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Police Unionism,
Accountability, and
Misconduct

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Abstract

Recent discussions of police violence in the United States and the corresponding lack of accountability have shone a light on a highly debated agent opposing police reform—police unions. Although police unionism continues to be an understudied area, a recent wave of empirical investigations, both qualitative and quantitative, have contributed to a nascent understanding of the ways in which police union mechanisms facilitate police misconduct and violence. Accordingly, in this review we first discuss the origins of police unionism in the United States, illustrating how historical forces, including racial animus, have shaped the existing landscape. Then, we highlight significant empirical work exploring the relationship between police unionism and misconduct. Thereafter, we review the potential intervening mechanisms, which are employed in ways to reduce disciplinary consequences of misconduct and excessive use of force, undermine oversight of the police, and limit police transparency. We end with a set of recommendations on future avenues for research.

INTRODUCTION

On December 2, 2013, the Chicago Police Department (CPD) received a civilian complaint against Jason Van Dyke, a White officer hired in 2001, alleging excessive use of physical force and verbal abuse during an incident the previous day. In fact, according to official complaint data distributed by the Invisible Institute (2022), Van Dyke received 20 use-of-force complaints between 2004 and 2014, many more than most CPD officers. Nevertheless, he remained on the police force and soon his use of force turned lethal. On October 20, 2014, Van Dyke shot Laquan McDonald, a 17-year-old Black male, 16 times. Many of the rounds struck McDonald after he was nearly lifeless on the ground (Corley 2022).

The role of police unions in protecting officers and shielding them from accountability became increasingly clear as the saga of Laquan McDonald's tragic death played out over the ensuing years. For instance, the media and political tactics employed by Van Dyke's union, the Fraternal Order of Police (FOP), were critical in providing a distorted narrative of the incident by asserting that McDonald had "lunged" at officers despite video footage, released 13 months after the killing, clearly showing McDonald walking away as Van Dyke repeatedly fired his weapon (Pilkington 2015).

The labor agreement between the FOP and the city of Chicago provides for delays in officer interrogations after an officer-involved shooting, allows officers to access witness interview transcripts prior to their own interrogation, allows officers to amend statements after viewing incident videos, and expunges officer misconduct history, thereby making it difficult to establish patterns of abuse (Emmanuel 2015). With the protections granted to police in Chicago, Van Dyke and other officers at the scene of the McDonald killing, including three later prosecuted for conspiracy associated with allegedly covering up facts about the shooting, reassembled at a police station in the hours after the shooting to discuss the case, before being interviewed by investigators (WBEZ Chicago 2018). Hence, rather than being separated as independent witnesses of the incident, Van Dyke and the other officers were permitted by union contract provisions to meet, and allegedly concocted the aforementioned narrative about McDonald lunging at officers.

The protections afforded Van Dyke are not isolated benefits for a select few officers. Approximately 75% of police officers in the United States are unionized (DeLord & York 2016). Moreover, our analysis of weighted 2016 Law Enforcement Management and Administrative Statistics (LEMAS) data from the Bureau of Justice Statistics reveals that approximately 46% of law enforcement agencies in the United States, which employ 67% of all sworn officers, are authorized to collectively bargain, a key tool of union influence. Hence, union protections and mechanisms serve to potentially insulate a large swath of US police should they similarly engage in misconduct or excessive force. Thus, the main questions animating this review include whether police unions facilitate police misconduct and excessive use of force and, if so, by which mechanisms.

Building on the foundation of earlier reviews (Cunningham et al. 2020, Juris & Feuille 1973, Walker 2008), our review starts by examining the historical origins of police unionism and the racial animus underlying its development. We then explore three broad mechanisms and arenas of union influence—collective bargaining, legislative lobbying and electoral politics, and the courts and legal actions—and the ways in which these mechanisms are employed to reduce disciplinary consequences of misconduct and excessive use of force, undermine oversight of the police, and limit police transparency.¹ Much of the research on police unions consists of legal scholarship and

¹Whereas our focus in this review is on these primary mechanisms of police union influence—that is, collective bargaining, legislative lobbying and electoral politics, and courts and legal action—one of the potentially powerful instruments that unions can employ to influence and pressure politicians are slowdowns, also sometimes

qualitative studies describing and examining, for instance, the content of union contracts and the mechanisms that unions employ to facilitate better pay, benefits, and working conditions for their members. Recent quasi-experimental studies have added an important quantitative dimension to this research domain by focusing on the implications for downstream police behaviors.

