:

Changes Illinois State Police Merit Board composition and reporting to the board.

Creates a Illinois Law Enforcement Certification Review Panel.

Enhances automatic and discretionary termination of officers.

Changes procedures for automatic and discretionary decertification of officers.

Includes provisions for immediate suspensions.

Requires verification of training and employment information.

Requires additional sheriff qualifications. (Illinois Public Act 101-0652, 2021, p1.)

The introduction of this act is likely the reason for the doubling of decertifications in the state starting in 2022. One of the most striking changes in the law was the requirement to make a publicly accessible database for any police misconduct that resulted in decertification. The guilty plea or conviction of a crime is being heavily modified as well with this new law requiring decertification even if an officer was not criminally prosecuted for offense such as: excessive force, failed to exercise duty to intervene, tampering with a body-worn or dash camera, among other unethical behaviors. Additionally, when a Board member “may have an actual, perceived, or potential conflict of interest or appearance of bias that could prevent the Board member from making a fair and impartial decision regarding decertification the Board member shall recuse himself or herself” or face being voted to recuse by a majority or removed by the governor for failure to comply. (Illinois Public Act 101-0652, 2021, p.674) The SAFE-T Act was phased in with some portions taking effect July 1st, 2021, January 1st, 2022, and most sections taking effect on January 1st, 2023 (Reichert, et al. 2021). Overall, this act appears to take Illinois from one of the states most tolerant of police misconduct to one of the most vigilant, setting a blueprint for other states to follow.

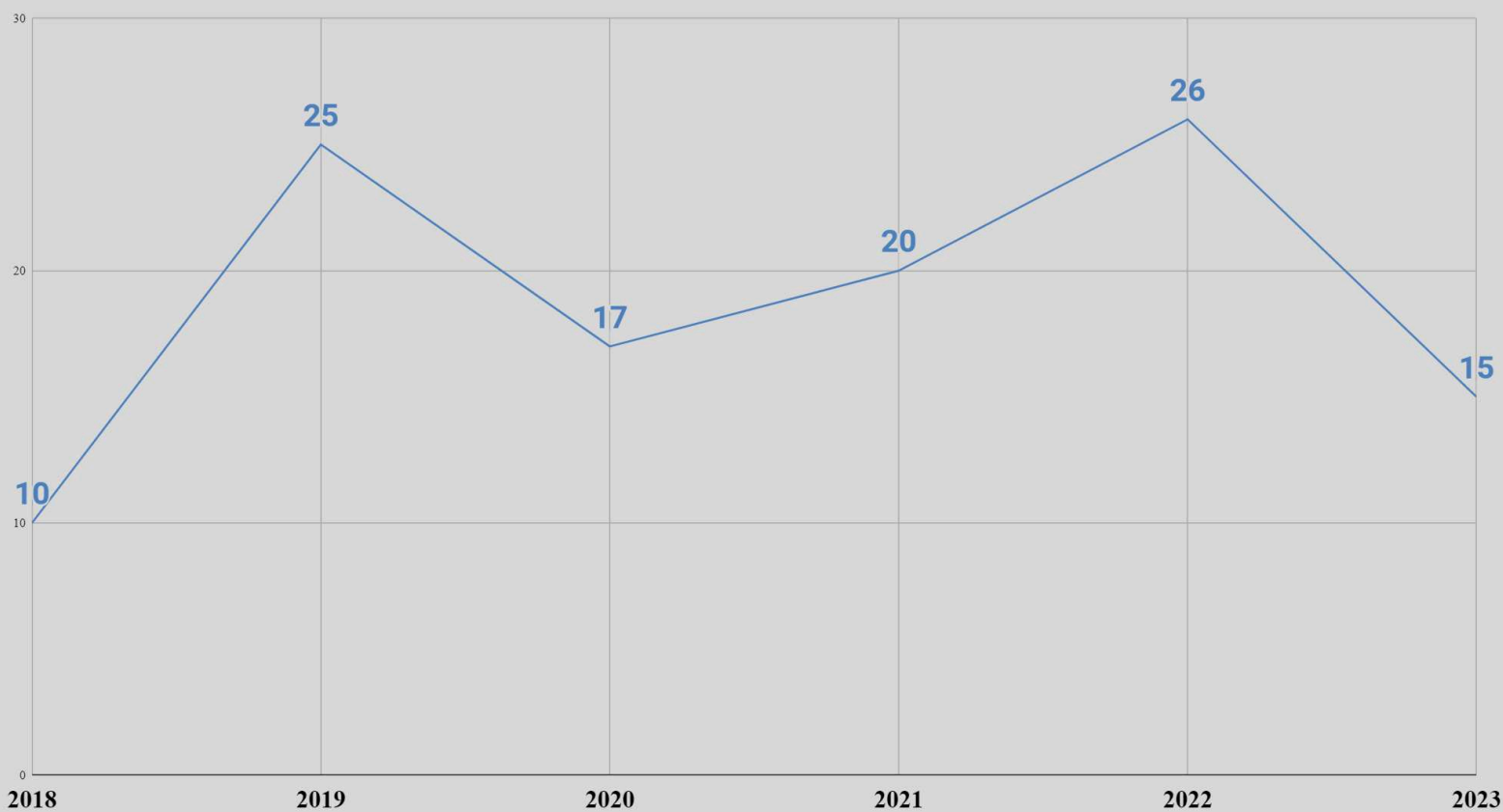
## **Pennsylvania Decertification**

The POST agency function for the state of Pennsylvania is housed within the Municipal Police Officers' Education and Training Commission which is itself within the Pennsylvania State Police. Decertification records were provided by the Pennsylvania State Police (PSP) Bureau of Record and Identification. The Pennsylvania State Police provided a total of 115 decertification records spanning from 2018 - December 2023. For context, Pennsylvania had a total of 26,914 full time sworn officers as of the 2018 BJS Census. This is just slightly less than Georgia. This provides a decertification rate of just 0.07% per year averaged over the five year study period. Even if all 115 records received over the six year span are compared to the total state and local law enforcement population that is still only 0.43% decertified over the entire six years.

### **Pennsylvania Decertification Data**

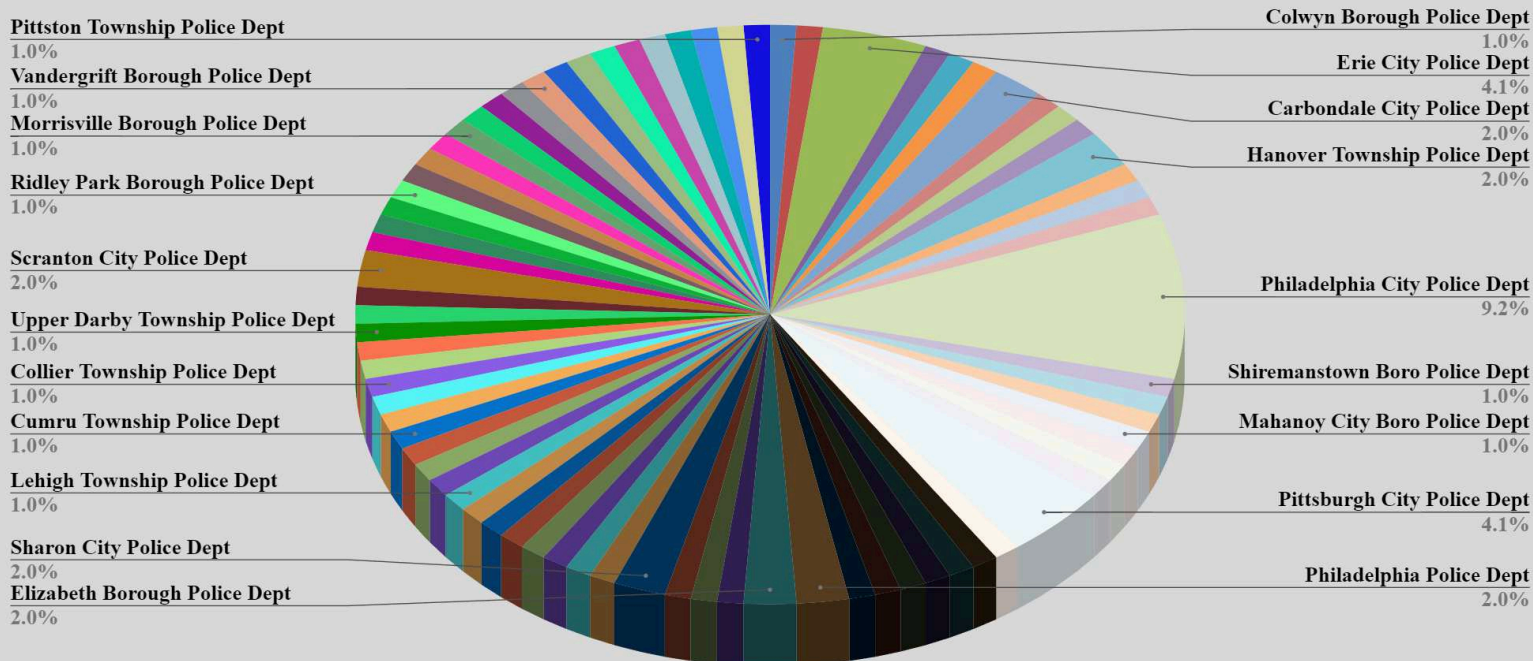
The first analysis is that of officers decertified by year from 2018 to December 2023. After this graph all data in this section will refer to the study period of 2018 - 2022.

Pennsylvania - Decertifications by Year 2018 - December 2023



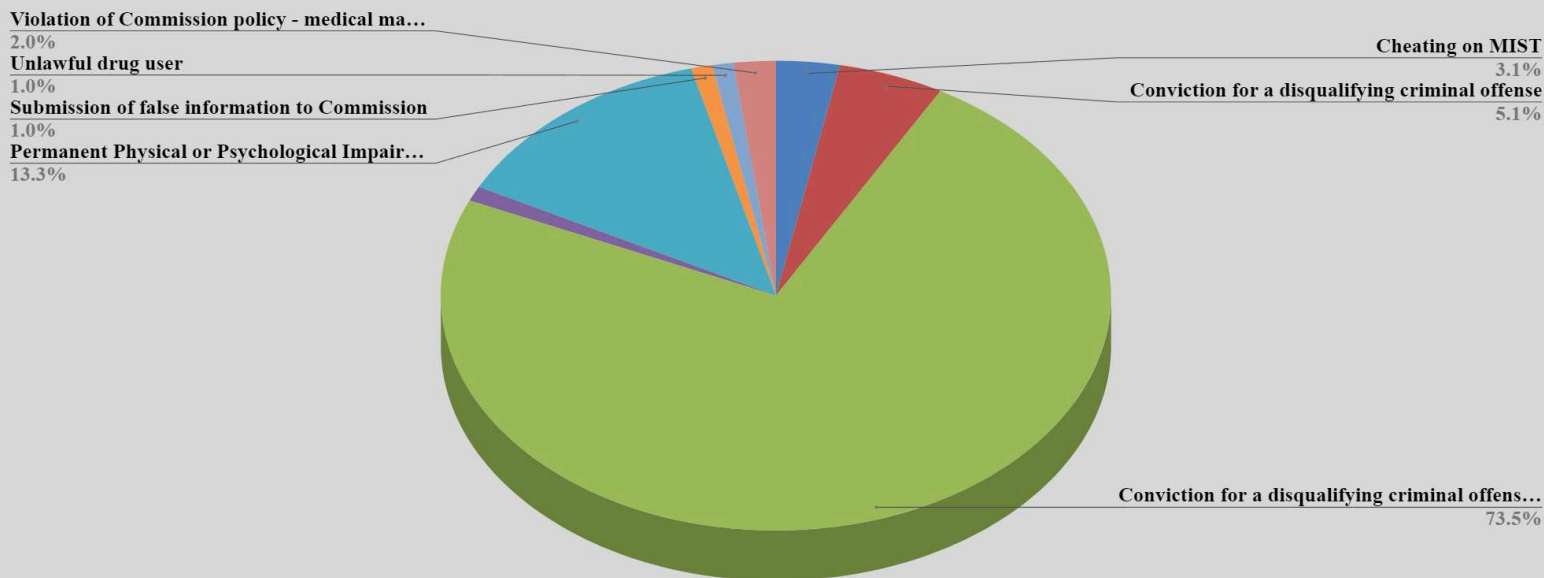
Pennsylvania, it seems, has held steady on their decertification journey, reaching a subtle peak of 26 officers decertified in 2022. The five year average from 2018 - 2022 is 19.6 officers decertified per year. The Pennsylvania State Police also provided agency data which is presented below in the form of a pie chart.

### Pennsylvania - Decertifications by Agency 2018 - 2022



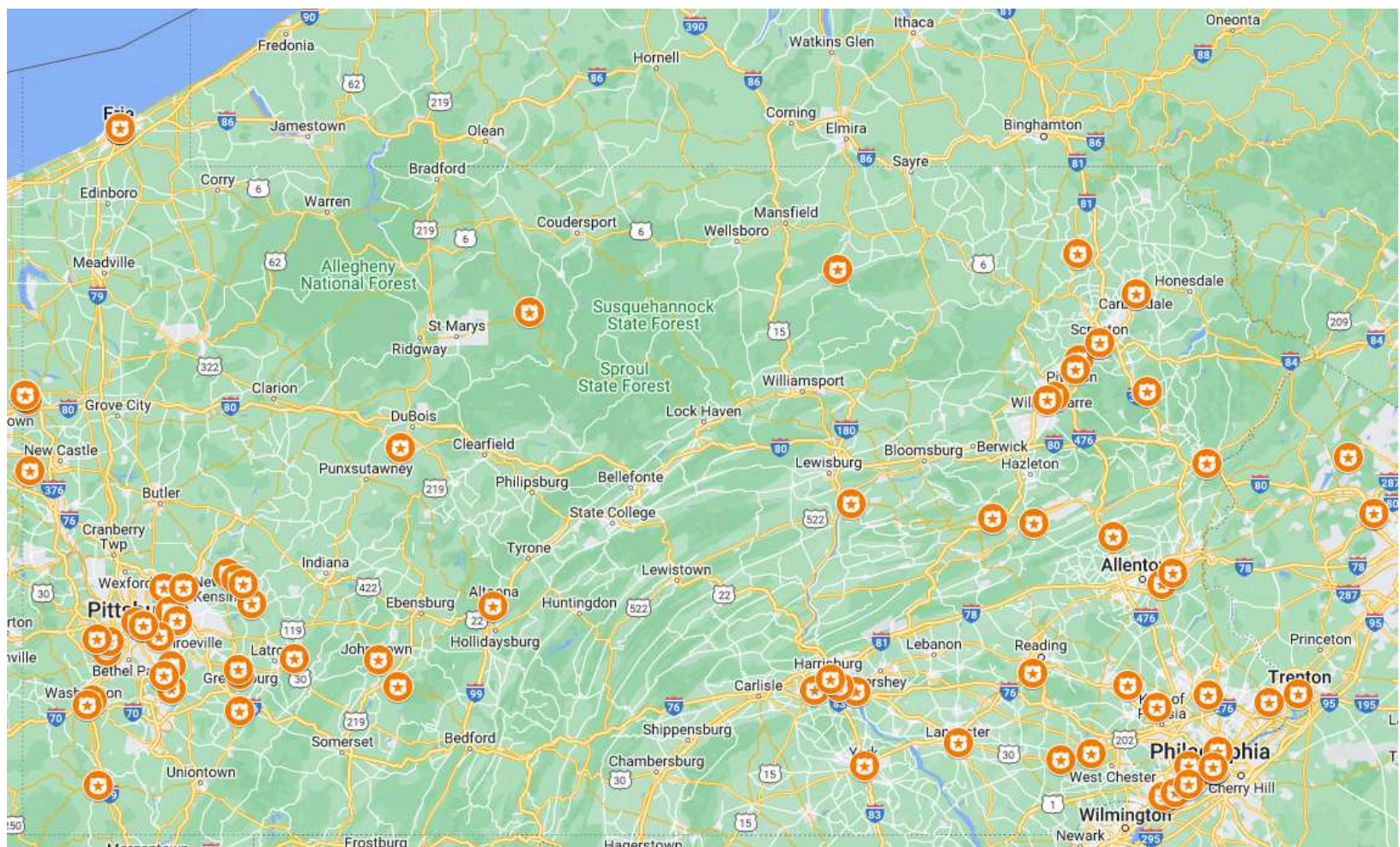
Large cities, again, dominate the statistics with Philadelphia City Police Department commanding first place at 9.2% of officers decertified over the study period. Pittsburgh City Police Department and Erie City Police Department are both tied in second at 4.1%. Due to the small amount of data six agencies are tied in third at 2.0% with just two officers decertified over the study period. The remaining agencies with 1.0% had just one officer decertified in the five years. Helpfully, the Pennsylvania State Police also included the reason these officers were decertified. Below is the pie chart showing this data in detail.

Pennsylvania - Decertifications by Offense 2018 - 2022



Conviction for a disqualifying criminal offense and failure to maintain employment as a police officer under the Act comes in at 73.5% for the main reason for decertification. The second most common reason for officers to be decertified was Permanent Physical or Psychological Impairment at 13.3%. The third most common reason for decertification is Conviction for a disqualifying criminal offense at 5.1%. The “Act” and disqualifying criminal offenses are laid out in the following section. When each of these decertifications are geographically mapped to the agencies from which the officers were at when they were decertified, the map below can be generated. To access this interactive map follow this link:

<https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=s>  
[haring](#)



It is clear that the population centers of Pittsburgh and Philadelphia contain the largest number of decertified officers over the study period. There are also smaller clusters around the smaller population centers of Harrisburg and Scranton. Each of these locations contains the data provided by the Pennsylvania State Police as shown in the image below.



### **Pennsylvania Decertification Process**

“The Municipal Police Officers' Education and Training Commission, which consists of 20 members appointed by the Governor, was established in 1974 to establish certification and training standards for Municipal Police Officers in the Commonwealth of Pennsylvania. The Commission staff, which consists of employees of the Pennsylvania State Police, also oversees training and certification of Lethal Weapons Agents (Act 235), the certification of schools and instructors for both programs, and the retired law enforcement identification program (Act 79). The primary duties, responsibilities, and authorities of the Municipal Police Officers' Education and Training Commission are contained in the amended versions of Act 120 and the associated Regulations.” (Municipal Police Officers' Education and Training Commission, 2024, p.1) The chair of this Commission is the Colonel (Commissioner) of the Pennsylvania State Police. Beyond this obvious conflict of interest when it comes to decertifying police officers, it is interesting to note that over the study period not a single Pennsylvania state police officer was decertified. According to their website, the Pennsylvania State Police employs 4,841 sworn officers (PSP, 2024). For context this is 17.99% of the total full time state and local enforcement officers in Pennsylvania.

Six seats on the Commission are ex officio positions while the remaining members are appointed by the Governor for a term of three years. Notwithstanding the reimbursement of essential expenses incurred in the performance of their duties, Commission members serve without compensation. The Commission is required to meet at least four times annually and may hold special meetings as necessary. Special meetings are called by the Chairman, or at the request of at least five Commission members. The Commission has committees comprised of Commission members that usually meet prior to each regular

Commission meeting, to address specific areas of Commission business. As required by Act 120, the Commission members shall consist of:

- The Commissioner of the Pennsylvania State Police (Chairperson). \*
  - The Attorney General of the Commonwealth. \*
  - The Secretary of the Department of Community and Economic Development. \*
  - The Police Commissioner of Philadelphia. \*
  - One member of the PA Senate, appointed by the President pro tempore of the Senate. \*
  - One member of the PA House of Representatives, appointed by the Speaker of the House of Representatives. \*
  - Four elected officials, appointed by the Governor, including one from a borough, a second-class township, a first-class township, and a city.
  - Four incumbent chiefs of police, appointed by the Governor, including one chief from a borough department, a township department, and a city department.
  - One member of the Fraternal Order of Police, appointed by the Governor.
  - One educator qualified in the field of law enforcement, appointed by the Governor.
  - One member representing the public at large, appointed by the Governor.
  - Two non-commissioned police officers, appointed by the Governor.
  - One director of a certified municipal police training school, appointed by the Governor.
- \* Denotes Ex Officio Positions” (MPOETC, 2023, p.2)

This presents a relatively diversified Commission with a robust law enforcement background. The Commission is allowed to decertify officers under the powers given in the following state statute:

(a) The Commission maintains the right to revoke certification after notice and an opportunity to be heard under Subchapter G (relating to notice and hearings) for one or more of the following: (1) Failure to maintain employment as a police officer under the act. (2) Failure to maintain first aid or CPR certification. (3) Failure to qualify with firearms as specified in the Commission newsletter. (4) Failure to successfully complete annual mandatory in-service training as specified in the Commission newsletter. (5) Physical or psychological impairment which renders the officer permanently unable to perform his duties. (6) Conviction for a disqualifying criminal offense. (7) Submission to the Commission of a document that the police officer knows contains false information including fraudulent application. (8) A certification issued in error. (9) Cheating. (b) Under subsection (a)(1), (5) and (6), it shall be the responsibility of the head of the applicant's employing police department to provide written notice to the Commission of the following: (1) An officer's termination of employment. (2) An officer who has been determined to have a permanent physical or psychological condition which renders the officer unable to perform his duties. (3) An officer's arrest for a disqualifying offense within 15 days from the date of arrest. (c) Municipalities may request additional time for police officers to complete in-service training requirements by filing a show cause document with the Commission requesting additional time. These requests shall be filed on a form supplied by the Commission and considered by the Commission on a case-by-case basis. (Pennsylvania Code 37 Pa. Code § 203.14)

Furthermore, the Commission is allowed under this law to reinstate an officer that was previously decertified if said officer applies for reinstatement at least one year after the date of decertification. It was stated previously that 73.5% of officers were decertified due to a

Conviction for a disqualifying criminal offense and failure to maintain employment as a police officer under the Act. A disqualifying criminal offense is basically a felony as it is defined as any crime for which the punishment is more than one year in prison. This aforementioned Act refers to “53 Pa.C.S. Chapter 21, Subchapter D (relating to municipal police education and training)” (Municipal Police Officers’ Education and Training Commission, 2008, p.1)

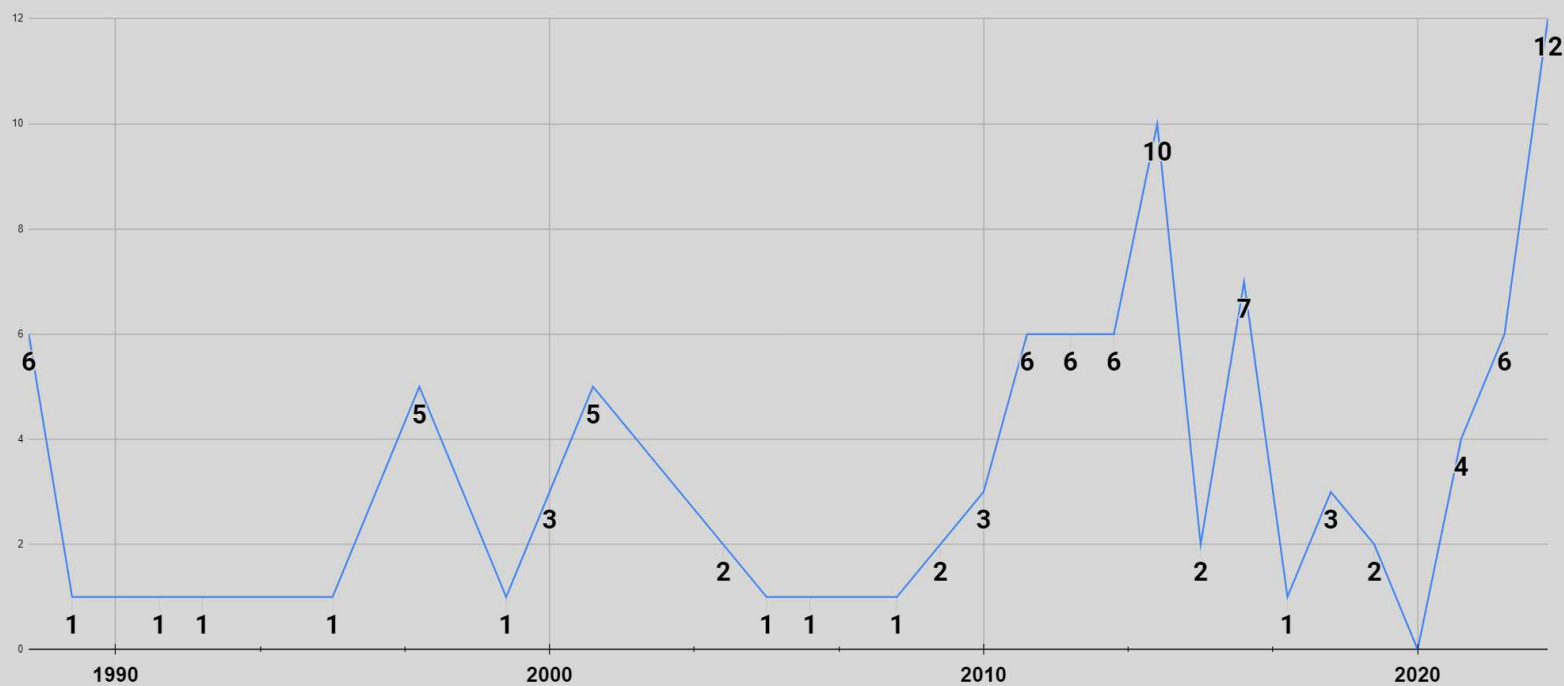
### **Connecticut Decertification**

The POST function of Connecticut falls to the Connecticut Police Officer Standards and Training Council. They provided a total of 97 decertification records over a timespan from 1988 to 2023. There were a total of 15 officers decertified across the study period 2018 - 2022. For context there were 7,843 full time sworn police officers in Connecticut as of the 2018 BJS Census. This provides a total decertification percentage of 0.19% across all five years or an average rate of 0.04% (or 3) officers decertified each year over this period. This is the lowest percentage decertified of any state in this study. An interesting comparison to make with Connecticut is that of Massachusetts next door, who established their POST agency in 2020. Between the establishment period of 2020 and March 29, 2024 a total of 14 officers were decertified in Massachusetts. This data is updated monthly. For reference, Massachusetts had a total of 19,578 full time sworn officers as of the 2018 BJS Census. This gives us an average of 3.5 officers decertified per year and a comparison percentage of 0.02% of the state and local law enforcement officers decertified per year.

### **Connecticut Decertification Data**

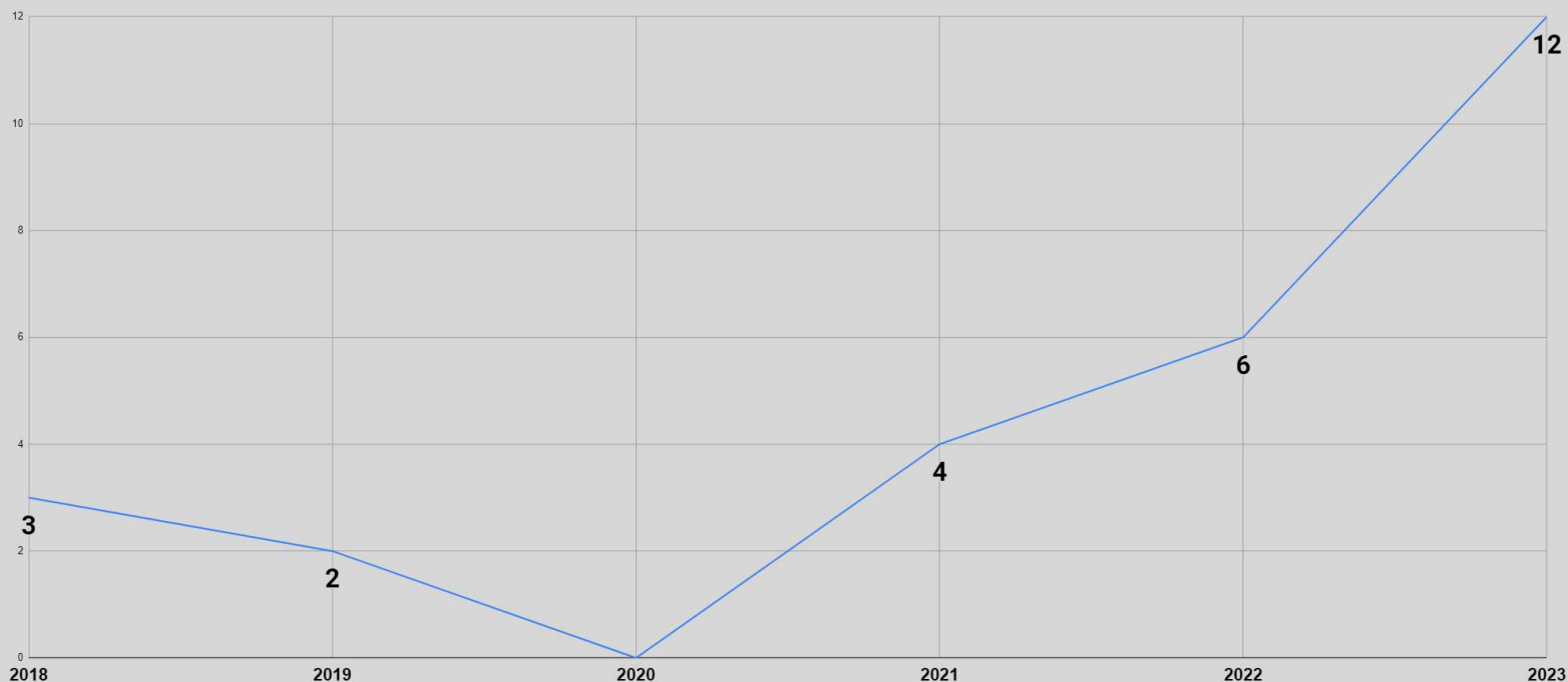
The Connecticut POST data was first categorized by year across the entire record provided from 1988 - 2023. The line graph below displays this data.

Connecticut - Decertifications by Year 1988 - 2023



Many years show just one officer decertified, and beyond that there is a high degree of variability in the data set. The two highest spikes of decertification occurred in 2014 and 2023. This variability somewhat calms when the most recent six years is brought out. Though not included in the graph above, it is worth noting that since 2020, Connecticut has taken a renewed interest and zeal towards decertification with a sharp upward trajectory of decertifications reaching a total of 9 decertified already in 2024 in just the first four months of the year. The data from 2018 - 2023 is shown in the line graph below.

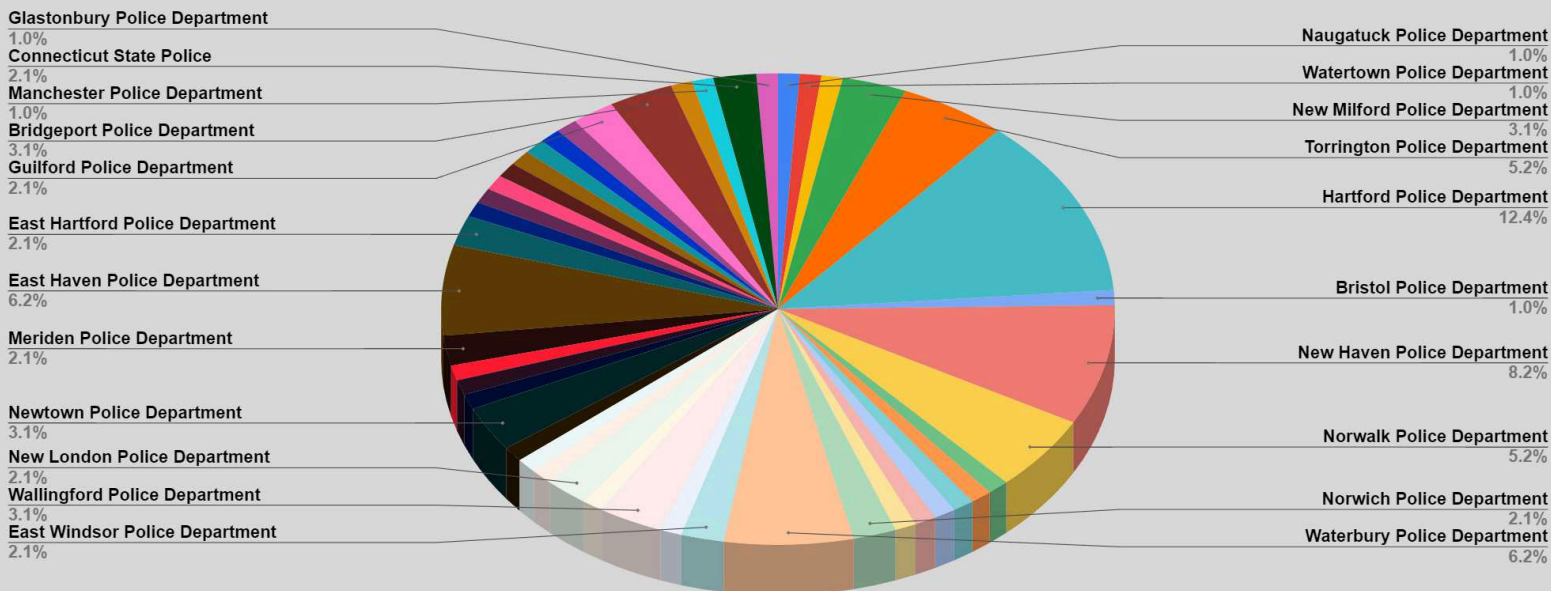
Connecticut - Decertifications by Year 2018 - 2023



In 2023 the number of decertified broke through the high water mark of 10 last seen in 2014.

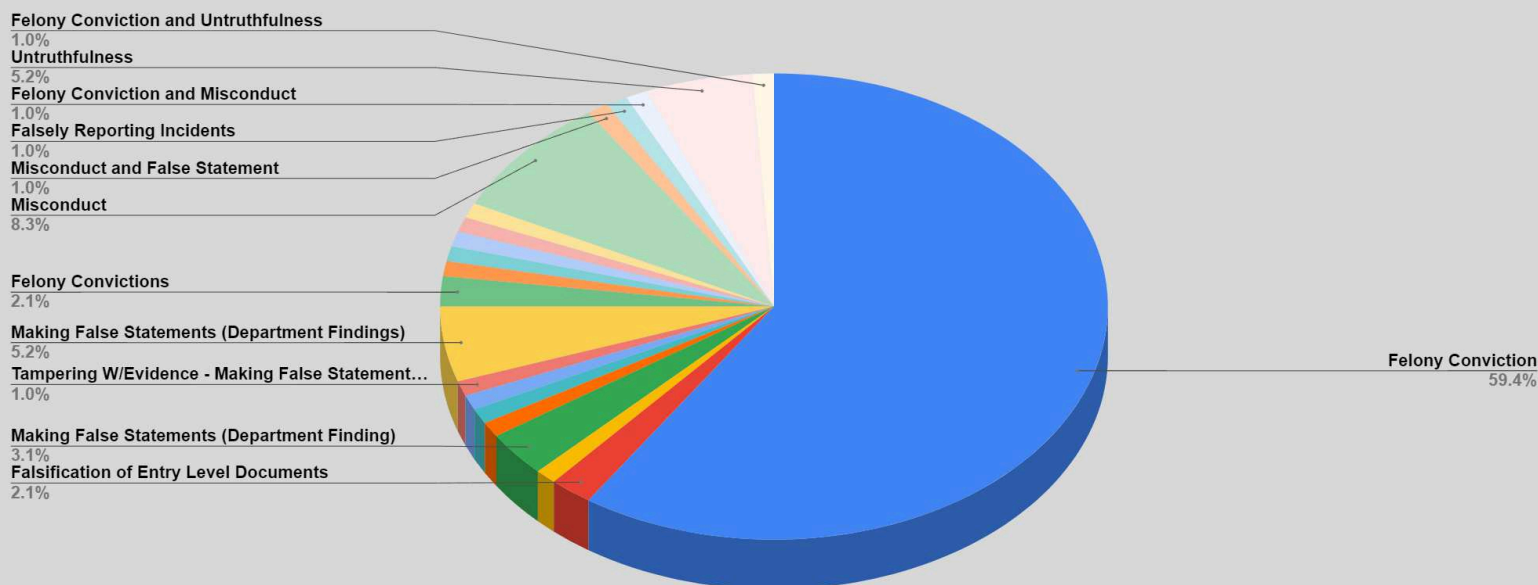
Connecticut POST also included data regarding the agency which the officer was employed at when they were decertified. The following pie chart displays that data from 1988 - 2023.

Connecticut - Decertifications by Agency 1988 - 2023



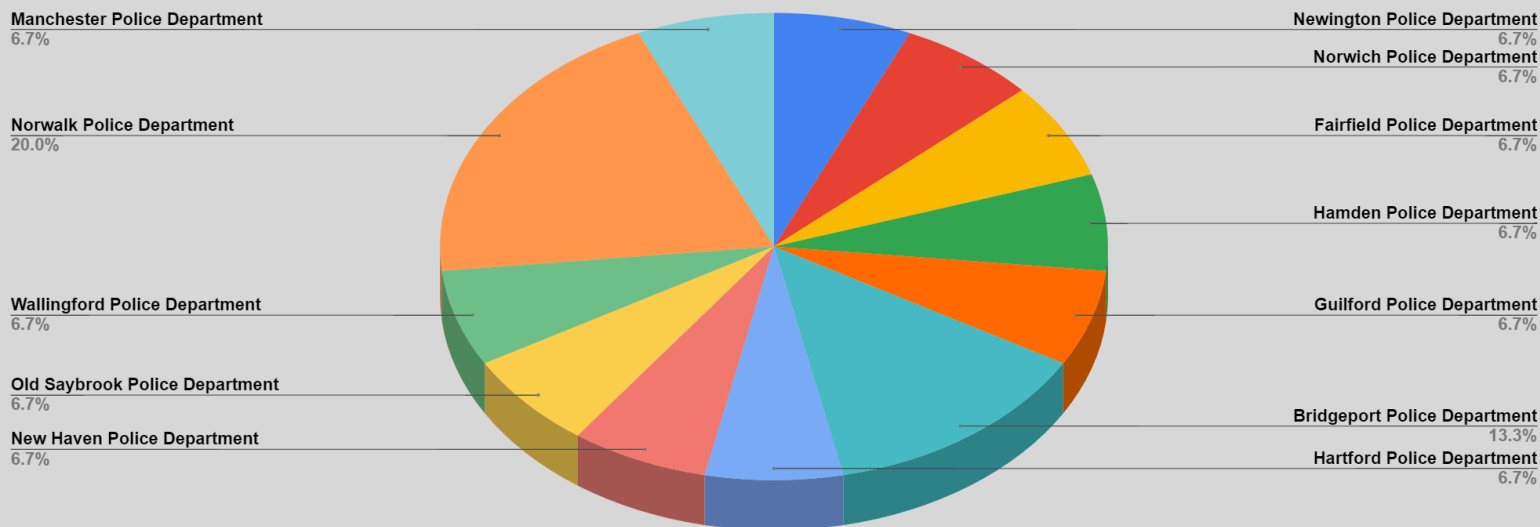
In this small state, Hartford Police Department easily clinches first place with 12.4% of those decertified officers. New Haven Police Department brings up second at 8.2%. Waterbury Police Department and East Haven Police Department round out third, tied at 6.2%. Norwalk Police Department and Torrington Police Department trail in fourth, tied with 5.2%. Connecticut POST provided the offenses for which officers were decertified and they are included in the pie chart below.

Connecticut - Decertifications by Offense 1988 - 2023

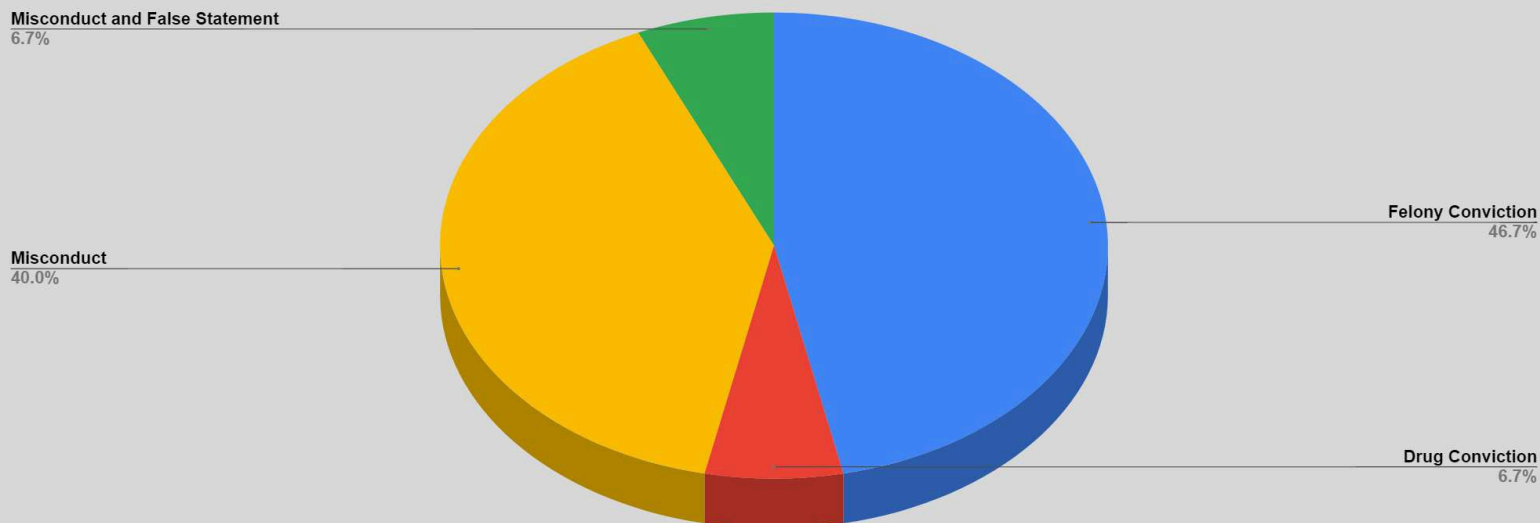


It is clear that Felony Convictions at 59.4% are the main reason officers are decertified in Connecticut. The second most common offense is Misconduct at 8.3%. Making False Statements and Untruthfulness round out third, tied at 5.2%. This data changes slightly when viewed for the study period of 2018 - 2022. The following pie chart displays the decertification by the agency across that time period.

### Connecticut - Decertification by Agency 2018 - 2022



When viewed on a shorter timescale Hartford PD falls out of the number one spot to be overtaken by Norwalk Police Department at 20.0%. Bridgeport Police Department follows in second at 13.3% and the remaining ten agencies are all tied for third at 6.7% or just one officer during the time period decertified. The following pie chart displays the study period timescale of decertifications by offense.

**Connecticut - Decertification by Offense 2018 - 2022**

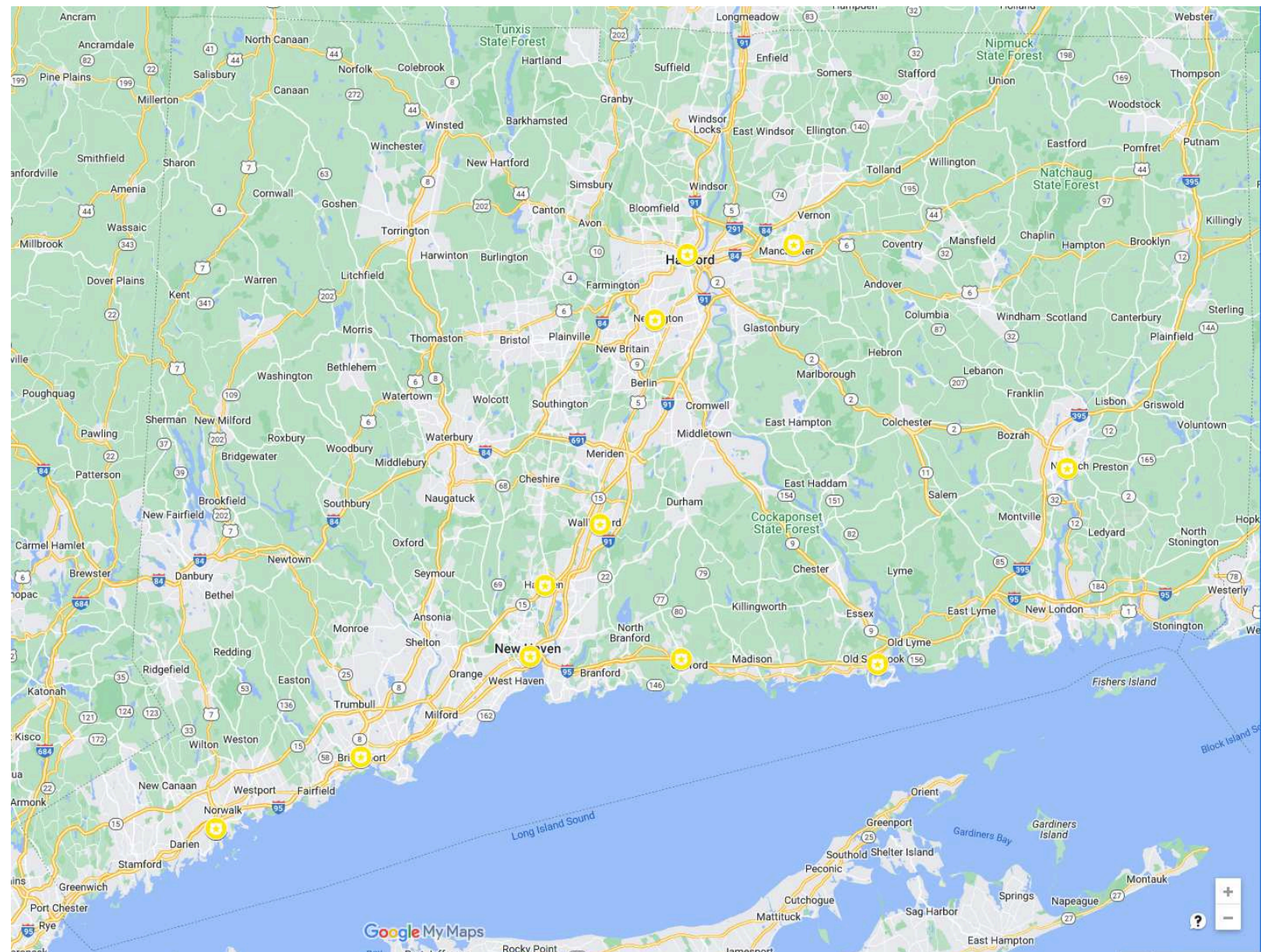
Over this shorter timescale Felony Convictions do not command such an overwhelming lead and make up almost half the data set at 46.7%. Misconduct again falls into second place at 40.0%.