We conclude the review by discussing the potential and future avenues for investigation needed to better understand the relationships among police unionism, negative policing outcomes, and the possibilities for police reform and reinvention efforts. Building off the work of Levin (2020), we are mindful of the need to distinguish between the effects of police unionism and those related to the broader institution of US policing.

Before proceeding, we offer a qualification, perhaps best articulated by Hardaway (2019, p. 142) in her discussion of police unions:

Policing in America is a unique institution for which there are no real parallels or comparisons. No other employee, public or private, is empowered to lawfully infringe on the life and liberty of free citizens in the manner in which law enforcement officers are. Rather than a blanket indictment of unions, this Article only explores issues related to law enforcement.

To the extent that police unions facilitate detrimental outcomes such as police misconduct, that finding does not imply a blanket indictment of all types of unions or the strategies they employ.

HISTORICAL ORIGINS OF POLICE UNIONISM

Historically, police unions have been defined by the paradoxical social position of police as workers employed by the state to discipline and disempower other workers. Law enforcement officers have formed unions since the creation of modern police departments in the late nineteenth century. Yet, until the latter half of the twentieth century, union effectiveness was limited by opposition from other workers and the broader union movement and by legal barriers to collective bargaining by public employees. Early efforts to unionize police were rebuffed by labor leaders who viewed police as “too often controlled by forces inimical” to organized labor and complicit with violent attacks on working people (Jones 2021). Although labor leaders became friendlier toward police unions during the First World War, a strike by police in Boston in 1919 convinced many public officials that unionizing any public employees would lead to strikes that could threaten public health and safety, thereby hindering the progress of police unionism for several decades.

The prospects for police unionism shifted in the 1940s and 1950s, as federal law facilitated the expansion of a large and influential union movement in the private sector. Public employees were excluded from federal laws, but they joined unions in growing numbers and pushed state and local governments to recognize their unions and bargain for better wages and working conditions. Ironically, police played little role in these efforts and focused on lobbying elected officials informally for better wages and professional status. However, when states began granting collective bargaining rights to public employees, starting with Wisconsin in 1959, police unions emerged quickly, among the largest and most influential sectors of a growing public sector union movement (Bekemeyer 2021, Levi 1977, Levine 1988, Slater 2004). This rise in unionism among police and other domains of the public sector stands in stark contrast to unionism in the private sector. Indeed, the broader labor movement in the United States has witnessed a long-term decline in union influence, particularly in the private sector, with union membership now at historic lows (Rosenfeld 2019).

referred to as work delays (Cheng & Long 2022, Pyrooz et al. 2016, Rushin & Edwards 2017, Shjarback et al. 2017; but see Chandrasekher 2016, Sullivan & O’Keefe 2017). Because most police unions lack the power to strike, slowdowns are often viewed as the next best option.

Juris & Feuille's (1973) foundational study provides further insight into the development of police unionism in the twentieth century in the context of increased crime, evolution in urban policing, an expansion of collective bargaining rights, and the early years of the war on drugs. They argue that the rise in cohesion among police officers in the late 1960s and early 1970s, described in more detail below, played a critical role in advancing police unionism. This rising cohesion coincided with increasing demands for better wages and working conditions and opposition to oversight by elected officials.