Third place is tied between Drug Convictions and Misconduct and False Statements each with 6.7%, or one officer decertified during that time period. If this decertification data from 2018 - 2022 is geographically mapped by the location of each agency the following map can be

generated. To interact with the map click the following link:

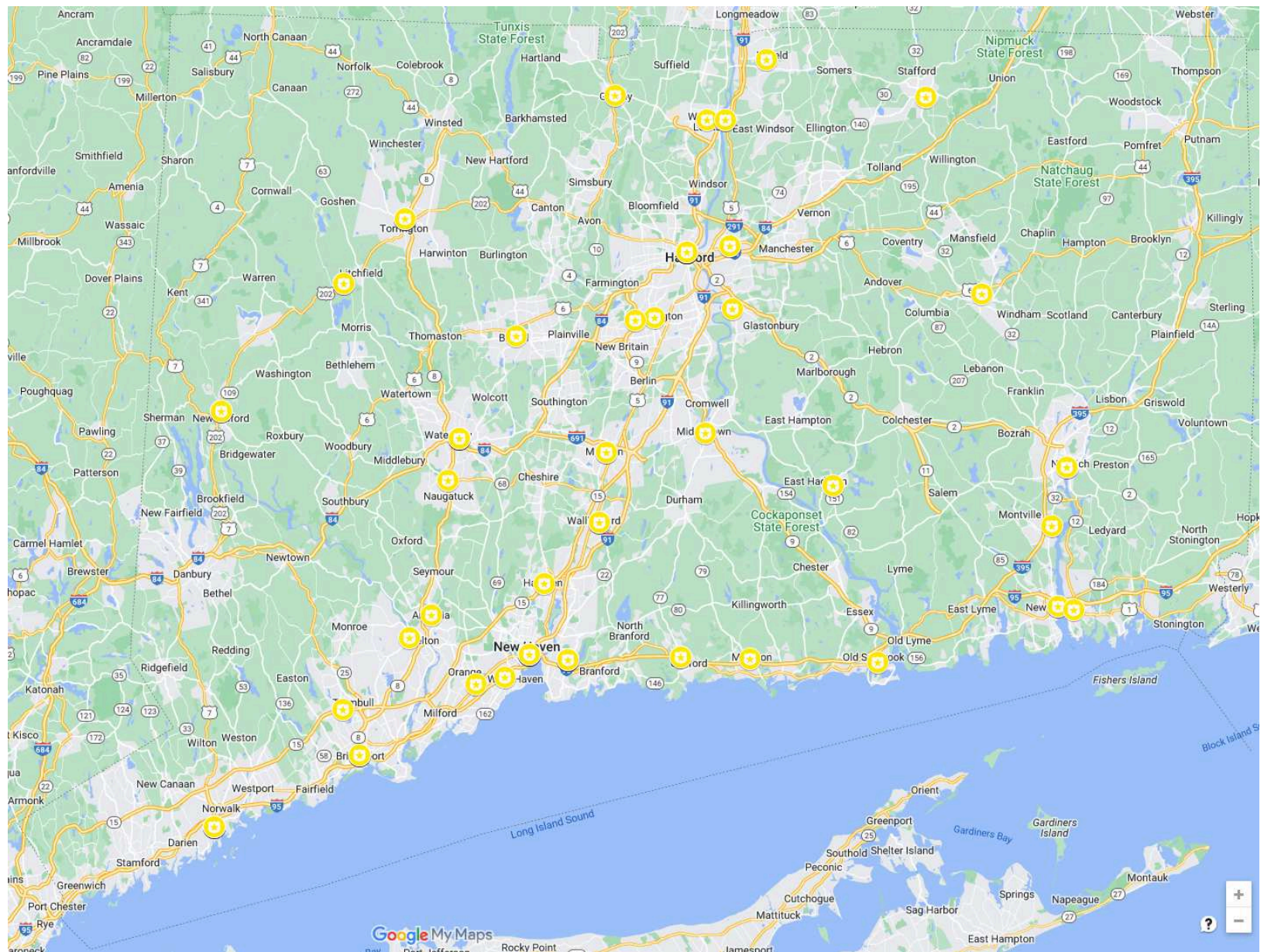
<https://www.google.com/maps/d/edit?mid=1Q8qPQL1KY3DasVt9u25Zna6O0F0OeNY&usp=s>

[haring](#)

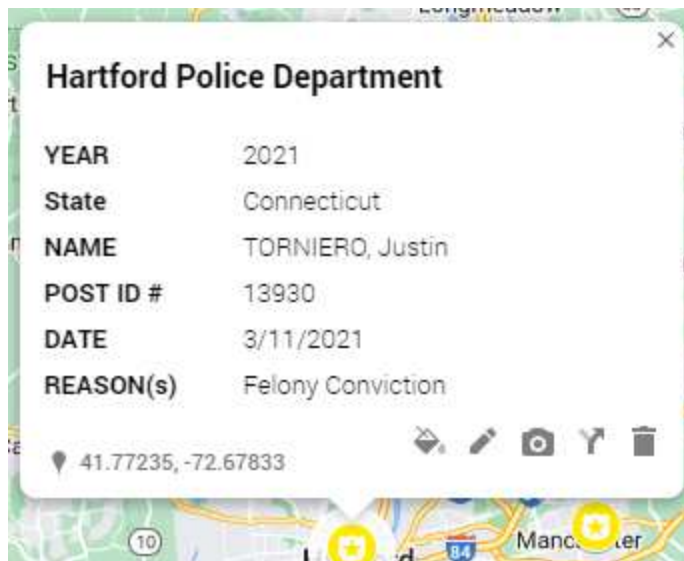


There are a few decertifications sprinkled across the coastline and largest cities in the state but this small data does not provide much visual data. To remedy this, the entire data set from 1988 - 2023 was mapped as well to show a broader pattern. That image is below. To interact with this map follow this link:

<https://www.google.com/maps/d/edit?mid=1mRmVkaMZuJfX9Ode2a4Ulo5OZAjYoj0&usp=sharing>



This map displays the data from 1988 - 2023 and the data starts to become more clear as it is clustered around the larger population centers and occasionally sporadically along the countryside. Each of these map data points contain the information provided by Connecticut POST. An example of this map data is provided in the image below.



### **Connecticut Decertification Process**

Connecticut POST (formerly the Municipal Training Council) was established in 1965. By law, its responsibilities include (1) establishing a comprehensive municipal police training plan; (2) training, certifying, and establishing minimum qualifications for municipal police officers; (3) enforcing professional standards for certification and decertification of police officers; and (4) developing standards for law enforcement units and granting accreditation to units that meet the standards. While the agency's responsibilities are mainly described in terms of "police officers," its authority extends to persons who perform police functions, according to a 1993 attorney general's opinion. The council is within the Department of Public Safety (DPS) for administrative purposes only. It consists of (1) 18 members appointed by the governor and (2) the DPS commissioner and Federal Bureau of Investigation's special agent in charge in Connecticut or their designees, who are ex officio voting members. Members serve without compensation but are reimbursed actual expenses incurred in performing their

duties. An executive director, appointed by the council, and a 24-person staff carry out the day-to-day responsibilities of the council. The council must submit annual reports to the governor and legislature on its training plan and an accounting of all grants, contributions, donations, and other financial assistance it receives. (Rose, 2011, p.1)

Of those 18 members appointed by the governor this group consists of the following:

“five public members; one University of Connecticut faculty member; eight Connecticut Police Chiefs Association members; the chief state's attorney; a sworn local police officer ranked sergeant or lower; one municipal chief administrative officer; and the chief elected official or chief executive officer of a town or city with fewer than 12,000 people and without an organized police department.” (Rose, 2011, p.1) In the summer of 2020 Connecticut held a special session in which they passed a new police reform bill to amend and extend the existing offense for which officers could be decertified. This is House Bill No. 6004 or Public Act 20-1. The following text of Public Act 20-1 lays out the offense for which an officer can be decertified in Connecticut.

The highlighted portions of the law are the new additions.

(2) The council may cancel or revoke any certificate if: (A) The certificate was issued by administrative error, (B) the certificate was obtained through misrepresentation or fraud, (C) the holder falsified any document in order to obtain or renew any certificate, (D) the holder has been convicted of a felony, (E) the holder has been found not guilty of a felony by reason of mental disease or defect pursuant to section 53a13, (F) the holder has been convicted of a violation of section 21a-279,[Possession of a Controlled Substance] (G) the holder has been refused issuance of a certificate or similar authorization or has had his or her certificate or other authorization cancelled or revoked by another jurisdiction on grounds which would authorize cancellation or revocation under the provisions of this

subdivision, (H) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used a firearm in an improper manner which resulted in the death or serious physical injury of another person, (I) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit and considering guidance developed under subsection (g) of this section, to have engaged in conduct that undermines public confidence in law enforcement, including, but not limited to, discriminatory conduct, falsification of reports or a violation of the Alvin W. Penn Racial Profiling Prohibition Act pursuant to sections 54-11 and 54-1m, provided, when evaluating any such conduct, the council considers such conduct engaged in while the holder is acting in such holder's law enforcement capacity or representing himself or herself to be a police officer to be more serious than such conduct engaged in by a holder not acting in such holder's law enforcement capacity or representing himself or herself to be a police officer; (J) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used physical force on another person in a manner that is excessive or used physical force in a manner found to not be justifiable after an investigation conducted pursuant to section 51-277a, or [(I)] (K) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have committed any act that would constitute tampering with or fabricating physical evidence in violation of section 53a-155, perjury in violation of section 53a-156 or false statement in violation of section 53a-157b. Whenever the council believes there is a reasonable basis for suspension, cancellation or revocation of the certification of a police officer, police training school or law enforcement instructor, it shall give notice and an adequate opportunity for a hearing prior to such suspension, cancellation or revocation.

Such hearing shall be conducted in accordance with the provisions of chapter 54. Any holder aggrieved by the decision of the council may appeal from such decision in accordance with the provisions of section 4-183. The council may cancel or revoke any certificate if, after a de novo review, it finds by clear and convincing evidence (i) a basis set forth in subparagraphs (A) to (G), inclusive, of this subdivision, or (ii) that the holder of the certificate committed an act set forth in subparagraph (H), [or (I)] (I), (J) or (K) of this subdivision. In any such case where the council finds such evidence, but determines that the severity of an act committed by the holder of the certificate does not warrant cancellation or revocation of such holder's certificate, the council may suspend such holder's certification for a period of up to forty-five days and may censure such holder of the certificate. Any police officer or law enforcement instructor whose certification is cancelled or revoked pursuant to this section may reapply for certification no sooner than two years after the date on which the cancellation or revocation order becomes final.

(Connecticut General Statute. July Sp. Sess., Public Act No. 20-1, p.7-9)

This law also added additional tasks to the University of Connecticut's Police Transparency and Accountability Task Force which was created under a previous piece of legislation passed in 2019. This task force, called the PT&A Task Force, set out examining the state of law enforcement across Connecticut and came back with a similar reiteration of the core law enforcement principles championed by the Task Force on 21st Century Policing, which itself mirrored the Peelian principles of old (Connecticut General Assembly Police Transparency and Accountability Task Force, 2022). For the uninitiated, the Task Force on 21st Century Policing embraced the following six pillars of law enforcement: "Building Trust and Legitimacy, Policy and Oversight, Technology and Social Media, Community Policing and Crime Reduction,

Training and Education, Officer Wellness and Safety” (President’s Task Force on 21st Century Policing, 2015, p.5).

### **Florida Decertification**

The POST function for Florida falls under the Florida Department of Law Enforcement’s Criminal Justice Standards and Training Commission (2024). The CJSTC was founded by law in 1967. Florida has not yet responded with any decertification statistics. The statistics gathered were provided in the CJSTC annual reports showing the total number of police officers decertified. A total of 290 police decertification records were obtained for the study period. With a total state and local law enforcement count of 47,177, as of the last BJS Census in 2018, this is a very small decertification amount. To put this in perspective, this is an average of 58 police officers decertified each year which comes to an average of 0.12% of all state and local law enforcement decertified each year. This percentage is ahead of Texas, but behind New York and Georgia. Florida has nearly double the number of officers as Georgia, thus a higher decertification rate than an average of 58 per year is expected. Even if the entire 290 decertification records from the five-year study period are compared with the state and local law enforcement total, that is still a decertification percentage of only 0.61% over five years.

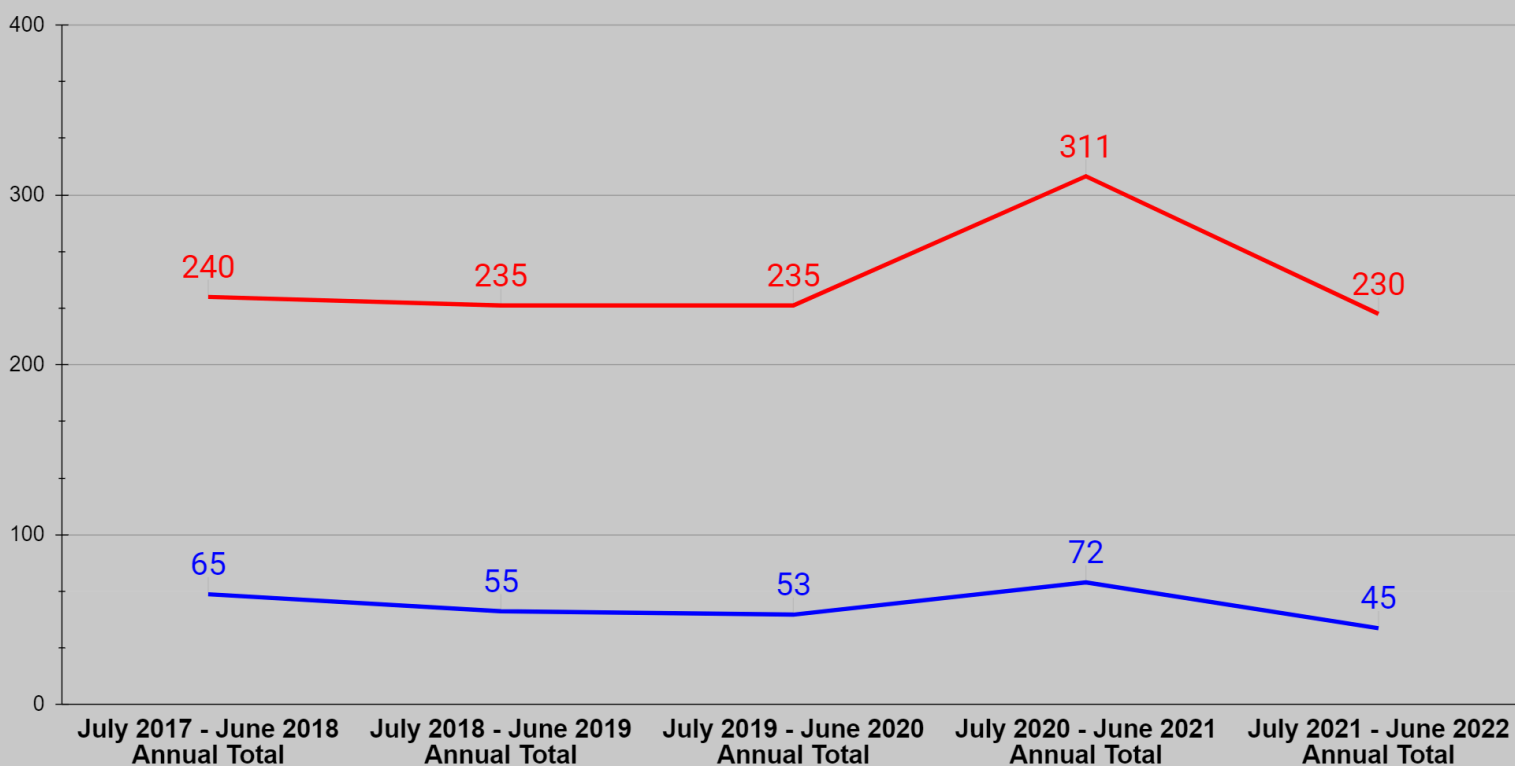
### **Florida Decertification Data**

Since only the total number of police officers was the only data available, additional context could not be provided regarding agency and offense for decertifications. Likewise it was not possible to geographically map decertifications by agency across the state. Despite this, Florida does maintain the [Florida Officer Discipline Database](#) which allows anyone to search for any police officer, correctional officer, and correctional probation officer who has been involved in any misconduct and has had a case with the CJSTC. CJSTC does things a bit differently than

other states in that instead of keeping decertification data from calendar year to calendar year they organize it by their fiscal year from July 1st - June 30th. Florida also showed correctional officers in their figures and this data is separated out below. The following graph displays the data collected from the time period of July 2017 - June 2022.

### Florida Decertifications July 2017 - June 2022

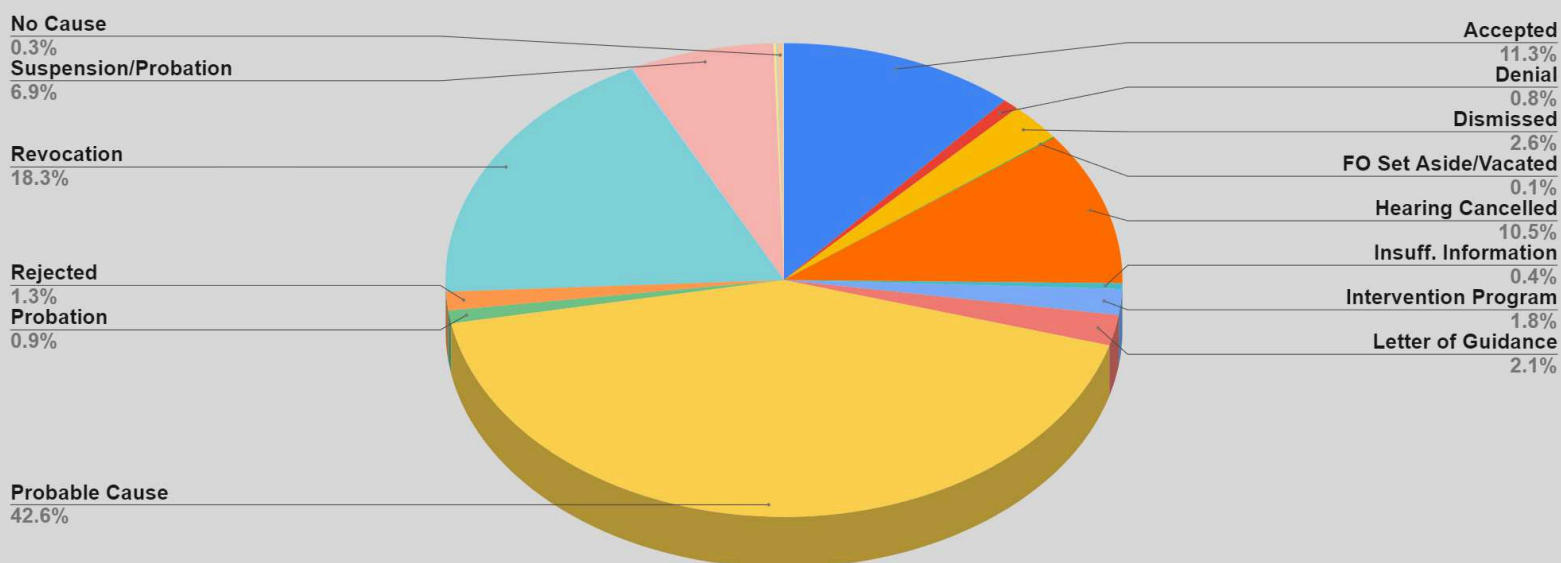
- Total All (With Correctional Officers) - Just Police



It appears there was a slight uptick in decertifications in the 2020 - 2021 decertification year which then promptly returned to its typical reading. It is clear to see that, just as in other states, when correctional officers are included in the data they represent roughly half or more of the decertifications. In Florida's case this is certainly the case with a wide separation between values here. Though they did not provide individual agency names, the Commission provides detailed

Compliance Statistics open to the general public which break down the number of all officers into groups and display the offense they committed and disciplinary decision of the Commission. They also include data that other states do not, such as age, gender, race, training, and educational data. It appears that the 2017 - 2018 decertification year was the last time that the Commission had any probable cause statistics for offenses. The pie chart below displays the types of disciplinary actions taken by the CJSTC against all police officers during the study period.

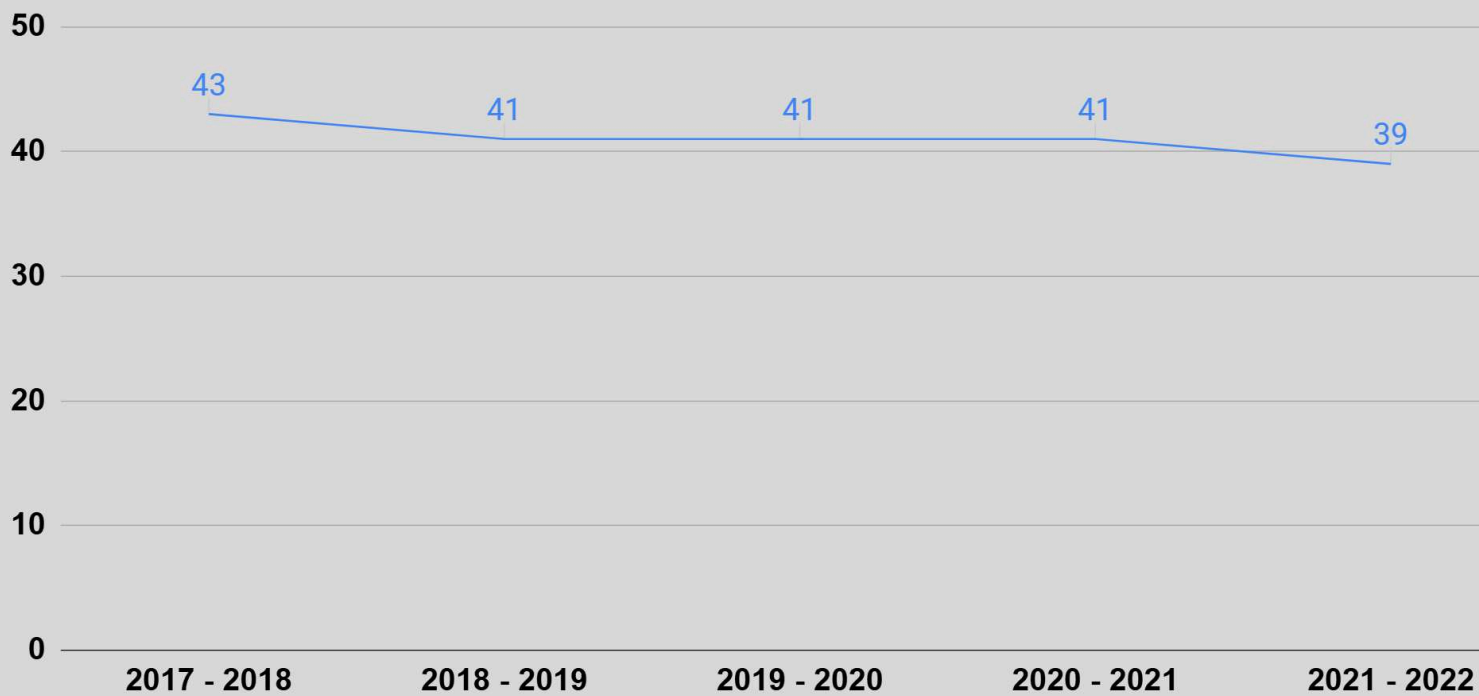
Florida Commission Disciplinary Actions 2017-2018 - 2021-2022



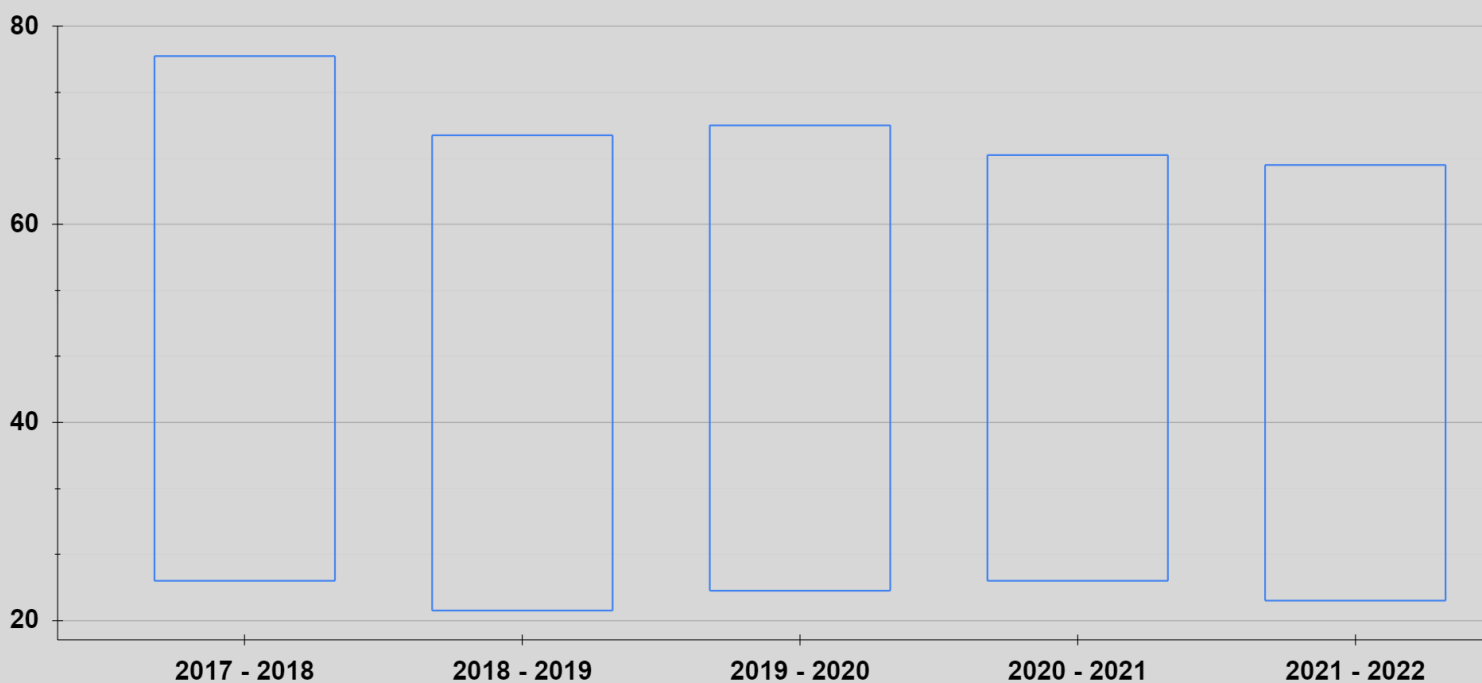
It is clear that Probable Cause is the primary disciplinary finding at 42.6% which is not surprising since that is the first step in the CJSTC disciplinary process. This process is explained in detail in the next section. The second most common action by the CJSTC is to revoke, or decertify, an officer's certification at 18.3%. The third most common reason is Accepted at

11.3% and Hearing Canceled at 10.5%. The process of accepting means to accept the action of an administrative law judge and will be explained in more detail in the following section. The average ages by year and the age ranges were included in the data set as well. They are represented below in the following two graphs.

**Florida Commission Disciplinary Data by Average Age 2017-2018 - 2021-2022**

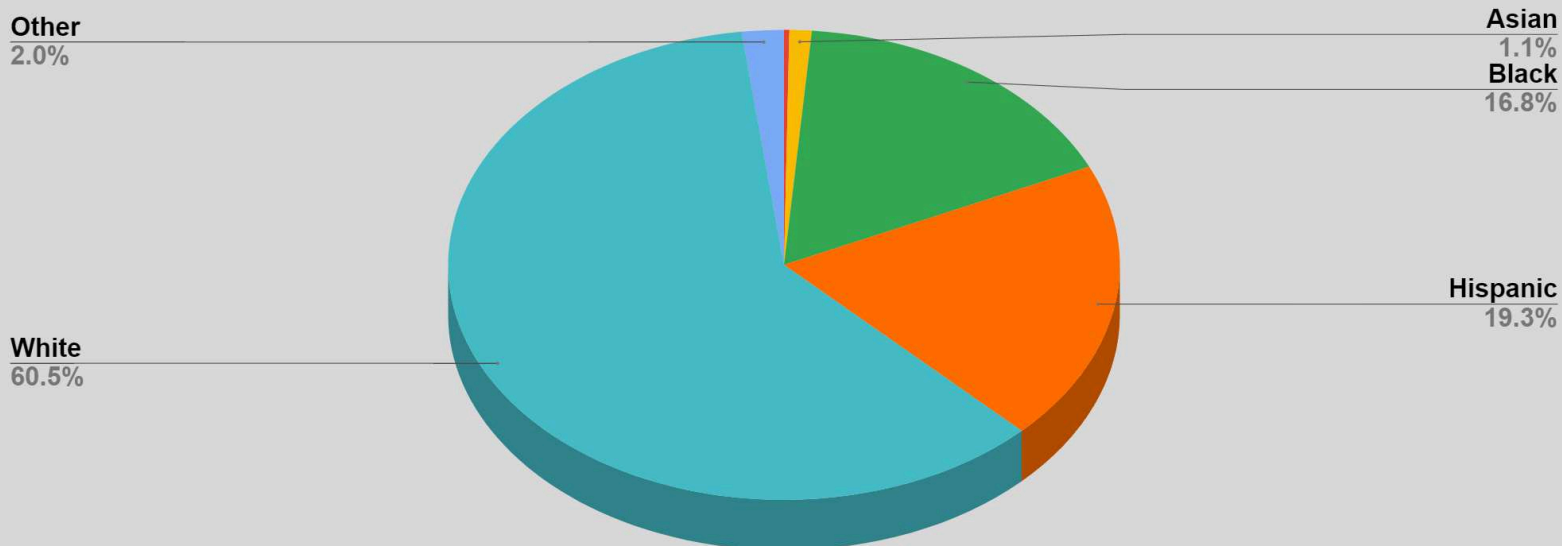


**Florida Commission Disciplinary Data by Age Range 2017-2018 - 2021-2022**



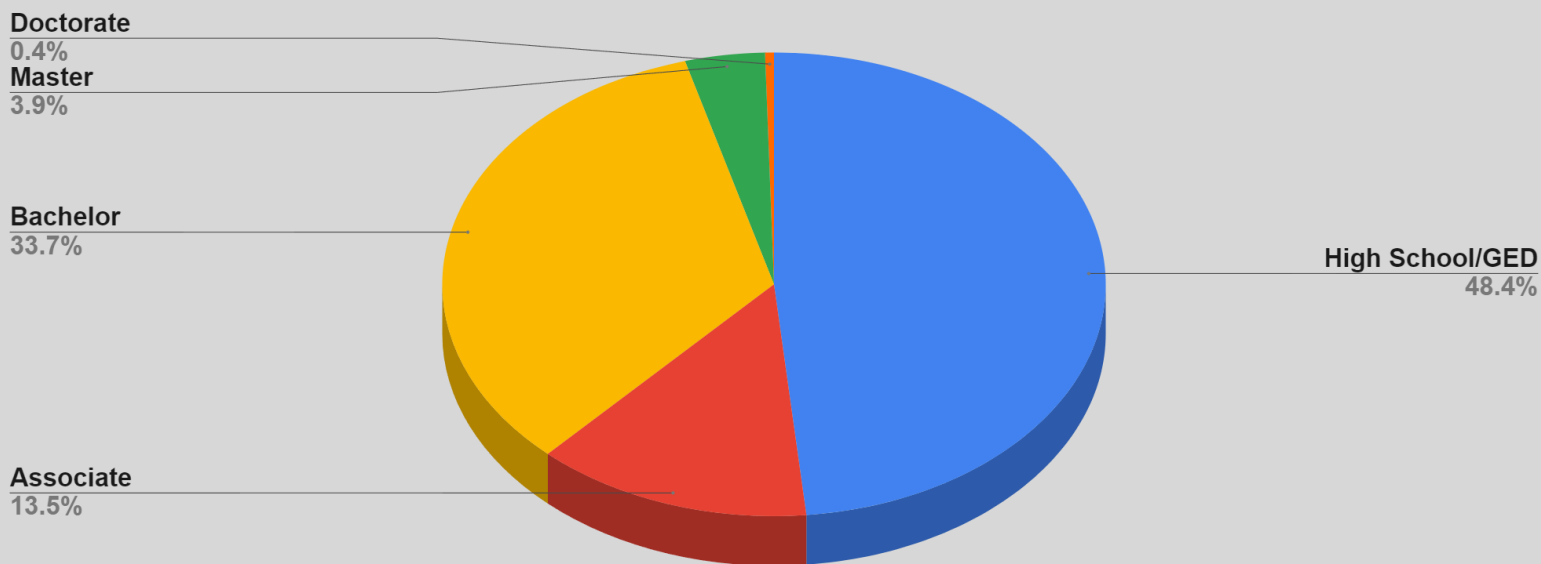
It is not surprising that the average age is commonly early 40's since the age range varies over the study period between 21 at the youngest and 77 at the oldest. It should be noted that this data is law enforcement officers only and does not include disciplinary data from other certifications administered by CJSTC. Florida has race statistics as well for disciplinary actions against law enforcement as shown in the pie chart below.

Florida Commission Disciplinary Actions by Race 2017-2018 - 2021-2022



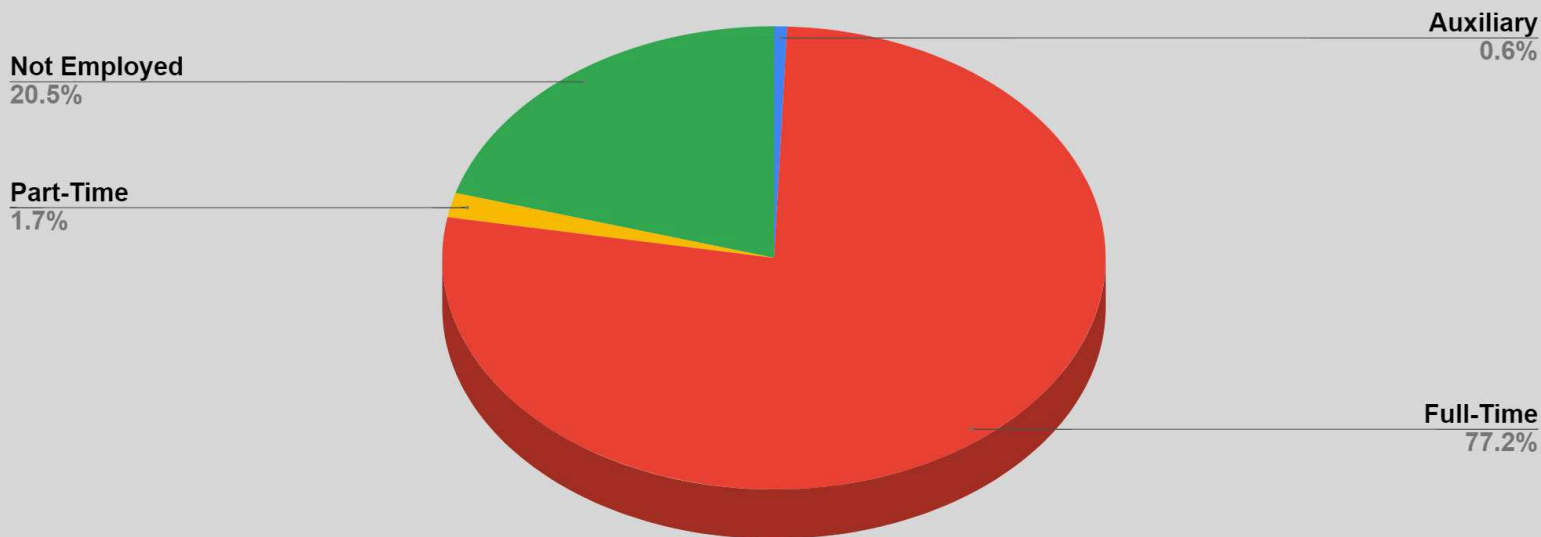
Since white officers make up the majority of the officers in the state it is not surprising that they retain the number one spot at 60.5% of those disciplined. This is followed by Hispanic officers at 19.3% and Black officers at 16.8%. The following chart shows the educational attainment of all law enforcement involved in disciplinary proceedings during the study period.

Florida Commission Disciplinary Action by Education 2017-2018 - 2021-2022



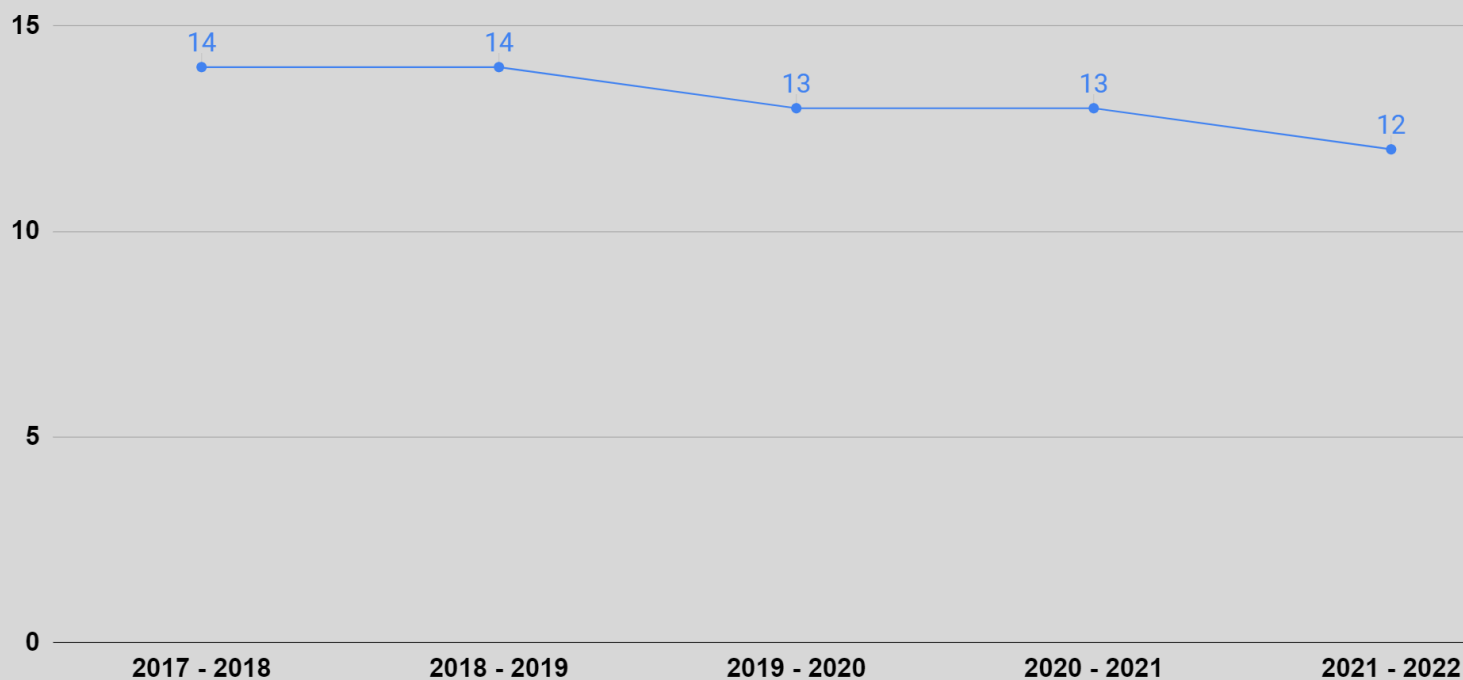
Those with an education level of High School/GED easily came in as the majority of those disciplined at 48.4%. Bachelor degree holders came in second at 33.7% and Associated in third at 13.5%. The chart below depicts disciplinary action by CJSTC Criminal Justice Classification.

Florida Commission Disciplinary Actions by Criminal Justice Classification 2017-2018 - 2021-2022



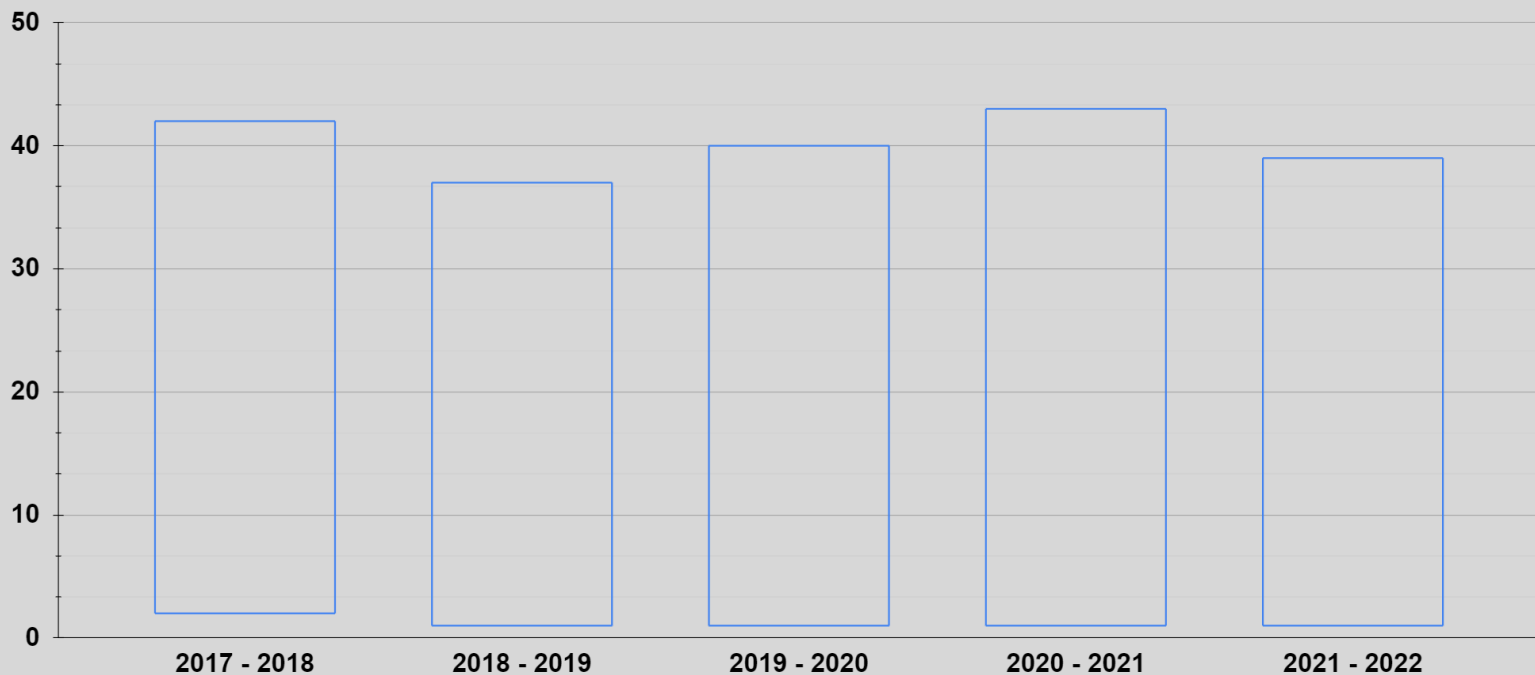
It is clear that most officers are Full-Time (77.2%) at an agency when they are involved in disciplinary actions. The second most common result is that they are Not Employed (20.5%), meaning they are either between agencies or were perhaps fired before the investigation and disciplinary action started. Very few part-time and auxiliary officers were disciplined during this time period. The next two charts articulate the disciplinary data by the average number of years sworn each year and the range of those values.

**Florida Commission Disciplinary Actions by Avg. Years Sworn 2017-2018 - 2021-2022**



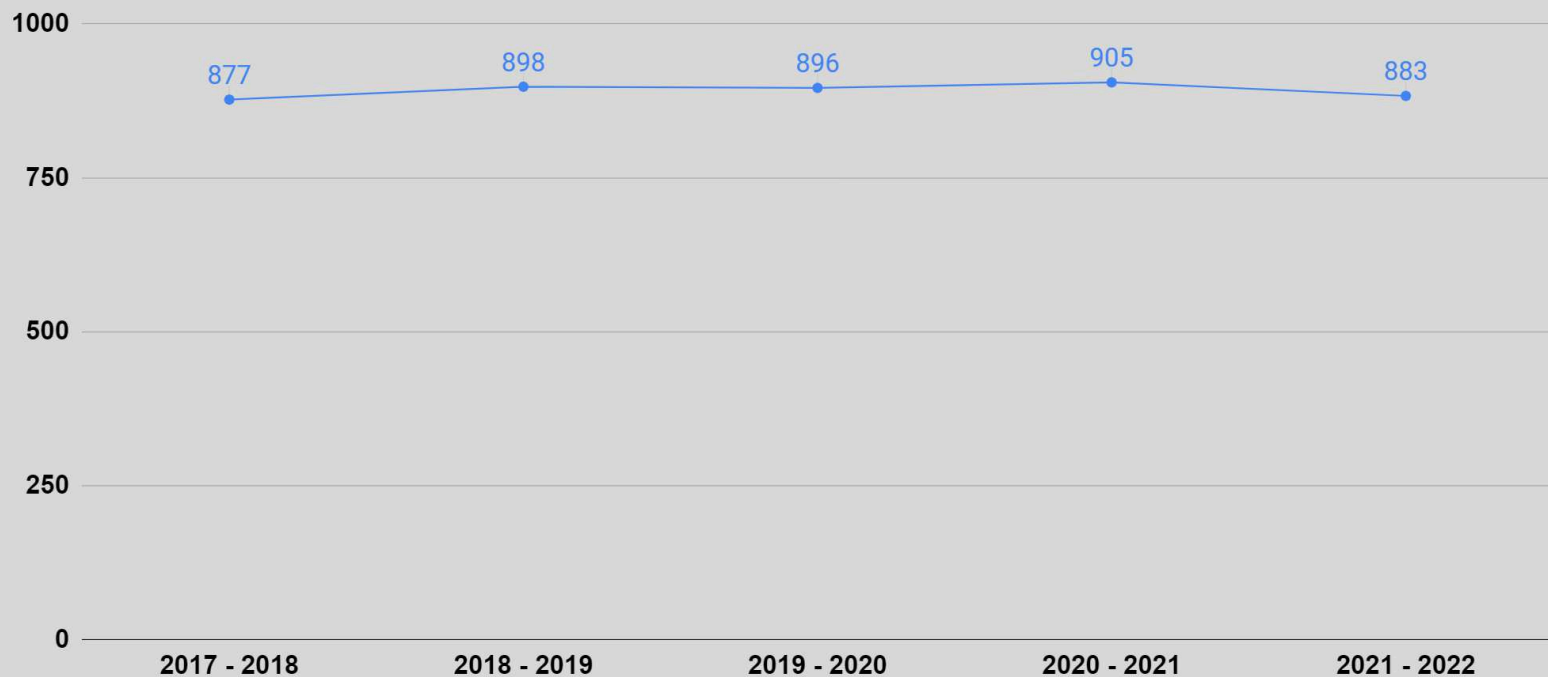
The average length of service for an officer disciplined over this time period seemed to be on a slight downward trend with the most recent averages showing 12 years sworn.