Another key contributor to cohesion among the police and the rise of police unionism was racial animus and resistance to the Civil Rights Movement (Fisk & Richardson 2017, Hardaway 2022, Juris & Feuille 1973, Kearney & Carnevale 2001, Levine 1988, Walker 2008). For instance, Juris & Feuille (1973) cite widespread police support for Alabama governor and presidential candidate George Wallace, whose appeal rested in large part on his racist rhetoric and opposition to civil rights, as a source of cohesion among police officers (Juris & Feuille 1973, Levi 1977). They also assert that the rising police cohesion and resulting militancy was a response to the perceived threat and influence of the Black Panthers, which formed to counter police violence in Black communities. Just as today a pro-police response to "black lives matter" is to trumpet that "blue lives matter," a sign of police cohesion and identity of the civil rights era was the championing of "Blue Power" as a retort to "Black Power" (Hardaway 2022). Hardaway (2022) argues that police unions of the 1960s garnered their political power to secure protections and install "law and order" mayoral and local election candidates by fighting against the Black liberation movement (Hardaway 2022). Thus, the surge in police militancy, organized union membership, and public support for police cannot be understood or separated from the backlash to racial progress and the calls for civil rights as well as the corresponding demands for restraints on police discretion (Juris & Feuille 1973, Levi 1977, Serrin 1969). Like the development of any American institution, race has been central to the rise of police unionism in the United States (King & Smith 2005).

The history of police unionism is important because it reveals why there are immense barriers to reform or reinvention in modern policing. As Hardaway (2022, p. 11) argues, police unions are not "self-empowering entities," rather they are very much a product of, and embedded within, an anti-Black sociopolitical climate that continues to this day. In contrast to other public sector unions, police unions of the civil rights era and the decades thereafter were successful in forging hard-on-crime political alliances and remaking urban politics through those alliances. These alliances have provided cover for the police and its unions in the face of demands for change. Bekemeyer (2021) argues that attempts to remake policing will be successful only if the broad-based law-and-order coalition that has arisen over the past 60 years can be dismantled.

EXPLORING POLICE UNION MECHANISMS

Police unions, like any other special interest, work to protect and advance their members' vested interests (Moe 2015). The research that we discuss below touches on how these unions employ different mechanisms to protect and further their members' interests, which includes shielding them from accountability, where accountability means "that in a democratic society the police should treat all people with respect, fairness and equal treatment and at the same time should be required to answer for their conduct, particularly in cases of alleged misconduct" (Keenan & Walker 2005, pp. 190–91). Union protections often free police officers from accountability and help to maintain a "culture of impunity" inside police departments: "a collective sense among officers that they do not have to be held fully accountable for misconduct" (Walker 2015, p. 8).

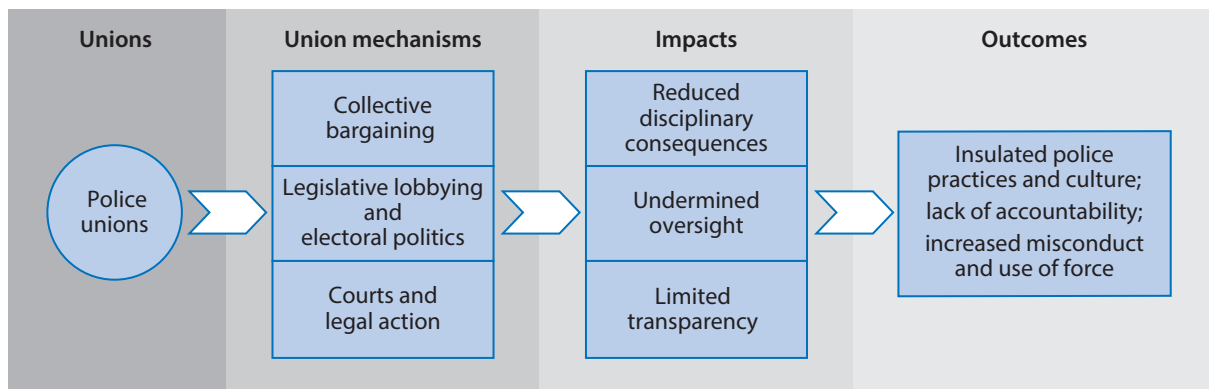


Figure 1

A conceptual framework of police union influence: the mechanisms and potential impacts that contribute to police misconduct and a lack of accountability.