Florida Commission Disciplinary Actions by Years Sworn Range 2017-2018 - 2021-2022

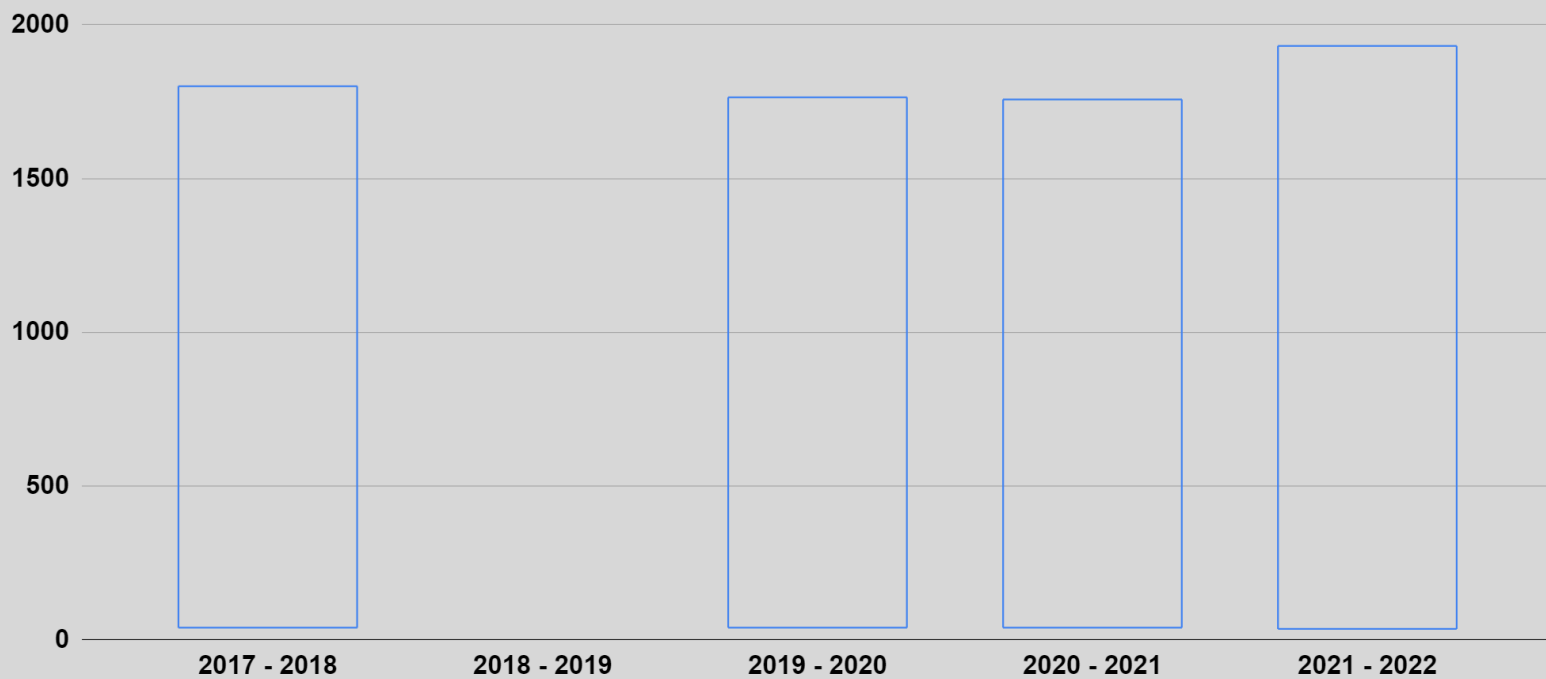


Though there is some variability in this data set it routinely ranges between 1 year of service sworn at the bottom end to 43 years sworn at the top end. The next graphs show the disciplinary data by total training hours.

Florida Commission Disciplinary Actions by Average Police Training Hours 2017-2018 - 2021-2022

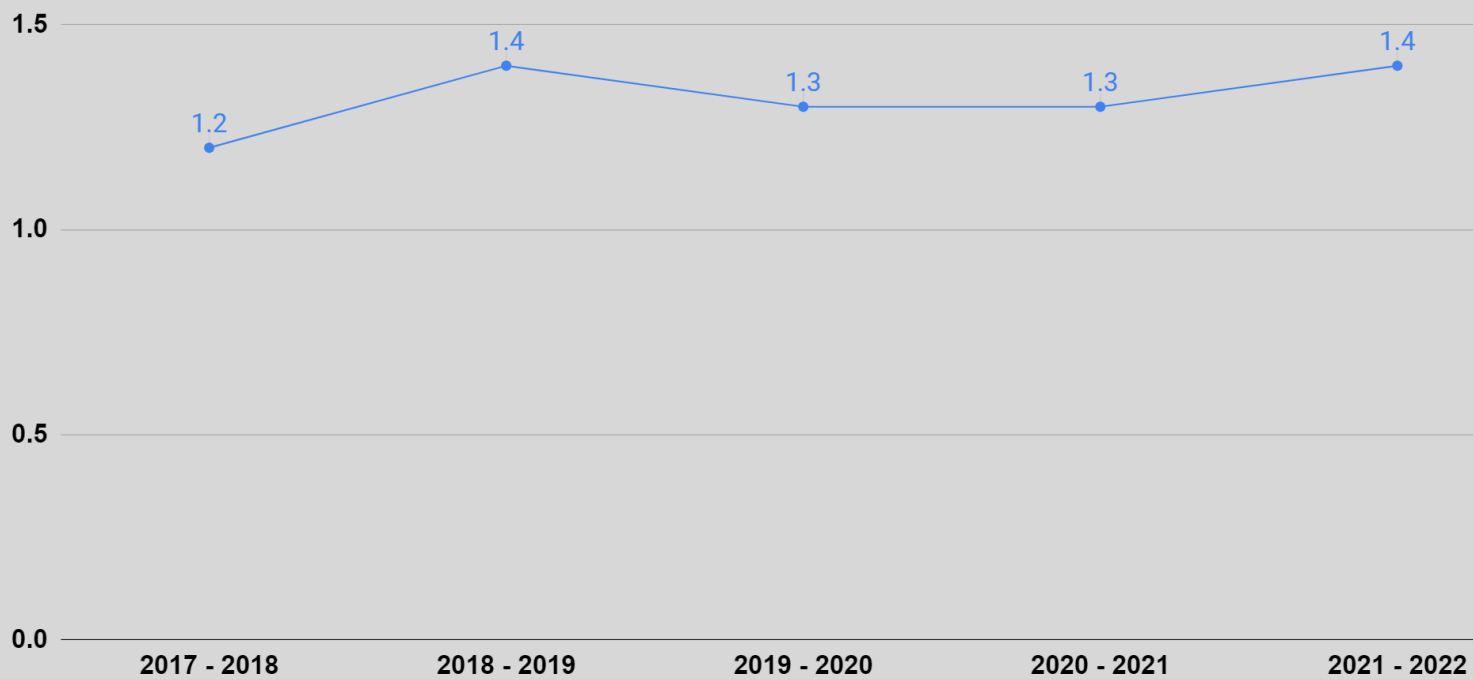


Florida Commission Disciplinary Actions by Police Training Hour Range 2017-2018 - 2021-2022

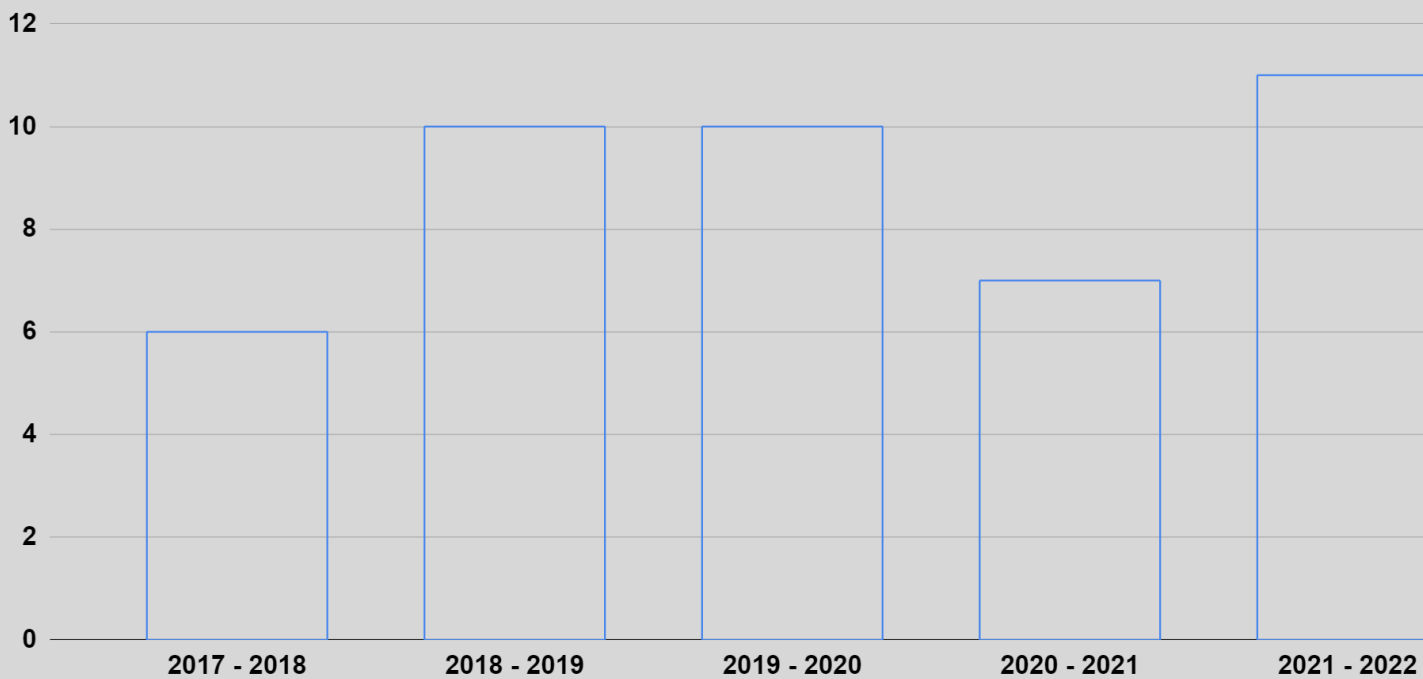


It is not surprising that the average training hours hover just above the 770 minimum training hours Florida requires for their police academies. There was no data range provided for 2018-2019. The bottom most value in this data set is 36 training hours and the topmost is 1,931 training hours. The following two graphs display an intriguing statistics, the number of average and range of employment an officer has had when brought before the Commission for discipline.

Florida Commission Disciplinary Actions by Average Number of Employments 2017-2018 - 2021-2022

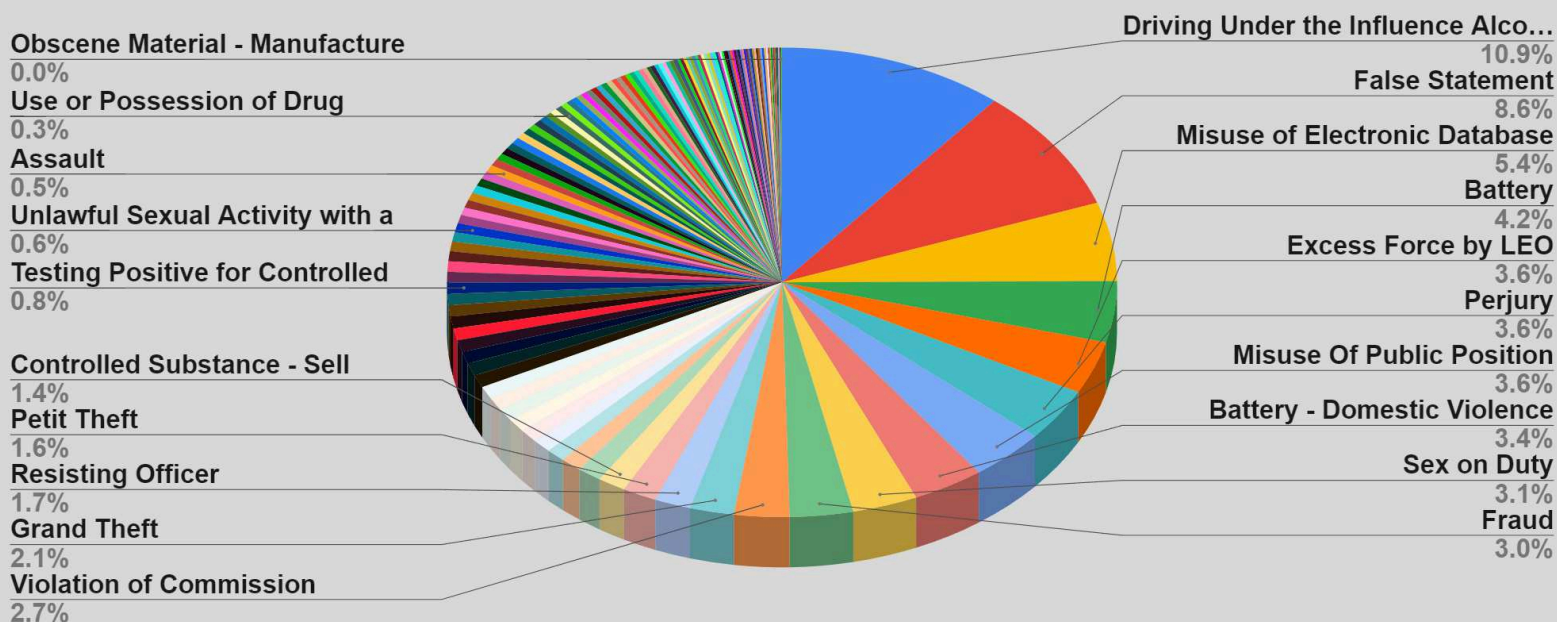


Florida Commission Disciplinary Actions by Number of Employments Range 2017-2018 - 2021-2022



The lowest value for each range is zero for those officers that haven't been employed by an agency yet and the highest value is 11 agencies worked for before a disciplinary action is brought. With the average number of employers hovering just over 1, it would stand to reason that agencies in Florida are either getting the CJSTC involved early in an officer's career for disciplinary actions or officers are staying a long time at one agency. The final statistic provided is that of disciplinary action by offense for officers during the study period. The following pie chart displays this data.

**Florida Commission Disciplinary Actions by Offense 2017-2018 - 2021-2022**



It is clear that Driving Under the Influence of Alcohol or Drugs at 10.9% is the leading reason why officers in Florida are being disciplined over this time period. The second most common reason is False Statements at 8.6%, i.e. lying on record. The third most common is the Misuse of

Electronic Database at 5.4%, i.e. officers looking up romantic partners on the National Crime Information Center (NCIC) to find current addresses or phone numbers.

### **Florida Decertification Process**

In a similar fashion to many other POST councils, the CJSTC contains mostly law enforcement experts and professionals with years of expertise. The Commission is made up of the following:

Three (3) sheriffs\*

Three (3) chiefs of police\*

Five (5) law enforcement officers who are neither Sheriffs or Chiefs who are the rank of Sergeant or below within the employing agency.\*

One (1) person in charge of a county correctional institution.\*

Two (2) Correctional Officers. One (1) of whom is an administrator of a state correctional institution, and one who is of the rank of sergeant or below within the employing agency.\*

One (1) training center director\*

One (1) Florida resident who falls into none of the above categories.\*

The Attorney General or designated proxy

The Secretary of Department of Corrections or designated proxy

The Director of the Florida Highway Patrol

Section 943.11, F.S., requires a sheriff, chief of police, law enforcement officer, and correctional officer to have at least four (4) years of experience as a law enforcement

or correctional officer to be considered for appointment as a member of the Commission. Members indicated by an asterisk (\*) are appointed by the Governor for a term of four years. (Criminal Justice Standards and Training Commission, 2024, p.1)

Similarly to most other POST agencies, Florida's CJSTC has a lot on its plate with the following tasks assigned to its purview:

Establish uniform minimum standards for the employment and training of full-time, part-time, and auxiliary law enforcement, and correctional and correctional probation officers.

Establish and maintain officer training programs, curricula requirements, and certification of training schools and training school instructors.

Certify officers who complete a Florida Basic Recruit Training Program, or who are diversely qualified through experience and training, and who meet minimum employment standards.

Review and administer appropriate administrative sanctions in instances when an officer, a training school instructor, or a training school is found in violation of Florida Statutes and Commission standards.

Promulgate rules and procedures to administer the requirements of Chapter 943.085 – 943.257, F.S.

Conduct studies of compensation, education, and training for the correctional, correctional probation, and law enforcement disciplines.

Maintain a central repository of records of all certified officers.

Conduct quarterly meetings to discuss issues and approve rules that relate to officer standards and training.

Develop, maintain, and administer the State Officer Certification Examination for criminal justice officers. (Criminal Justice Standards and Training Commission, 2024, p.1)

This is certainly enough to keep a small staff busy. To their credit, the CJSTC puts out a routine Professional Compliance Bulletin which contains a few select sample cases which were recently heard and decided by the Commission. This publication is open to the public. The following depicts the steps outlining the disciplinary process for officers in Florida:

**Finding of Probable Cause:** The first step of the professional compliance process shall begin when the Probable Cause Determination Panel determines that an officer has failed to maintain compliance with Section 943.13 (4) or (7), F.S., and, therefore, enters a Finding of Probable Cause. After a Finding of Probable Cause has been entered, the officer shall receive the following documents from the Commission:

**Administrative Complaint:** An Administrative Complaint is the "official charging document" by the Commission that contains specific allegation(s) against the officer, and statutory and Commission Rule cites forming the basis for Commission action.

**Election of Rights Document:** The Election of Rights form, which is enclosed with the Administrative Complaint, allows the officer to proceed with a formal or informal hearing, or allows the officer to voluntarily relinquish his/her criminal justice certification.

**Formal Hearing**

If the officer disputes the facts recorded in the Administrative Complaint, the officer is required to choose a formal hearing. If the officer requests a formal hearing, CJST Commission Staff shall notify the Department of Management Services, Division of Administrative Hearings, which shall schedule an Administrative Law Judge to conduct the hearing.

The officer is given the opportunity to be represented by legal counsel, or he/she can represent him/herself and to present witnesses. CJST Commission shall be represented by legal counsel, and has the right to present witnesses on its behalf.

The Administrative Law Judge shall render a decision on the case after presentation of all evidence, which is issued in the form of a "Recommended Order," and the Administrative Law Judge shall distribute copies of the Recommended Order to the officer and Commission Staff.

The Professional Compliance Section shall then present the "Recommended Order" for final Commission action. The Commission shall decide at one of its quarterly Commission meetings, whether to accept in whole or in part, the "Recommended Order" of the Administrative Law Judge as the final decision in the case.

The officer shall receive formal notice of the Commission's decision through the issuance of a Final Order.

If either side disagrees with the findings of the Administrative Law Judge, they may file "Exceptions to the Recommended Order" to be considered by the Commission.

Informal Hearing

An Informal Hearing provides the officer the opportunity to appear before the full Commission and present any mitigating factors prior to the Commission determining what disciplinary action to impose for the misconduct. However, there can be no dispute of a material fact as presented in the Administrative Complaint. If an officer disputes the material facts in the Administrative Complaint during an informal hearing, the Commission shall advise the officer that the informal hearing is not the proper venue to hear disputed facts, and shall direct Commission staff to proceed to a formal hearing on the case.

As in a formal hearing, the officer has the right to be represented by him/herself or counsel and to present witnesses.

After hearing and reviewing all information presented, the Commission shall determine the disciplinary penalty, if any.

The officer shall receive formal notice of the Commission's decision in the form of a Final Order.

**Voluntary Relinquishment:** In the case of a voluntary relinquishment, the officer can either agree with or dispute the facts as they are presented in the Administrative Complaint. In either case, the officer shall agree to voluntarily give up their criminal justice certification. Voluntary relinquishment shall also be presented to the Commission for acceptance. The officer shall receive formal notice of the Commission's decision in the form of a Final Order.

**Default:** An officer has twenty-one (21) days from the date of receipt of the Administrative Complaint to return the Election of Rights document to the Professional

Compliance Section. If an officer fails to return the Election of Rights Form to the Professional Compliance Section, the disciplinary case will be presented to the Commission as a Default and may result in revocation of the officer's certification.

Stipulation and Settlement Agreements: Commission staff and the Respondent may enter into an agreement regarding final disciplinary action and his/her officer certification. This agreement is presented by Commission staff for approval by the Commission.

Issuance of a Final Order: The Commission shall review all information regarding formal and informal hearings, voluntary relinquishments, and defaults to determine if disciplinary action is required. The officer, the officer's legal representative, and the current or last employing agency administrator shall be notified of the final Commission action by a FINAL ORDER. All Commission actions are final; however, an officer may appeal a Final Order to the District Court of Appeal. (Criminal Justice Professionalism Division, 2024, p.1)

There are several ways in which an officer can jeopardize their certification and initiate this disciplinary process. Failing to meet the required training standards is the obvious one that is baked into most every state law. In addition to this Florida requires that officers

Not have been convicted of any felony or of a misdemeanor involving perjury or a false statement, or have received a dishonorable discharge from any of the Armed Forces of the United States. Any person who, after July 1, 1981, pleads guilty or nolo contendere to or is found guilty of any felony or of a misdemeanor involving perjury or a false statement is not eligible for employment or appointment as an officer, notwithstanding suspension of sentence or withholding of adjudication. Notwithstanding this subsection,

any person who has pled nolo contendere to a misdemeanor involving a false statement, prior to December 1, 1985, and has had such record sealed or expunged shall not be deemed ineligible for employment or appointment as an officer. (Florida Statutes Title XLVII. Criminal Procedure and Corrections § 943.13., 2024, p.1)

Chapter 943 of this statute goes on to further enumerate the different possibilities and offenses for which an officer can find themselves decertified.

(6)The commission shall revoke the certification of any officer who is not in compliance with the provisions of s. 943.13(4) or who intentionally executes a false affidavit established in s. 943.13(8), s. 943.133(2), or s. 943.139(2).

(a) The commission shall cause to be investigated any ground for revocation from the employing agency pursuant to s. 943.139 or from the Governor, and the commission may cause verifiable complaints to be investigated. Any investigation initiated by the commission pursuant to this section must be completed within 6 months after receipt of the completed report of the disciplinary or internal affairs investigation from the employing agency or Governor's office. A verifiable complaint shall be completed within 1 year after receipt of the complaint. An investigation shall be considered completed upon a finding by a probable cause panel of the commission. These time periods shall be tolled during the appeal of a termination or other disciplinary action through the administrative or judicial process or during the period of any criminal prosecution of the officer.

(b)1. The report of misconduct and all records or information provided to or developed by the commission during the course of an investigation conducted by the commission are exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the

State Constitution and, except as otherwise provided by law, such information shall be subject to public disclosure only after a determination as to probable cause has been made or until the investigation becomes inactive.

2. However, not more than 30 days before the results of an investigation are to be presented to a probable cause panel, an officer who is being investigated, or the officer's attorney, may review any documents or other information regarding the investigation which was developed by or provided to the commission.

(c) When an officer's certification is revoked in any discipline, his or her certification in any other discipline shall simultaneously be revoked.

(7) Upon a finding by the commission that a certified officer has not maintained good moral character, the definition of which has been adopted by rule and is established as a statewide standard, as required by s. 943.13(7), the commission may enter an order imposing one or more of the following penalties:

(a) Revocation of certification.

(b) Suspension of certification for a period not to exceed 2 years.

(c) Placement on a probationary status for a period not to exceed 2 years, subject to terms and conditions imposed by the commission. Upon the violation of such terms and conditions, the commission may revoke certification or impose additional penalties as enumerated in this subsection.

(d) Successful completion by the officer of any basic recruit, advanced, or career development training or such retraining deemed appropriate by the commission.

(e) Issuance of a reprimand.

(8)(a) The commission shall, by rule, adopt disciplinary guidelines and procedures to administer the penalties provided in subsections (6) and (7). The commission may, by rule, prescribe penalties for certain offenses. The commission shall, by rule, set forth aggravating and mitigating circumstances to be considered when imposing the penalties provided in subsection (7).(b)1. The disciplinary guidelines and prescribed penalties must be based upon the severity of specific offenses. The guidelines must provide reasonable and meaningful notice to officers and to the public of penalties that may be imposed for prohibited conduct. The penalties must be consistently applied by the commission.

2. On or before July 1 of each odd-numbered year, the commission shall conduct a workshop to receive public comment and evaluate disciplinary guidelines and penalties. The commission chair shall appoint a 12-member advisory panel, composed of six officers and six representatives of criminal justice management positions, to make recommendations to the commission concerning disciplinary guidelines.

(10) An officer whose certification has been revoked pursuant to this section shall be ineligible for employment or appointment under s. 943.131. (Florida Statutes Title XLVII. Criminal Procedure and Corrections § 943.1395., 2024, p.1)

It is quite interesting that Florida holds a workshop for public comment to evaluate the guidelines and penalties for officers. This is very unique as a rule, and even more so that it is codified in state law. As mentioned above it is again unusual that not only can the Governor require a case to be opened but any CJSTC investigation must be completed within 6 months. In addition to law enforcement when an officer's certification is revoked any other certification they hold is also revoked in Florida. For example if they were also a lawyer in Florida then not only is

their police, correctional, constable, etc. certification revoke, but also that of their Bar license to practice law in Florida.