Whereas police unions have a range of strategies and tactics they employ to further the interests of their membership, this review focuses on mechanisms for which there has been sufficient empirical attention paid to matters of accountability, misconduct, and violence: collective bargaining, legislative lobbying and electoral politics, and courts and legal actions. Although we show that each of these mechanisms contributes to misconduct and a lack of accountability, some scholars suggest that the political dimension of union influence, which includes different types of lobbying and electoral politics, is more important than any other sphere of police unionism. Indeed, DeLord et al.'s (2008) “playbook” for police unions offers a prescriptive guide for how union leaders should employ these mechanisms to achieve their goals and expand their power (Keller & Barker 2021).

How exactly do union mechanisms such as collective bargaining and legislative lobbying ultimately contribute to an environment or situations in which police violence becomes more likely and accountability absent or minimized? **Figure 1** presents a conceptual framework for understanding the role of unions, common mechanisms of influence, and the corresponding impacts and outcomes.

DEFINING IMPACTS OF POLICE UNION MECHANISMS

As can be seen in **Figure 1**, the three broad mechanisms—collective bargaining, legislative lobbying and electoral politics, and the courts and legal actions—are employed in ways that reduce disciplinary consequences of misconduct and excessive use of force, undermine oversight of the police, and limit police transparency. In turn, these impacts contribute to the preservation of the status quo in policing, facilitate misconduct and use of force, and inhibit accountability.

Reduced Disciplinary Consequences

Through the collective bargaining process, police unions often negotiate over matters pertaining to management rights, working to establish barriers in the investigatory and disciplinary processes related to misconduct and use of force (Hardaway 2019, Rushin 2019a). The advantages for officers in disciplinary investigations create a system that makes it difficult to hold them accountable (Huq & McAdams 2016). Rushin (2017, 2019a) argues that union-negotiated protections can lead to the manipulation of evidence against officers and even the harassment of complainants. *The Washington Post* (Kelly et al. 2017) provides examples of nearly 1,900 officers

who were terminated from police departments in major US metro areas in the preceding decades, but, unsurprisingly, hundreds of these terminations were subsequently overruled and officers reinstated following appeals by their police unions. In many cases, officers were reinstated even when the misconduct was undisputed. Hence, police unions have considerable power to shield officers from the disciplinary consequences of their actions.²

Undermined Oversight

Police unions often negotiate provisions into contracts that prevent cities from implementing oversight entities such as civilian review boards or limit the power of those entities by restricting independent review and monitoring of police misconduct and outcomes. The resulting lack of external oversight, or oversight efforts in name only with little authority, may help ensure the maintenance of a system lacking in accountability, where officers need to respond only to their department and not to the communities they serve (Walker 2001, 2008). Moreover, police officers may be less accountable for their actions when they are investigated by a panel of their peers because department leaders have an incentive to protect the department's reputation (Keenan & Walker 2005).

Limited Transparency

The lack of transparency with respect to police misconduct takes several forms, from purging of officer misconduct records to closed-door misconduct investigations (Walker 2015). A lack of transparency protects officers who engage in continued misconduct and prevents the public and other entities from identifying which officers could be encouraging or facilitating misconduct among other officers, which is important to know because research reveals that misconduct may be contagious behavior (Ouellet et al. 2019; but see Simpson & Kirk 2022). As scholars and policymakers have argued, increasing this transparency is a critical step in transforming police departments and empowering communities (Off. Community Oriented Polic. Serv. 2015).

Additional Impacts

While in the interest of brevity, our review focuses on the strategies police unions employ to reduce disciplinary consequences of misconduct and violence, undermine oversight, and limit transparency, there are additional impacts with potential implications (positive or negative) for misconduct.

Compensation. Research reveals that police unions help secure significantly better wages, benefits, pensions, and shorter working hours than police officers would otherwise receive (Anzia & Moe 2013, Bartel & Lewin 1981, Brunner & Ju 2019, Feuille & Delaney 2016, Frandsen 2016, Trejo 1991). Becker & Stigler (1974) argue that better compensation may deter police misconduct to the extent that it represents an opportunity cost. With more to lose, officers may be less likely to engage in actions that could risk their livelihoods.