### **North Carolina Decertification**

North Carolina's POST function falls under the state office of the Attorney General, within the North Carolina Department of Justice (NCDOJ). This is further subdivided into the Criminal Justice Education and Training Standards Commission under the NCDOJ. "In 1971, the General Assembly adopted the Criminal Justice Training and Standards Council Act. The Act created the Criminal Justice Education and Training Standards Commission and led to the adoption of minimum entrance standards, as well as mandatory basic training requirements, for all sworn law enforcement officers, effective in 1973." (NCDOJ, 2024, p.1)

#### **North Carolina Decertification Data**

After numerous attempts, North Carolina's Department of Justice never responded to open records requests to provide any state decertification data. They do however have a search function which allows the public to search for a decertified officer by first and last name:

<https://ncdoj.gov/officer-search/>

#### **North Carolina Decertification Process**

Law enforcement officers in North Carolina can be decertified and disciplined through the followed offenses found in state law:

- (a) The Commission shall revoke the certification of a criminal justice officer when the Commission finds that the officer has committed or been convicted of:(1) a felony offense; or(2) a criminal offense for which the authorized punishment included imprisonment for more than two years.(b) The Commission may suspend, revoke, or deny the certification of a criminal justice officer when the Commission finds that the

applicant for certification or the certified officer:(1) has not enrolled in and satisfactorily completed the required basic training course in its entirety within prescribed time periods relevant or applicable to a specified position or job title;(2) fails to meet or maintain one or more of the minimum employment standards required by 12 NCAC 09B .0100 for the category of the officer's certification or fails to meet or maintain one or more of the minimum training standards required by 12 NCAC 09B .0200 or 12 NCAC 09B .0400 for the category of the officer's certification;(3) has committed or been convicted of:(A) a criminal offense or unlawful act defined in 12 NCAC 09A .0103 as a Class B misdemeanor; or(B) four or more criminal offenses or unlawful acts defined in 12 NCAC 09A .0103 as a Class A misdemeanor, each of which occurred after the date of initial certification;(4) has been discharged by a criminal justice agency for commission or conviction of:(A) a motor vehicle offense requiring the revocation of the officer's driver's license; or(B) any other offense involving moral turpitude;(5) has been discharged by a criminal justice agency because the officer lacks the mental or physical capabilities to properly fulfill the responsibilities of a criminal justice officer;(6) has knowingly made a material misrepresentation of any information required for certification or accreditation;(7) has knowingly and willfully, by any means of false pretense, deception, defraudation, misrepresentation or cheating whatsoever, obtained or attempted to obtain credit, training or certification from the Commission;(8) has knowingly and willfully, by any means of false pretense, deception, defraudation, misrepresentation or cheating whatsoever, aided another person in obtaining or attempting to obtain credit, training or certification from the Commission;(9) has failed to make either of the notifications as required by 12 NCAC 09B .0101(8);(10) has been removed from office by decree of the

Superior Court in accord with the provisions of G.S. 128-16 or has been removed from office by sentence of the court in accord with the provisions of G.S. 14-230;(11) fails to satisfactorily complete the minimum in-service training requirements as prescribed in 12 NCAC 09E;(12) has refused to submit to an applicant or lateral transferee drug screen as required by the rules in this Chapter, or has refused to submit to an in-service drug screen pursuant to the guidelines set forth in the Drug Screening Implementation Guide as required by the agency through which the officer is certified;(13) has produced a positive result on a drug screen reported to the Commission as specified in 12 NCAC 09C .0310, where the positive result cannot be explained to the Commission's satisfaction;(14) has been denied certification or had certification suspended or revoked by the North Carolina Sheriffs' Education and Training Standards Commission, the North Carolina Criminal Justice Education and Training Standards Commission; the North Carolina Company/Campus Police Program; or a similar North Carolina, out of state or federal approving, certifying or licensing agency;(15) has performed activities or duties for which certification by the Commission is required without having first obtained the appropriate certification; or(16) has been convicted of any offense proscribed by 18 USC 922(g)(8) that would prohibit possession of a firearm or ammunition.(c) Following suspension, revocation, or denial of the person's certification, the person may not remain employed or appointed as a criminal justice officer and the person may not exercise any authority of a criminal justice officer during a period for which the person's certification is suspended, revoked, or denied. (North Carolina Admin. Code 09A .0204, 2024, p.1)

As a note, all the North Carolina affiliated agencies mentioned above are underneath and part of the NCDOJ.

## State Comparisons

### Decertification Data

Below is the graph showing a comparison of all states with responding data. This graph shows the total number of officers decertified by state for the five year data period 2018 - 2022. This data is then taken as a percentage of the most current 2018 BJS Census data for the count of total state and local law enforcement in that state. Since Ohio did not have data by year, their total number of decertified officers were averaged out and that number was used. Florida decertification data is from July through June unlike most states that decertify on a calendar year process.

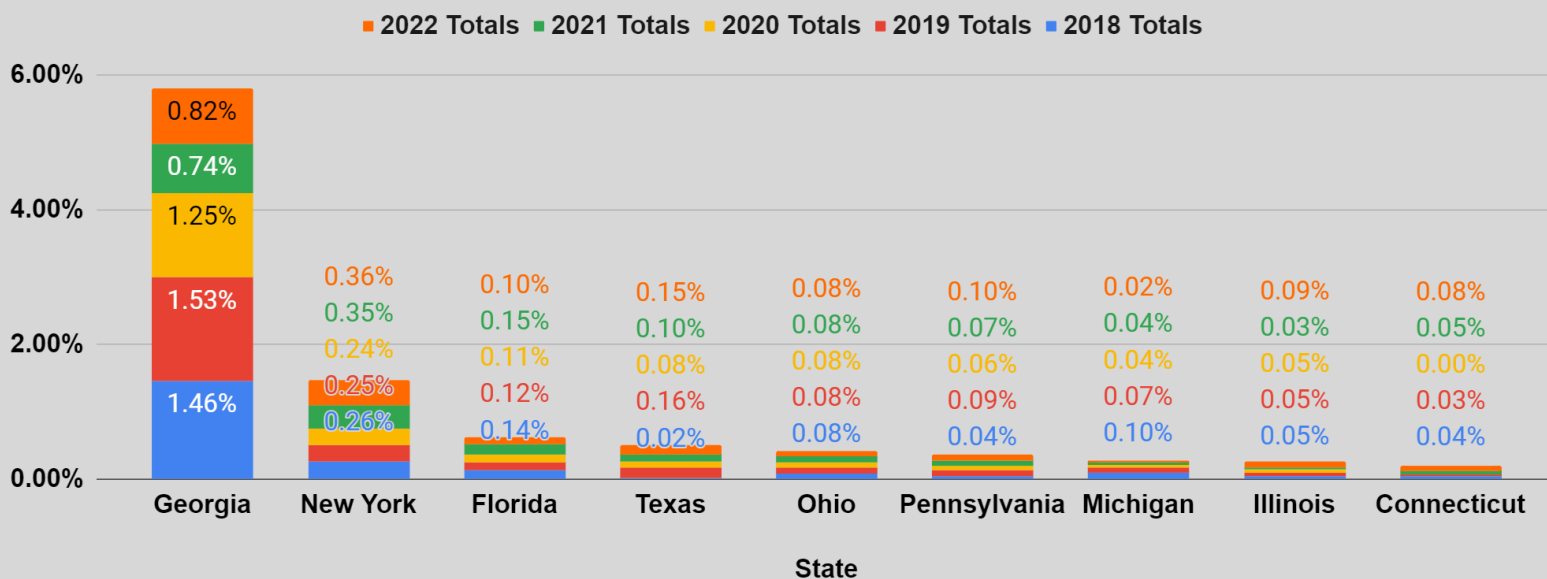
<b>2018 Totals</b>	<b>2019 Totals</b>	<b>2020 Totals</b>	<b>2021 Totals</b>	<b>2022 Totals</b>				<b>5 yr. Totals</b>
767	786	633	342	397	<b>Georgia Total All</b>			2925
408	429	349	206	228	<b>Georgia Police Only</b>			1620
18	13	7	8	3	<b>Michigan</b>			49
240	235	235	311	230	<b>Florida Total All</b>	<i>Florida stats are from July-June</i>		1251
65	55	53	72	45	<b>Florida Police Only</b>	<i>Florida stats are from July-June</i>		290
18	18	18	10	36	<b>Illinois</b>			100
305	303	288	325	328	<b>New York Total All</b>			1549
179	171	165	243	250	<b>New York Police Only</b>			1008
14	109	59	71	102	<b>Texas</b>			355

10	25	17	20	26	<b>Pennsylvania</b>			98
3	2	0	4	6	<b>Connecticut</b>			15
21.62	21.62	21.62	21.62	21.62	<b>Ohio</b>	562	<i>Decert. 1997-202 3 (21.62 Avg. decert. by year)</i>	108.1
<b>Decert Total as % of Total State &amp; Local LE by State</b>								
<b>2018 Totals</b>	<b>2019 Totals</b>	<b>2020 Totals</b>	<b>2021 Totals</b>	<b>2022 Totals</b>	<b>State</b>	<b>State &amp; Local LE Ofc. Totals (BJS 2018 Census of State &amp; Local LE Figures)</b>		<b>5 Yr. Totals</b>
2.74%	2.81%	2.26%	1.22%	1.42%	<b>Georgia Total All</b>			10.47%
1.46%	1.53%	1.25%	0.74%	0.82%	<b>Georgia Police Only</b>	27,949		5.80%
0.44%	0.44%	0.42%	0.47%	0.48%	<b>New York Total All</b>			2.25%
0.26%	0.25%	0.24%	0.35%	0.36%	<b>New York Police Only</b>	68,810		1.46%
0.51%	0.50%	0.50%	0.66%	0.49%	<b>Florida Total All</b>			2.65%
0.14%	0.12%	0.11%	0.15%	0.10%	<b>Florida Police Only</b>	47,177		0.61%
0.02%	0.16%	0.08%	0.10%	0.15%	<b>Texas</b>	69,504		0.51%
0.08%	0.08%	0.08%	0.08%	0.08%	<b>Ohio</b>	25,669		0.42%
0.04%	0.09%	0.06%	0.07%	0.10%	<b>Pennsylvania</b>	26,914		0.36%
0.10%	0.07%	0.04%	0.04%	0.02%	<b>Michigan</b>	18,193		0.27%
0.05%	0.05%	0.05%	0.03%	0.09%	<b>Illinois</b>	38,539		0.26%
0.04%	0.03%	0.00%	0.05%	0.08%	<b>Connecticut</b>	7,843		0.19%

<b>State</b>	<b>5 Yr. Average Annual Decert.</b>	<b>2020 Census Pop</b>
Georgia	324.00	10,711,908
New York	201.60	20,201,249
Texas	71.00	29,145,505
Florida	58.00	21,538,187
Ohio	21.62	11,799,448
Illinois	20.00	12,812,508
Pennsylvania	19.60	13,002,700
Michigan	9.80	10,077,331
Connecticut	3.00	3,605,944
<b>State</b>	<b>Decert. Rate Per 100,000 Residents</b>	<b>Sworn Per 100,000 Residents</b>
Georgia	3.0247	266
New York	0.9980	352
Texas	0.2436	243
Florida	0.2693	222
Ohio	0.1832	220
Illinois	0.1561	303
Pennsylvania	0.1507	210
Michigan	0.0972	182
Connecticut	0.0832	220

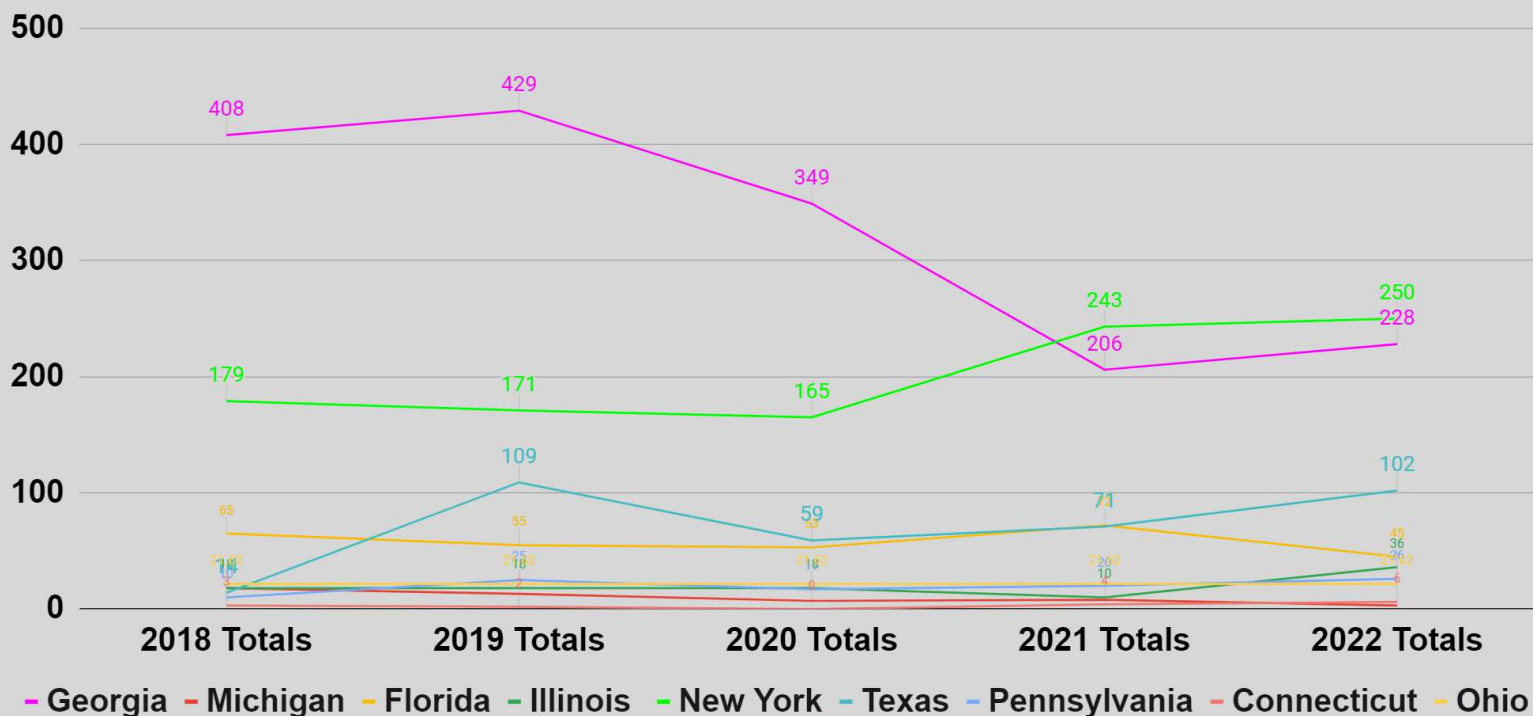
The following stacked column chart shows the number of decertified officers by percentage of total state and local law enforcement by state. State local law enforcement data is taken from the 2018 Bureau of Justice Statistics Census on State and Local Law Enforcement Agencies. The (2020) United States Census Bureau Population data is also included for reference.

Decertifications by Percentage of Total State and Local LE by State Per Year



New York and Florida coming in a far second and third. In New York and Florida, as in Georgia other types of certifications are included in decertification statistics apart from peace officer certifications and those were removed from these graphs to only show police data.. This was done to draw a better comparison of actual law enforcement officers decertified across the selected states.. Below is a line graph depicting a comparison among states involved in this survey showing the trends of officer decertification over time. Most states have a flat trajectory on decertification with the exception of Georgia which had a marked slowdown in decertifications during COVID-19 and New York which had a slight uptick in decertifications.

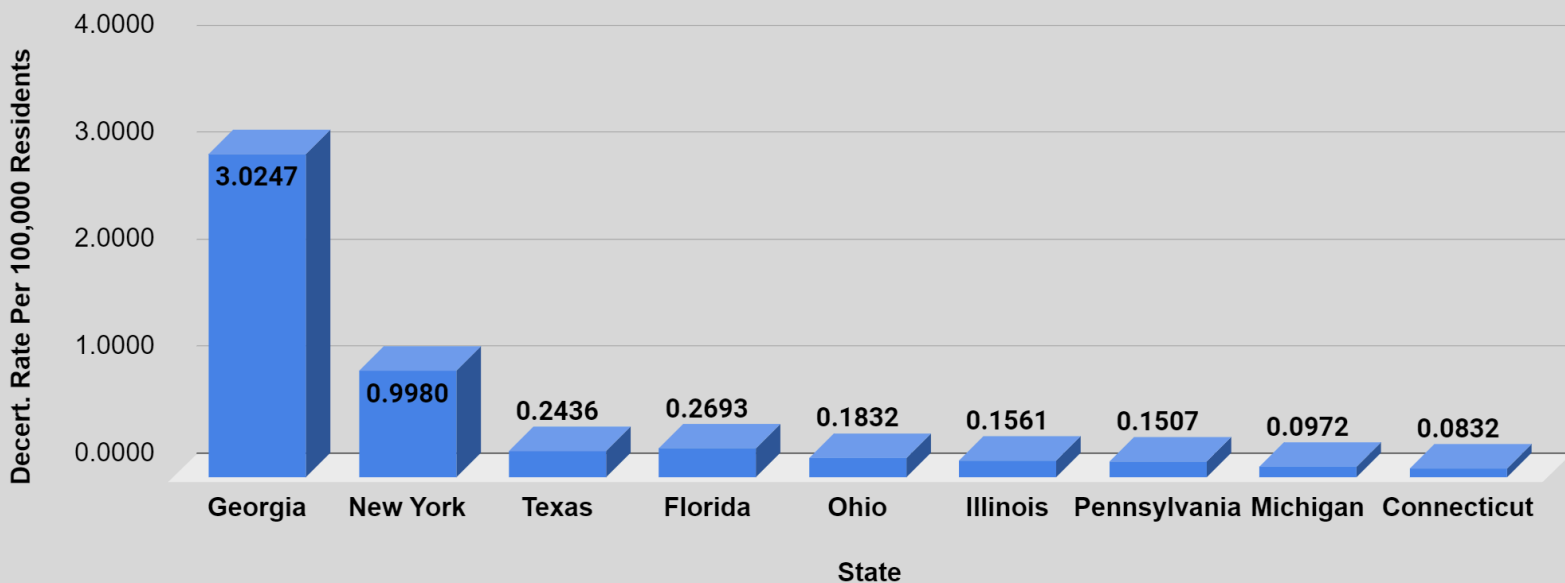
### Decertification Totals by State by Year 2018 - 2022



This line graph shows the comparative trend in decertification throughout the states in this research and it is clear that most states are relatively stable in their certifications with the exception of Georgia's downward trend and New York's slightly upward trend.

The following graph displays the decertification rate per 100,000 residents of each state by state. These numbers were calculated from the 5yr. average of annual decertification by state.

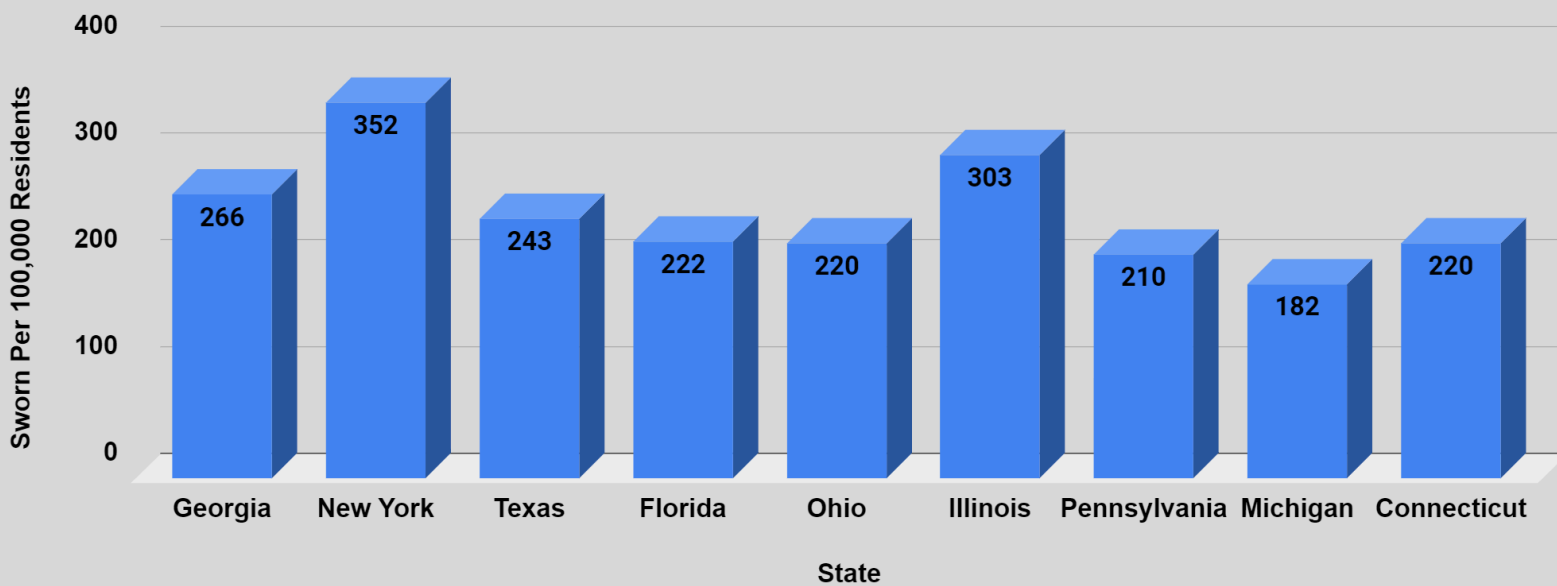
Decertification Rate Per 100,000 Residents by State



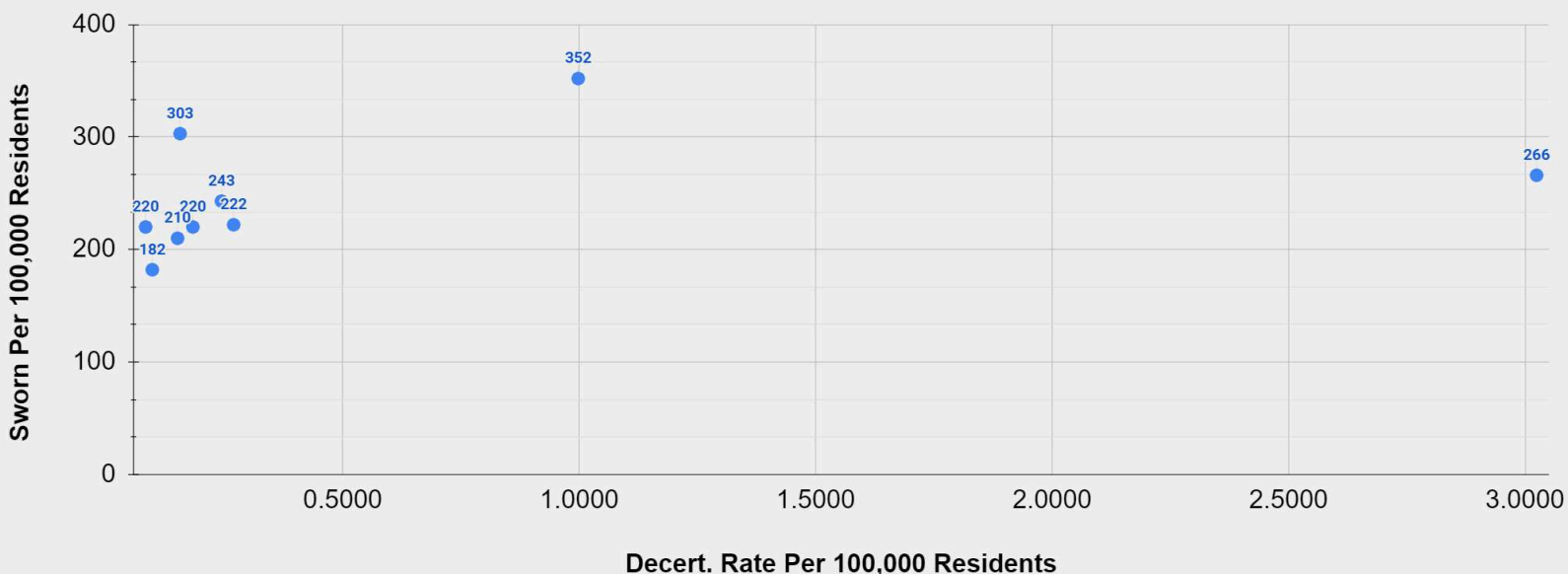
It is clear that Georgia, at just over three officers decertified per 100,000 residents, is in the lead.