Recruitment and diversity. Police unions, which are typically dominated by White male officers, have long resisted diversification of policing by race and gender and have engaged in legal battles,

²In 2020, the District of Columbia adopted a range of police reforms, most notably preventing the police union from being able to negotiate police disciplinary rules and procedures through collective bargaining (Iafolla 2022). As of this writing, the DC Circuit Court is considering a challenge by the FOP to the law. Nevertheless, the law reflects a recognition of the detrimental impacts of union mechanisms on disciplinary practices and ultimately police accountability and misconduct.

including reverse discrimination suits, against recruitment policies intended to diversify police departments (Hardaway 2022, McCormick 2015, Sass & Troyer 1999, Walker 2008).³

Union efforts to thwart diversification of policing are consequential because they undermine attempts to ensure that the police descriptively represent the public they serve. The lack of representativeness is potentially problematic for the functioning of democracy because the police are the face of the government in many communities. Indeed, Ba and colleagues (2022) show that police officers tend to skew more White, male, high-income, and Republican than the jurisdictions where they work.

Union resistance to diversity is also pertinent because of the implications for officer use of force. For instance, path-breaking research by Ba and colleagues (2021, 2022) reveals that Black and Hispanic officers are much less likely to use force than similarly situated White officers (i.e., after accounting for the fact that the nature of patrol assignments tends to vary substantially by race and ethnicity), and female officers are less likely to use force than male officers in similar contexts and situations. Ba and colleagues (2022) also find that officers who identify as Republican are more likely to use force than Democrats. Hence, unions may indirectly facilitate misconduct and use of force by resisting efforts to diversify departments with the types of officers less prone to misbehavior.

Community–police alignment. Police unions have been shown to hold adverse attitudes toward reforms aimed at improving police–community relations, and to focus on maintaining the law enforcement rather than the service function of policing (Magenau & Hunt 1996). When placed into historical context, this reinforcement of the status quo tends to protect a police institution that has disproportionately overpoliced and brutalized historically disinvested communities of color and combated efforts to create equitable practices. This situation essentially allows police cultures of misconduct to persist and thrive.

Summary of Impacts

Returning to the conceptual framework displayed in **Figure 1**, we have already alluded to one theoretical tradition linking union impacts and outcomes: deterrence (Pogarsky & Piquero 2004). When the expected costs of engaging in police misconduct and violence exceed the benefits, then, in theory, the behavior becomes less likely (e.g., Becker 1968). Yet the aforementioned impacts of police unions may undermine deterrence by reducing the likelihood that an officer will be caught for engaging in misconduct (i.e., through limits on transparency and oversight) or sanctioned even if caught (i.e., by reducing the disciplinary consequences).

Having provided a base description of police union mechanisms and their corresponding impacts, we next assess the empirical literature examining the relationship between police union mechanisms—collective bargaining, legislative lobbying and electoral politics, and court and legal actions—and police accountability, misconduct, and violence.

COLLECTIVE BARGAINING

Collective bargaining refers to the negotiation of contracts governing the terms of employment with respect to wages, benefits, working conditions, and worker rights for a particular group of employees. When an employer has a “duty to bargain,” it is required to negotiate with employee

³Similarly, a small number of correlational studies tend to reveal evidence of the negative impacts of police unions on diversification by race (e.g., Mladenka 1991) and gender (Schuck 2014; but see Marabito & Shelley 2015).

representatives. Collective bargaining has been fundamental to the growth of police union influence given that the unionization of police officers has often occurred only after state laws required jurisdictions to bargain with employee representatives (Ichniowski 1988). This obligation to bargain created fertile ground for the rise of organized unions to fill this negotiating role. In several states, including Texas and Wisconsin, police have more collective bargaining rights than other public employees, and only in four states (Georgia, North and South Carolina, and Tennessee) is collective bargaining by police prohibited (Sanes & Schmitt 2014). Virginia is the latest state to authorize collective bargaining by public employees, including police, through legislation adopted in 2020.

Although most collective bargaining agreements (CBAs) in general address rules for investigating and disciplining employee misconduct, including due process protections, these have been a particularly important focus for police unions. Indeed, law enforcement CBAs in the largest US cities have created procedural protections that severely limit investigations and discipline of misconduct (Rushin 2017). Nevertheless, we note again that CBAs necessarily involve negotiation, and public officials are often inclined to grant disciplinary protections in lieu of even higher wages and benefits (Jones 2021).

As Cunningham et al. (2020) note, in contrast to the private sector, governments are not profit-maximizing institutions but work to maximize social welfare in the face of economic and political constraints. Because the police are providers of public services and are, in theory, accountable to the public, for them, collective bargaining is more a political process than the type of economic negotiation process found in the private sector (Cunningham et al. 2020, McCormick 2015). Indeed, research reveals that collective bargaining rights tend to yield enhanced political power for unions and increases in union strength and expenditures (Anzia & Moe 2013). Moreover, research also finds that collective bargaining increases public safety spending (police and fire) by local governments (Anzia & Moe 2013). Accordingly, efforts to reinvent and restructure funding for law enforcement agencies—for example, by “defunding” the police—must understand that a significant portion of funding is influenced by police unions.

Collective Bargaining and Officer Misconduct

Among the few studies examining the relationship between collective bargaining and police misconduct, Dharmapala et al. (2022) examine the impact of collective bargaining rights in the context of a Florida Supreme Court decision that granted sheriff’s offices the right to collectively bargain. Leveraging variation induced by the court ruling, Dharmapala et al. (2022) apply a difference-in-differences design and estimate that the right to collectively bargain results in a 40% increase in violent incidents of misconduct, as measured by state-level allegations of misconduct. Their robustness checks drop potentially unverifiable complaints of misconduct and still yield highly similar inferences. Although the specific union mechanism that may have led to the increase in misconduct is not identified or tested in the study, the authors point to union contract provisions that reduce accountability. For instance, unions may bargain to secure the expungement of previous misconduct records after a fixed time, which may thwart the likelihood of deterring repeat misconduct.

Looking beyond Florida and attempting to understand scale, Cunningham et al. (2021) examine the rollout of collective bargaining rights nationwide between the 1950s and 1980s. The authors employ an event study design, leveraging discontinuities in collective bargaining rights across states. They find that counties within states with collective bargaining rights experienced a significant increase in police killings of non-White civilians compared to White civilians. In fact, they estimate that the adoption of collective bargaining accounts for 10% of all non-White civilian deaths by police between 1959 and 1988. The authors are careful to emphasize that the

effect of collective bargaining rights occurs over the medium- to long-term (three-plus years) because changes in police behavior following the granting of collective bargaining rights are not instantaneous.

Although the Cunningham et al. (2021) study is impressive for the historical endeavor to tease out the causal relationship between increased violence and the granting of bargaining rights, like the work by Dharmapala et al. (2022), it does not identify which union mechanism(s) may be responsible for increases in violence and misconduct. Rad (2018) makes a first attempt at exploring specific union mechanisms that create advantages in the disciplinary process, undermine oversight, and limit transparency. Rad's study codifies both CBA and legal protections through the creation of an index of police protections and finds that union-secured procedural protections are positively associated with subsequent police killings of civilians (Rad 2018, Rad et al. 2022). In other words, there is a significant positive relationship between police protections generated through CBAs and other union mechanisms and levels of police violence at the city level.

Also relevant to our discussion of collective bargaining and misconduct is Chandrasekher's (2017) research on the consequences of prolonged contract negotiations between New York City and different ranks of New York Police Department (NYPD) officers. Leveraging the occurrence of NYPD officers working on expired labor contracts, the study finds that incidents of police misconduct increase with the amount of time officers spend out of contract. In particular, abuse of authority and discourtesy become more likely when police are working on expired contracts, whereas use of force is no more or less likely.

Among the extant quasi-experimental research, Goncalves (2021) is the lone study that does not find evidence of significant increases in police violence following police unionization. However, in contrast to the other studies described in this section, it is important to note that the Goncalves study looks at unionism in general, not collective bargaining specifically.

Reduced Disciplinary Consequences

As noted, unions often negotiate provisions in CBAs that create advantages for officers being investigated for misconduct (Rushin 2019a). Indeed, among the intensive work examining CBAs in policing, Harris & Sweeney (2021) review 48 cities and find that every union contract had some impediment to accountability. In addition, Rushin (2017) reviews 178 police union contracts and reveals that most CBAs have provisions that hinder disciplinary procedures and thereby thwart accountability.