To better represent this data a scatter plot is included below comparing the sworn officers per 100,000 residents to the number decertified per 100,000 residents.

Sworn Per 100,000 Residents by State



Sworn Per 100,000 Residents vs. Decert. Rate Per 100,000 Residents

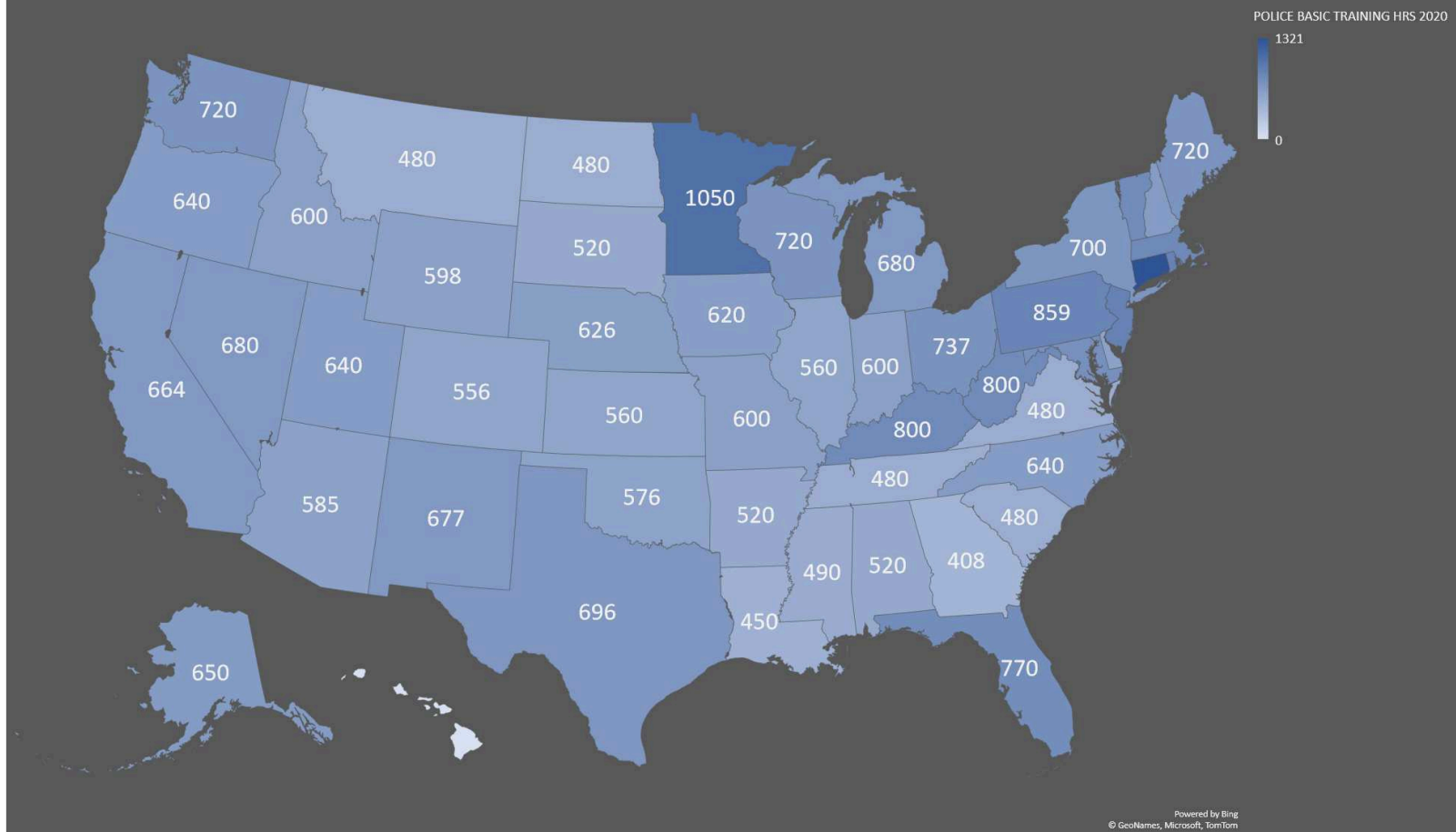


It is easy to see that seven of the states in this study cluster at the bottom at around a quarter of an officer decertified per 100,000 state residents. Only New York at one and Georgia at three stand out in this data set. As seen above, New York, Illinois, and Georgia have the highest per capita law enforcement presence of the states in this research, but there does not seem to exist a high degree of variability between states regarding law enforcement staffing per 100,000 residents.

### Police Academy Training

An interesting thought of comparison among these states is that of basic training required in the police academy to obtain certification in each state compared with decertification rates. Before embarking on this comparison it would be helpful to visualize the state of police academy requirements across the country. The following map represents police certification hour requirements to hold a peace officer certification by state with the darkest blue signaling the highest number of hours and the lightest, the least.

## Police Basic Academy Training Hours - 2020



(The Institute for Criminal Justice Training Reform, 2020)

Connecticut comes in first with a police academy requirement of 1,321 hours. Minnesota follows in second with 1,050 hours and Washington D.C. finished out third with 960 hours. Rhode Island and New Jersey are tied in fourth with 880 hours. Dragging up dead last is Hawaii with no state statutory requirement though many officers work with the Honolulu Police Department and their academy is approximately 6 months long (Ke Kula Maka'i., 2024). Coming in practically last is Georgia at 408 hours for their academy. It should be noted this is such a common talking point around the state in law enforcement circles that currently the Georgia Association of Chiefs of Police, the Georgia Public Safety Training Center, and the Georgia Sheriff's Association are

working in a joint committee to present a proposal to the state legislature to extend the academy. Currently the discussion is around extending it to 16 - 18 weeks, or 640 - 720 training hours. The due date for the final report and recommendation from this committee is January 2025. The average across all 50 states and Washington D.C. for the length of a police academy is 652 hours. The following list spreadsheet shows this list in detail from least to greatest academy hours.

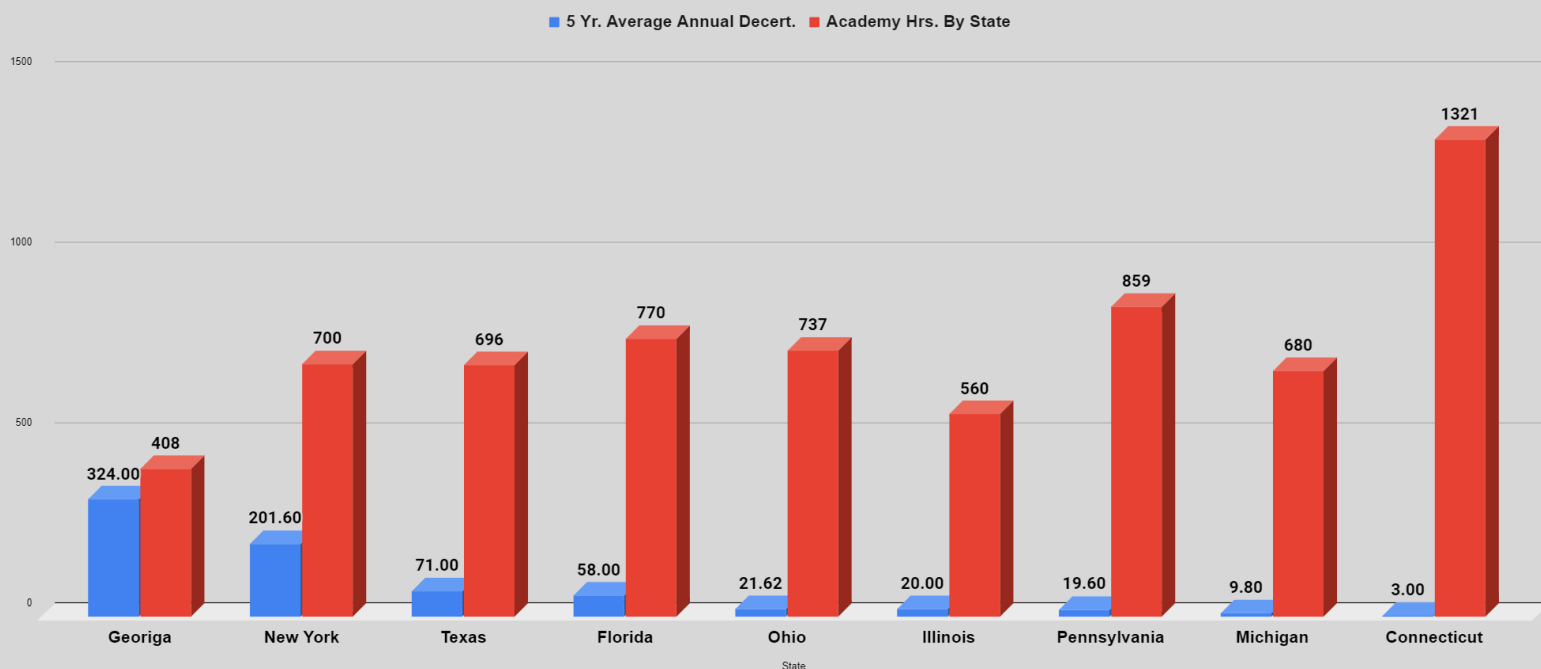
<b>NATIONAL AVERAGE</b>	<b>651.9803922</b>
<b>STATE</b>	<b>POLICE BASIC TRAINING HRS 2020</b>
Hawaii	0
Georgia	408
Louisiana	450
Montana	480
North Dakota	480
South Carolina	480
Tennessee	480
Virginia	480
Mississippi	490
Alabama	520
Arkansas	520
South Dakota	520
Colorado	556
Illinois	560
Kansas	560

Oklahoma	576
Delaware	584
Arizona	585
Wyoming	598
Idaho	600
Indiana	600
Missouri	600
Iowa	620
Nebraska	626
New Hampshire	640
North Carolina	640
Oregon	640
Utah	640
Alaska	650
California	664
New Mexico	677
Michigan	680
Nevada	680
Texas	696
New York	700
Maine	720
Washington	720
Wisconsin	720

<b>Ohio</b>	<b>737</b>
<b>Maryland</b>	<b>750</b>
<b>Florida</b>	<b>770</b>
<b>Vermont</b>	<b>792</b>
<b>Kentucky</b>	<b>800</b>
<b>West Virginia</b>	<b>800</b>
<b>Massachusetts</b>	<b>812</b>
<b>Pennsylvania</b>	<b>859</b>
<b>New Jersey</b>	<b>880</b>
<b>Rhode Island</b>	<b>880</b>
<b>Washington D.C.</b>	<b>960</b>
<b>Minnesota</b>	<b>1050</b>
<b>Connecticut</b>	<b>1321</b>

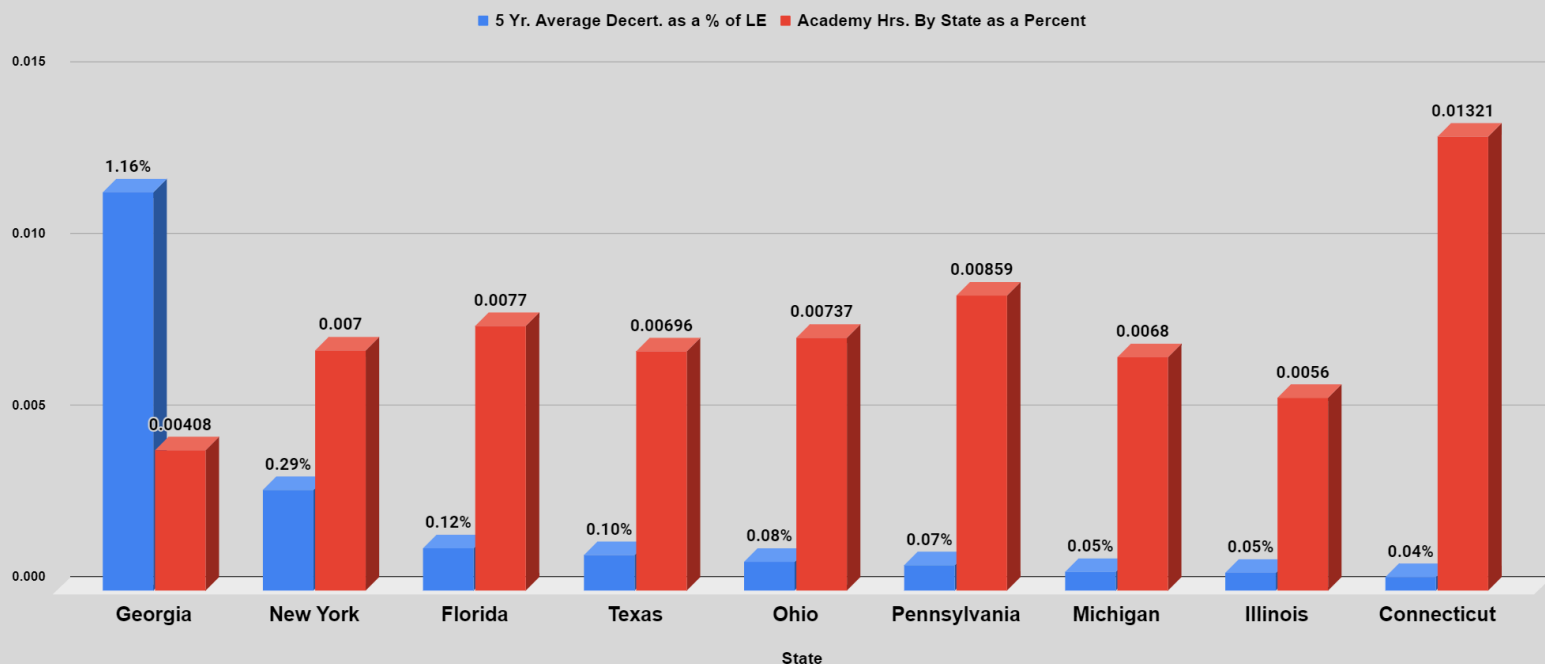
One would suppose that those with better training perhaps are less likely to be decertified to begin with. The first graph takes an average of decertified officers per year from the five year study period (2018 - 2022) and contrasts it with the length of time in hours it takes to complete the academy by state.

5 Yr. Average Annual Decert. and Academy Hrs. By State



It is intriguing that due to the recent downturn in Georgia decertifications that New York edges closer to Georgia when averaged over the 5 year period. This data provides an interesting analysis but it must be remembered that some of these states in this data set have orders of magnitude higher law enforcement populations than others. The next graph explores this data in the context which it was placed in earlier, as a percentage of the total number of officers in the state. This is also a five year average, this time, of the percentages of officers decertified in each state as it relates to the total number of officers in that state. To make this comparison between state decertification percentages and the police academy mandated hours for each state, the data was translated into a decimal figure.

5 Yr. Average Decert. as a % of LE and Academy Hrs. By State as a Percent

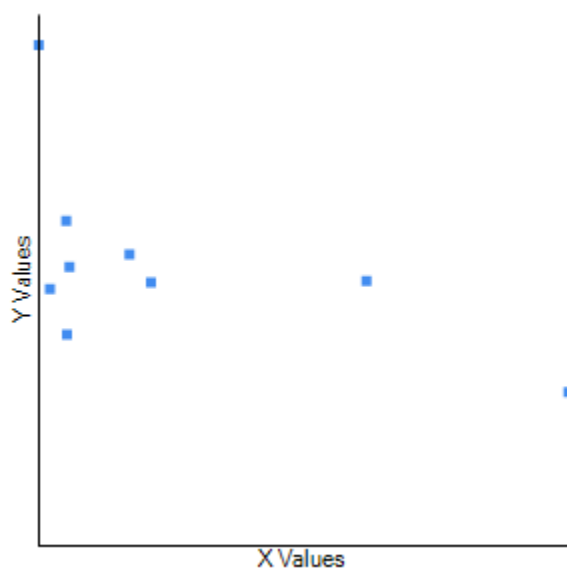


Now that these numbers can be viewed in a more holistic context, it is interesting to see that Georgia is the only state which has a higher average decertification rate as a percentage of law enforcement in that state than the length of required police academy hours. The data for the last two graphs is included below.

State	5 Yr. Average Annual Decert.	Academy Hrs. By State
Georgia	324.00	408
New York	201.60	700
Texas	71.00	696
Florida	58.00	770
Ohio	21.62	737
Illinois	20.00	560
Pennsylvania	19.60	859

Michigan	9.80	680
Connecticut	3.00	1321
<b>State</b>	<b>5 Yr. Average Decert. as a % of LE</b>	<b>Academy Hrs. By State as a Percent</b>
Georgia	1.16%	0.00408
New York	0.29%	0.007
Florida	0.12%	0.0077
Texas	0.10%	0.00696
Ohio	0.08%	0.00737
Pennsylvania	0.07%	0.00859
Michigan	0.05%	0.0068
Illinois	0.05%	0.0056
Connecticut	0.04%	0.01321

The charts above provide a good anecdotal, graphical representation but are these values correlated? To show correlation Pearson's Correlation Coefficient or "R value" was found. Using the first data set of the 5 year average of decertifications by state compared with the number of police academy hours the following correlation is produced:



**Result Details & Calculation***X Values*

$$\Sigma = 728.62$$

$$\text{Mean} = 80.958$$

$$\Sigma(X - M_x)^2 = SS_x = 96392.728$$

*Y Values*

$$\Sigma = 6731$$

$$\text{Mean} = 747.889$$

$$\Sigma(Y - M_y)^2 = SS_y = 501830.889$$

*X and Y Combined*

$$N = 9$$

$$\Sigma(X - M_x)(Y - M_y) = -122941.462$$

*R Calculation*

$$r = \Sigma((X - M_x)(Y - M_x)) / \sqrt{((SS_x)(SS_y))}$$

$$r = -122941.462 / \sqrt{((96392.728)(501830.889))} = -0.559$$

*Meta Numerics (cross-check)*

$$r = -0.559$$

**Key**

X: X Values

Y: Y Values

 $M_x$ : Mean of X Values $M_y$ : Mean of Y Values

$X - M_x$  &  $Y - M_y$ : Deviation scores

$(X - M_x)^2$  &  $(Y - M_y)^2$ : Deviation Squared

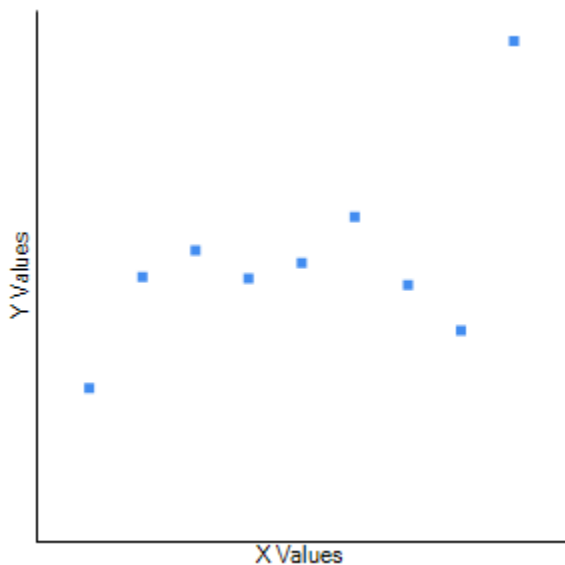
$(X - M_x)(Y - M_y)$ : Product of Deviation Scores

The value of R is -0.559.

This is a moderate negative correlation, which means there is a tendency for high X variable scores to go with low Y variable scores (and vice versa). In other words, as decertifications go up, academy hours trend down and vice versa.

The value of  $R^2$ , the coefficient of determination, is 0.3125.

The second data set comparison concerns that of the 5 year average decertification by state as a percentage of the overall state and local law enforcement population of that state compared against the minimum police academy training hours by state. Note that these training hours were not kept as a percentage for this calculation. Below are the following results:



### Result Details & Calculation

*X Values*

$$\sum = 0$$

Mean = 0

$$\sum(X - M_x)^2 = SS_x = 0$$

*Y Values*

$$\sum = 6731$$

Mean = 747.889

$$\sum(Y - M_y)^2 = SS_y = 501830.889$$

*X and Y Combined*

N = 9

$$\sum(X - M_x)(Y - M_y) = 0$$

*R Calculation*

$$r = \frac{\sum((X - M_x)(Y - M_y))}{\sqrt{((SS_x)(SS_y))}}$$

$$r = 0 / \sqrt{((0)(501830.889))} = \text{NaN}$$

*Meta Numerics (cross-check)*

r = NaN

### **Key**

X: X Values

Y: Y Values

$M_x$ : Mean of X Values

$M_y$ : Mean of Y Values

$X - M_x$  &  $Y - M_y$ : Deviation scores

$(X - M_x)^2$  &  $(Y - M_y)^2$ : Deviation Squared

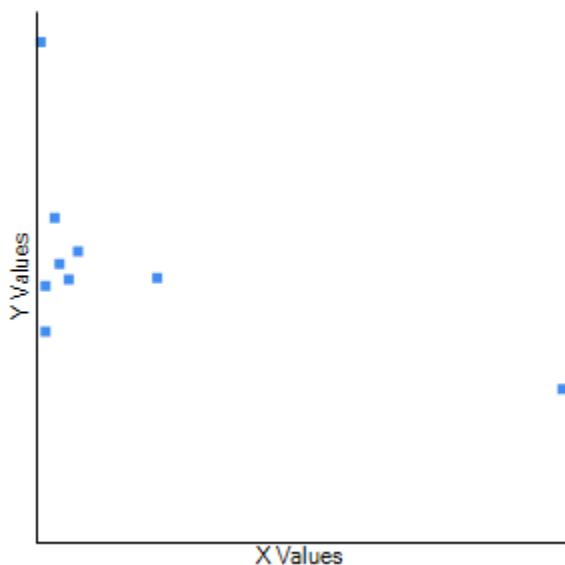
$(X - M_x)(Y - M_y)$ : Product of Deviation Scores

The value of R is NaN.

This is a strong negative correlation, which means that high X variable scores go with low Y variable scores (and vice versa). This means that as decertifications increase in a state, academy training hours are likely to decrease.

The value of  $R^2$ , the coefficient of determination, is NaN.

Due to dividing by zero to find the r value the result of this calculation resulted in NaN “Not a Number”. If the above percentages of officers decertified by year on a 5 year average are converted to their decimal equivalents the following r value can be calculated:



### Result Details & Calculation

*X Values*

$$\sum = 0.02$$

$$\text{Mean} = 0.002$$

$$\sum(X - M_x)^2 = SS_x = 0$$

*Y Values*

$$\sum = 6731$$

$$\text{Mean} = 747.889$$

$$\sum(Y - M_y)^2 = SS_y = 501830.889$$

*X and Y Combined*

$$N = 9$$

$$\sum(X - M_x)(Y - M_y) = -3.937$$

*R Calculation*

$$r = \frac{\sum((X - M_x)(Y - M_y))}{\sqrt{((SS_x)(SS_y))}}$$

$$r = -3.937 / \sqrt{((0)(501830.889))} = -0.5436$$

*Meta Numerics (cross-check)*

$$r = -0.5436$$

### **Key**

X: X Values

Y: Y Values

$M_x$ : Mean of X Values

$M_y$ : Mean of Y Values

$X - M_x$  &  $Y - M_y$ : Deviation scores

$(X - M_x)^2$  &  $(Y - M_y)^2$ : Deviation Squared

$(X - M_x)(Y - M_y)$ : Product of Deviation Scores

The value of R is -0.5436.