More specifically, building on a framework for analyzing police union contracts developed by Campaign Zero (<https://campaignzero.org/>), a criminal legal reform and advocacy organization, Rushin (2017) observes the following contract provisions as common tools to undermine police disciplinary processes: (a) delaying interrogations or interviews of officers suspected of misconduct; (b) providing access to evidence against an officer before they are interrogated; (c) excluding disciplinary records to not impact future employment or promotion consideration, or destroying disciplinary records after a set period; (d) placing limits on the length of time by which an investigation must conclude or a disciplinary action can occur; (e) placing limits on the filing and consideration of anonymous complaints against officers; (f) limiting civilian oversight of officer conduct; and (g) permitting or requiring the arbitration of disputes related to disciplinary actions.

Finally, some CBAs also include provisions requiring the department or municipality to indemnify officers accused of misconduct (Schwartz 2014). Indemnification clauses are not rare and are found in state statutes in addition to CBAs (Rushin 2017). Schwartz (2014) looks at 9,225 civil rights claims made between 2006 and 2011 against police officers in major US police departments that resulted in a payment to plaintiffs. She finds that officers were fully indemnified in all but

40 of the cases. In other words, in only an extremely small fraction of cases, 0.4%, were officers required to contribute to the claim's payment, and even then, the contribution was generally minuscule compared to the total amount awarded to the plaintiffs. Hence, indemnification arguably creates a moral hazard in policing.

Undermined Oversight

Related to police oversight, CBAs include provisions that prohibit anonymous civilian complaints, limit the precise ways by which complaints can be formally made, and create arbitrary statutes of limitations on filing complaints (Keenan & Walker 2005, Rushin 2017). These front-end obstacles can create underreporting issues, which can yield misleading data on the total volume of grievances and complaints against a police department or a particular officer (Ba 2020, Holmes & Smith 2014).

CBAs have also been successful in preventing or constraining external oversight entities from having tangible authority to investigate officer abuses or sanction officers. An illustrative case is Austin, Texas. In Austin, before the current CBA (agreed upon in 2018), the civilian oversight board was largely toothless because the CBA active at the time prevented it from independently investigating officer misconduct complaints and denied the board subpoena powers (McMahon & Moore 2019). This case illustrates that jurisdictions that have tried to hold police accountable through the creation of civilian oversight boards have been constrained from granting those boards real authority because of the nature of CBAs with police unions.

Consistent with our focus on CBAs and their detrimental influence on oversight, Goncalves (2021) draws upon historical data from Florida (1973–2017) on union certification elections as well as national data (1987–2013) on the staggered rollout of police unionization across the country and finds evidence that police unions undermine civilian oversight efforts and enhance legal protections for officers. Hence, there is both descriptive evidence and quasi-experimental evidence revealing the detrimental consequences of CBAs, and unionization more generally, on civilian oversight of the police.

Limited Transparency

Limited transparency in policing is another key impact generated by collective bargaining. Tellingly, the collective bargaining process that ultimately undermines transparency in police misconduct investigations is itself a process hidden from view (Katz 2021, Rushin 2017). Most states do not have laws mandating public access or input during the bargaining process (Abraham 2015, Rushin 2017). Scholars have argued that the lack of transparency in the bargaining process itself allows for the creation of obstacles to police accountability and transparency (Katz 2021, Rushin 2017, Walker 2015).

Katz (2021) asserts that the lack of public input has a “profound” impact, specifically on historically disinvested Black and Brown communities. He explains that “for communities that are most impacted by aggressive policing, there is little possibility for meaningful participation when the agenda for that week’s city council meeting includes ratification of a CBA and an attachment of an already negotiated collective bargaining agreement” (Katz 2021, p. 438). Viewed another way, this lack of transparency reduces community knowledge and power to transform policing.

Beyond the lack of transparency in the process itself, police unions create obstacles to transparency in police behavior and performance through CBAs, including erasing police disciplinary records and denying the public release of information concerning the disciplinary process (Rad 2018; Rushin 2017; Walker 2008, 2015). By comparison, Walker (2015) notes that many, if not all,

US states release the disciplinary records of workers in other professions that pose a safety risk (e.g., medical professionals).