This is a moderate negative correlation, which means there is a tendency for high X variable scores to go with low Y variable scores (and vice versa). This means that for each state when decertification is high, police academy training minimums are low and vice versa.

The value of  $R^2$ , the coefficient of determination, is 0.2955.

### Analysis of Variance (ANOVA)

The significance of the individual data from each state needs to be explored. To accomplish this a one-way analysis of variance (ANOVA) test is used.

States:	Georgia	Michigan	Florida	Illinois	New York	Texas	Pennsylvania	Connecticut	Ohio
Decertification by Year:	408	18	65	18	179	14	10	3	21.62
	429	13	55	18	171	109	25	2	21.62
	349	7	53	18	165	59	17	0	21.62
	206	8	72	10	243	71	20	4	21.62
	228	3	45	36	250	102	26	6	21.62
Skewness:	-0.296652	0.515247	0.259429	1.450535	0.560061	-0.772074	-0.730973	0	NaN
Excess	-2.85416	-0.475746	-1.016183	3.162571	-3.149493	0.0825018	-0.26843	0.2	NaN
Normality	0.3665	0.9801	0.9861	0.1283	0.1027	0.7694	0.7766	1	NaN
Outliers				10, 36					
Mean	324	9.8	58	20	201.6	71	19.6	3	21.62
S	102.28147	5.80517	10.583	9.59166	41.36182	38.0723	6.50385	2.23607	0

Here the data is calculated in table format. Group 1 = Georgia, Group 2 = Michigan, Group 3 = Florida, Group 4 = Illinois, Group 5 = New York, Group 6 = Texas, Group 7 = Pennsylvania, Group 8 = Connecticut, and Group 9 = Ohio.

Source	DF	Sum of Square	Mean Square	F Statistic	P-value
Groups (between groups)	8	481963.6418	60245.4552	38.9888	1.776e-15

Error (within groups)	36	55627.1997	1545.2		
Total	44	537590.8415	12217.9737		

One Way ANOVA test, using F distribution  $df(8,36)$  (right tailed)

### 1. H0 hypothesis

Since  $p\text{-value} < \alpha$ , H0 is rejected.

Some of the groups' averages are considered to be not equal. In other words, the difference between the sample averages of some groups is big enough to be statistically significant.

### 2. P-value

p-value equals  $1.77636e-15$ ,  $[p(x \leq F) = 1]$ . It means that the chance of type1 error (rejecting a correct H0) is small:  $1.776e-15$  (1.8e-13%)

The smaller the p-value the stronger it support H1

### 3. The statistics

The test statistic F equals 38.988775, which is not in the 95% region of acceptance:  $[0 : 2.2085]$

### 4. Effect size

The observed effect size  $f$  is large (2.94). That indicates that the magnitude of the difference between the averages is large.

The  $\eta^2$  equals 0.9. It means that the group explains 89.7% of the variance from the average (similar to  $R^2$  in the linear regression)

### 5. Tukey HSD / Tukey Kramer

The means of the following pairs are significantly different:  $x_1-x_2$ ,  $x_1-x_3$ ,  $x_1-x_4$ ,  $x_1-x_5$ ,  $x_1-x_6$ ,  $x_1-x_7$ ,  $x_1-x_8$ ,  $x_1-x_9$ ,  $x_2-x_5$ ,  $x_3-x_5$ ,  $x_4-x_5$ ,  $x_5-x_6$ ,  $x_5-x_7$ ,  $x_5-x_8$ ,  $x_5-x_9$ .

The Tukey Honest Significant Differences (HSD) is a post hoc test performed after the ANOVA test to show which of the groups were statistically significantly different. These results showed that the following pairs were statistically significantly different when their means were compared: Georgia - Michigan; Georgia - Florida; Georgia - Illinois; Georgia - New York, Georgia - Texas; Georgia - Pennsylvania; Georgia - Connecticut; Georgia - Ohio; Michigan - New York; Florida - New York; Illinois - New York; New York - Texas; New York - Pennsylvania; New York - Connecticut; New York - Ohio. It is not that surprising that the two frontrunners of decertification by data, Georgia and New York, led the way in statistically different means when compared to the other states in the study. The following chart presents the rest of the Tukey HSD data:

Pair	Difference	SE	Q	Lower CI	Upper CI	Critical Mean	p-value
x1-x2	314.2	17.5795	17.8731	232.2303	396.1697	81.9697	7.353e-12
x1-x3	266	17.5795	15.1312	184.0303	347.9697	81.9697	4.189e-11
x1-x4	304	17.5795	17.2928	222.0303	385.9697	81.9697	7.848e-12
x1-x5	122.4	17.5795	6.9626	40.4303	204.3697	81.9697	0.0005816
x1-x6	253	17.5795	14.3917	171.0303	334.9697	81.9697	1.433e-10

x1-x7	304.4	17.5795	17.3156	222.4303	386.3697	81.9697	7.818e-12
x1-x8	321	17.5795	18.2599	239.0303	402.9697	81.9697	7.21e-12
x1-x9	302.38	17.5795	17.2007	220.4103	384.3497	81.9697	7.981e-12
x2-x3	48.2	17.5795	2.7418	-33.7697	130.1697	81.9697	0.593
x2-x4	10.2	17.5795	0.5802	-71.7697	92.1697	81.9697	1
x2-x5	191.8	17.5795	10.9104	109.8303	273.7697	81.9697	1.33e-7
x2-x6	61.2	17.5795	3.4813	-20.7697	143.1697	81.9697	0.2837
x2-x7	9.8	17.5795	0.5575	-72.1697	91.7697	81.9697	1
x2-x8	6.8	17.5795	0.3868	-75.1697	88.7697	81.9697	1
x2-x9	11.82	17.5795	0.6724	-70.1497	93.7897	81.9697	0.9999
x3-x4	38	17.5795	2.1616	-43.9697	119.9697	81.9697	0.8348
x3-x5	143.6	17.5795	8.1686	61.6303	225.5697	81.9697	0.0000449

							2
x3-x6	13	17.5795	0.7395	-68.9697	94.9697	81.9697	0.9998
x3-x7	38.4	17.5795	2.1844	-43.5697	120.3697	81.9697	0.8269
x3-x8	55	17.5795	3.1286	-26.9697	136.9697	81.9697	0.4197
x3-x9	36.38	17.5795	2.0695	-45.5897	118.3497	81.9697	0.8646
x4-x5	181.6	17.5795	10.3302	99.6303	263.5697	81.9697	4.473e-7
x4-x6	51	17.5795	2.9011	-30.9697	132.9697	81.9697	0.52
x4-x7	0.4	17.5795	0.02275	-81.5697	82.3697	81.9697	1
x4-x8	17	17.5795	0.967	-64.9697	98.9697	81.9697	0.9987
x4-x9	1.62	17.5795	0.09215	-80.3497	83.5897	81.9697	1
x5-x6	130.6	17.5795	7.4291	48.6303	212.5697	81.9697	0.0002176
x5-x7	182	17.5795	10.3529	100.0303	263.9697	81.9697	4.264e-7

x5-x8	198.6	17.5795	11.2972	116.6303	280.5697	81.9697	5.979e-8
x5-x9	179.98	17.5795	10.238	98.0103	261.9497	81.9697	5.431e-7
x6-x7	51.4	17.5795	2.9239	-30.5697	133.3697	81.9697	0.5097
x6-x8	68	17.5795	3.8681	-13.9697	149.9697	81.9697	0.1715
x6-x9	49.38	17.5795	2.8089	-32.5897	131.3497	81.9697	0.5622
x7-x8	16.6	17.5795	0.9443	-65.3697	98.5697	81.9697	0.9989
x7-x9	2.02	17.5795	0.1149	-79.9497	83.9897	81.9697	1
x8-x9	18.62	17.5795	1.0592	-63.3497	100.5897	81.9697	0.9976

A Kruskal Wallis ANOVA test was performed as well leading to the following results.

The Kruskal-Wallis H test indicated that there is a significant difference in the *dependent variable* between the different *groups*,  $\chi^2(8) = 39.01$ ,  $p < .001$ , with a mean rank score of 42.2 for Georgia, 9 for Michigan, 29.6 for Florida, 16.4 for Illinois, 38.8 for New York, 28.6 for Texas, 17.9 for Pennsylvania, 3.5 for Connecticut, 21 for Ohio.

The Post-Hoc Dunn's test using a Bonferroni corrected alpha of 0.0014 indicated that the

mean ranks of the following pairs are significantly different: x1-x2 x1-x8 x2-x5 x5-x8. In other words, Georgia - Michigan; Georgia - Connecticut; Michigan - New York; New York - Connecticut.

### **Statistical Summary**

Per 100,000 residents by state, Georgia easily sweeps the highest number of police officers decertified annually at an average of three per 100,000 residents. This is followed distantly by New York at one officer decertified per 100,000 residents per year. Even when compared in a scatter plot to the number of sworn officers per 100,000 residents, New York and Georgia still show a wide lead. When viewed as a percentage of total state and local law enforcement, Georgia again comes in the lead with an average decertification rate per year of 1.16%, meaning that each year Georgia decertified approximately 1.16% of all state and local law enforcement in the state. The next closest state was New York at an average 0.29% per year over the five year period. Police basic academy training hours were lowest for Georgia at 408 hours and highest for Connecticut at 1,321 hours. When academy hours by state as a percentage were compared with the five year average decertification percentages of total state and local law enforcement by state a moderate negative correlation was discovered. The Pearson correlation coefficient of R was -0.559, meaning that with this moderate negative correlation, as the length of the academies across the selected states increased in training hours, the five year average number of decertified officers per year by state decreased. When the average annual percentage of officers decertified by state is used, a similar correlation coefficient of -0.5436 is reached. This is still a moderate negative correlation, affirming the first results. Finally, a One-Way ANOVA (Analysis of Variance) test was used to compare the five years of data from each state. This test showed that some of the group's averages were not equal, in other words, the difference

between the sample averages of some groups is big enough to be statistically significant. To determine which groups displayed the largest difference the Tukey Honest Significant Differences post-hoc test was used to discover that Georgia matched with eight other states as having the largest statistically significant difference in means. This was followed by New York with a total of eight pairs as well. The Kruskal Wallis ANOVA provided similar results with the highest mean rank scores for Georgia at 42.2 and New York at 38.8. The post hoc Dunn's test showed the biggest difference in means between Georgia and Michigan, Georgia and Connecticut, New York and Michigan, and New York and Connecticut. In all, it has been clear in every test of this data that Georgia and New York are the statistical outliers and decertify more officers by a decent margin than the other states in this study, even when accounting for population and law enforcement employment disparities.

## Chapter V

### Conclusion and Discussion

#### State POST Data Standardization

One of the key findings in this research was the lack of standardization among states with the format, manner, and type of data collected on decertified officers. Some states export this data as a .csv or excel format file and others respond with a printed and mailed pdf copy or CD. Some states include correctional officers while others do not. In summary it would aid IADLEST in operating the National Decertification Index and the U.S. Department of Justice in operating their newly created federal officer misconduct database if this information was nationally standardized. Recorded misconduct and decertification actions should come with a minimum standard of what records must be kept, including but not limited to: full name of officer, date of decertification, date of primary offense, description of primary offense, number of total offenses and types, POST action taken, POST case number for each unique incident, identifying certification number, employing agency at the time of the offense, current employer (if still in a certified position i.e. corrections, law enforcement etc.), and the date submitted to the NDI or similarly publicized or made searchable by law enforcement background investigators. This data should also be kept in the same or similar data format across all states to allow for cleaner and faster data imports into the NDI and DOJ. To further safeguard against decertified officers once again resuming law enforcement duties in other states it would be helpful for every state POST to create a script, app, website, or function that routinely compares every officer in that state against the NDI and DOJ's decertification lists to ensure no agency has either intentionally or

accidentally hired an already decertified officer. The sanction verbiage and definitions themselves should be unified across all states so that one states suspension, revocation, or public reprimand means the same as anothers. The National Conference of State Legislatures (NCSL) can assist with this task as they track legislation from all 50 states and have provided examples of new state legislation regarding police officer decertification (NCSL, 2023). Additionally, other public watchdog groups have found an interest in gathering police misconduct data. The Brady List website, created by Level Playing Field Solutions, is a good example, showcasing an amalgamation of a “public-facing platform of record for information about police misconduct, decertification, public complaints, use-of-force reports, do-not-call listings [Giglio letter], and more potential impeachment disclosures.” (Brady List, 2024, p.1) They also include a complaint reporting option for complaints to be filed with them against police officers, prosecutors, and judges. While much of the information on watchdog websites such as this may not meet investigative or academic rigor, it still holds a valid place in the sphere of public discourse, opinion, and the realm of effective public administration.

### **Policy, Procedure, and Organizational Culture**

Each state POST should work more closely with police agency internal affairs departments to multiply their effectiveness and efforts as most POST agencies are woefully underfunded and understaffed without the resources to effectively police and investigate the tens of thousands of officers and complaints they receive. If each state POST had a standardized certification for internal affairs investigators they could get local and state agencies to do most of their investigative leg-work allowing them to tackle exponentially more cases on their caseload. Despite momentary citizen unrest it seems unlikely that the majority of states across the country will soon greatly expand resources for POST agencies to conduct more frequent and

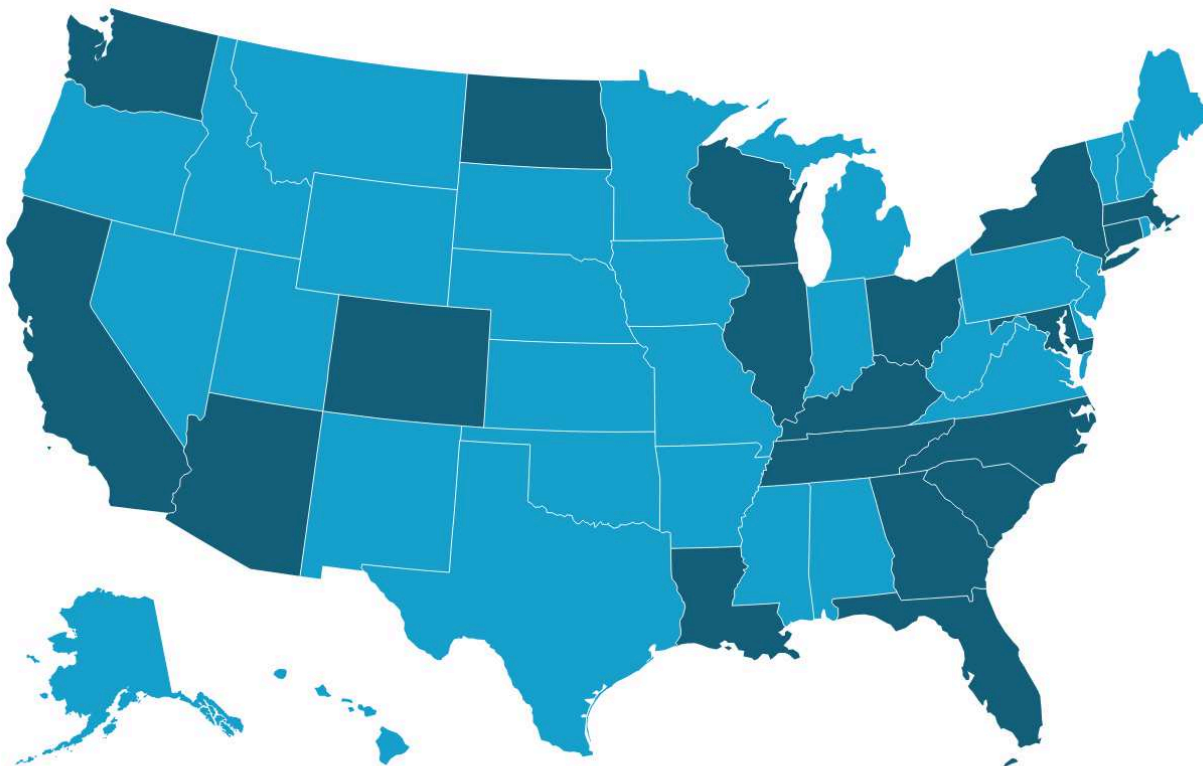
comprehensive investigations into incidents of officer misconduct. This is also a battle of political will as local and state agencies may fight to police their own at their own discretion over an outside state agency coming into their agencies. A more unbiased party is required though to retain objectivity and fair application of procedure and disciplinary action. For a moment, let us compare this process to that of a restaurant determined to do their own health inspections and preferring to keep the health inspector at arms length. Many locals would have hesitations about eating at such an establishment but with government services the citizens are not afforded the luxury to refuse or alter such services directly. Their only power is to elect politicians who promise transparency, accountability, and a change to the status quo process, which of course can work but this process tends to take much longer than administrative oversight. State legislatures therefore must empower POST agencies to take action not only against officers' certification in the face of misconduct but against agencies when they stymie the disciplinary process. Some states have already been given the authority in statute to reprimand or otherwise discipline an agency.

The lack of transparency has been a common issue noted across this research as pointed out by Cox and Freivogel (2021) in their research. After analyzing state laws, court opinions, and the advice of industry experts regarding the disclosure of police misconduct records they determined 17 states restrict records, 18 states and D.C. were listed as mostly closed, and 15 states were listed as mostly public (Cox & Freivogel, 2021). They noted examples of states which had open public records/sunshine laws on the books but that in practice records were not easy to obtain or were obfuscated by agencies. For example, a public records request group was asked to pay over \$47,000 before Manlius Police Dept. in New York would release their records (Cox & Freivogel, 2021). See the map below of their findings mentioned above.

## Police misconduct record availability

19 states have open or mostly open records for police misconduct

■ closed/restricted ■ open/mostly open



Map: Isabel Miller

(Cox et al., 2021, p.1)

This does seem to be improving as Hernandez (2023) mentioned in her research that between May 2022 and April 2023 in response to the George Floyd murder over 500 bills were introduced in state legislatures across the country concerning police discipline and 65 bills passed. Hernandez (2023) added that Delaware, Illinois, New York, California, Colorado, Maryland, and Massachusetts all opened their disciplinary records to the public in recent years.

It is hard to discuss the topic of police culture without addressing the impact that police unions have on protecting officers. As a recent example, Washington, D.C. passed the Comprehensive Policing and Justice Reform Amendment Act (2022) which codified the

temporary changes that were put in place in the immediate aftermath of the George Floyd murder (Walrath-Holdridge, 2024). This law went into effect in April of 2023 and has since led to the dismissal of twelve officers whose contracts will not be renewed based on the content of this law which states that any officers with “serious misconduct” issues cannot be hired by the agency in a sworn capacity (Walrath-Holdridge, 2024). The DC police union pushed back strongly against this law stating “this bill, which is inarguably the worst piece of public safety legislation the DC Council has ever passed, continues to wreak havoc on the police department,” the DC Police Union said in a statement. “The bill prohibits the hiring of sworn personnel if they have ever received sustained discipline from any law enforcement agency ... meaning that these officers, who have spent their careers serving and protecting this city, are ineligible to be retained by the MPD due to prior administrative personnel matters, some of which are over 20 years old.” (Walrath-Holdridge, 2024, p.1) Interestingly, the amended law states that “(f) An applicant shall be ineligible for appointment as a sworn member of the Metropolitan Police Department if the applicant:

- (1) Was previously determined by a law enforcement agency to have committed serious misconduct, as determined by the Chief by General Order;
- (2) Was previously terminated or forced to resign for disciplinary reasons from any commissioned, recruit, or probationary position with a law enforcement agency; or
- (3) Previously resigned from a law enforcement agency to avoid potential, proposed, or pending adverse disciplinary action or termination..(D.C. Law 13-160; D.C. Official Code § 5-107.01)

While many may say that an officer deserves a second chance, it should be remembered that this is not wholesale decertification, just a DC law prohibiting the hire of officers in the

MPD that fail to live up to these standards. Police unions must learn that they only degrade public trust in the noble profession of law enforcement when they argue for less transparency in officer discipline and greater leniency where serious misconduct has been committed. As a note, Walrath-Holdrige (2024) added a few examples which were considered “serious misconduct” under this law such as:

Criminal charges or arrest, Being the subject of a protection order, Unlawful discrimination, False arrest and/or filing false charges, Acts of retaliation or retribution, Intentional provision of false information in any official capacity, Civil lawsuits alleging sworn member misconduct while in an official capacity, Civil lawsuits alleging acts of physical violence, threats of physical violence, racial bias, dishonesty, or fraud while off-duty, and Positive drug screenings. (p.3.)

Officers that commit these acts should not be allowed to continue to serve the public, whose trust and faith they have betrayed by violating their oaths.

### **Standardized Decertification Process**

As mentioned previously, each POST agency has different processes and thresholds for the decertification of officers. Goldman (2012) lays out a few basic core elements he advocates should exist in every decertification law in every state. Among his suggestions, Goldman (2012) emphasizes that decertification statutes must encompass a myriad of criminal justice employees from jailers and corrections officers to parole and probation officers and not just focus on patrol police officers. He adds that misconduct outside of criminal charges must be included to give POST the ability to discipline or decertify officers for ethical and moral issues which may not rise to the level or burden of proof exist for a criminal charge. He finishes off his recommendations by laying bare the harsh realities of law enforcement agencies, critiquing them

on harboring their worst employees for economic reasons and suggesting POST agencies be given a stick with their carrot to punish agencies who do not cooperate with reporting requirements and POST investigations (Goldman, 2012). Perhaps the National Conference of State Legislatures will publish a model statute for states to adopt. So far they have been active in covering new legislative changes regarding decertification across the country and tracking these bills through state legislatures (National Conference of State Legislatures, 2023).

### **Conclusion**

It is not insignificant that most of these POST agencies across the country were founded in the mid-60's during the Civil Rights Movement. Mark Twain is credited with saying that "history doesn't repeat itself, but it does rhyme", and we have seen this with the legislative changes in the wake of George Floyd and similar public police misconduct scandals. This renewed call for action and legislative changes has provided the impetus for change not seen since the Civil Rights Movement. This proves as Americans we can and should improve our public services and our expectations of our public servants. The analysis of these states shows a renewed interest in decertification and with the increased funding and support of projects like the National Decertification Index coupled with new state laws; it frames the landscape for a hopeful future in the transparency and accountability of those sworn to serve and protect their fellow citizens.

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## **Appendix A: IRB Exemption**



**Institutional Review Board (IRB)  
for the Protection of Human Research Participants**

**PROTOCOL EXEMPTION REPORT**

**Protocol Number:** 04492-2024

**Responsible Researcher:** Ethan Johnson

**Supervising Faculty:** Dr. Rudy Prine

**Co-Investigator:** n/a

**Project Title:** *Police Officer Decertification: A Comparative Analysis.*

**INSTITUTIONAL REVIEW BOARD DETERMINATION:**

This research protocol is **exempt** from Institutional Review Board (IRB) oversight under 45 CFR 46.101(b) of the federal regulations, **category 4**. If the nature of the research changes such that exemption criteria no longer apply, please consult with the IRB Administrator ([irb@valdosta.edu](mailto:irb@valdosta.edu)) before continuing your research study.

**ADDITIONAL COMMENTS:**

- *Before data collection begins, please submit to the IRB your request for data to be used in your research (i.e. data not available without a request) and the letter of approval received.*
- *Upon completion of the research study all data (e.g. data, pseudonym list, email lists, etc.) must be securely maintained (e.g. locked file cabinet, password protected computer, etc.) and accessible only by the researcher for a minimum of 3 years. At the end of the required time, collected data must be permanently destroyed.*

**Please submit any documents you revise to the IRB Administrator at [tmwright@valdosta.edu](mailto:tmwright@valdosta.edu) to ensure an updated record of your exemption.**

*Elizabeth W. Olphie*

*02.19.2024*

Elizabeth W. Olphie, IRB Administrator

Date

**Thank you for submitting an IRB application.**

**Please direct questions to [irb@valdosta.edu](mailto:irb@valdosta.edu) or 229-259-5045.**