Even when access to disciplinary records may be permitted, union-negotiated protections may make harassment of civilian complainants and data requestors possible. The 2020–2022 union contract in Minneapolis illustrates how harassment might occur. Compared to the 2017–2019 labor agreement between the City of Minneapolis and The Police Officers’ Federation of Minneapolis, the 2020–2022 agreement added the following provision: “When a data practices request has been made for an Officer’s public personnel data, the MPD will notify the Officer via email of the data requested and the requestor” (Harper 2022; see also Navratil 2022). Hence, even after the intense scrutiny of the Minneapolis Police Department in the wake of George Floyd’s murder by police officer Derek Chauvin in 2020, the city subsequently agreed to police federation demands for a contract provision requiring the disclosure of requestor names for those seeking information about police records, such as their disciplinary history.

Furthermore, a contemporary debate focused centrally on the question of transparency in policing is the use of body-worn cameras (BWCs). In contrast to Morabito (2014), who suggests that police unions may actually be vehicles of “innovation” in certain domains, Nowacki & Willits (2018) find that agencies with collective bargaining are less likely to use BWCs. They suggest that bargaining power provides the leverage critical to resisting changes, including technological solutions such as BWCs, which are designed to increase transparency and limit discretion.

LEGISLATIVE LOBBYING AND ELECTORAL POLITICS

Beyond collective bargaining, scholars have also identified lobbying and other political activities as union mechanisms that frustrate accountability and reduce police transparency (Bies 2017, Walker 2008). Indeed, even in cities that do not negotiate contract protections, unions continue to be influential by introducing legislation beneficial to their causes or, conversely, by blocking laws intended to improve equity in policing, accountability, and behavior. For instance, in 2018 California police unions successfully blocked a bill that would have restricted officers’ discretion to use deadly force (Damien 2018).⁴

Law Enforcement Officer Bills of Rights (LEOBOR) may be the most visible and salient type of legislation that has been a focus of union lobbying efforts (Cunningham et al. 2020, Keenan & Walker 2005). LEOBORs are state laws designed to protect due process and restrict the investigation and prosecution of police officers charged with misconduct while performing their duties. As Keenan & Walker (2005, p. 186) explain, “no other group of public employees enjoy equivalent legislation related to disciplinary matters, and the provisions of some LEOBORs grant police officers more specific protections than are provided other public employees.” As of this writing, there are 19 LEOBORs across the United States, and they often include protections that mirror the provisions within CBAs (Rushin 2019a, Walker 2008).⁵ In 2021, Maryland, which was the first state to pass a LEOBOR, also became the first state to repeal its LEOBOR in a broad effort to

⁴However, another use-of-force bill was introduced and passed in 2019 and implemented in 2020, the first change in the state’s use-of-force policy since 1872.

⁵The 19 states are Arizona, Arkansas, California, Delaware, Florida, Illinois, Indiana, Iowa, Kentucky, Louisiana, Minnesota, Nevada, New Mexico, Oregon, Rhode Island, Tennessee, Texas, Virginia, and West Virginia. Versions of LEOBORs also exist in Georgia and Wisconsin but are not termed as such (Rad 2018). Some LEOBORs also have unique stipulations and exemptions; for instance, in Texas, the LEOBOR applies more rigorously to cities like Houston, based on population size, but is not applicable to sparsely populated areas.

instill accountability in policing and reform laws around use of force (Wiggins 2021, Wiggins & Cox 2021).⁶

Quasi-experimental research by Cunningham and colleagues (2022) finds no significant relationship between the passage of LEOBORs and police killings. The study's research design leverages the staggered timing of the adoption of LEOBORs across states and employs a stacked event study design. The study finds that although the introduction of LEOBORs has led to a significant increase in financial bargaining and expenditures on the police, it does not find a substantial impact on the use of lethal force in either the short- or medium-term. The authors suggest that collective bargaining, as opposed to LEOBORs, could have played a larger role in influencing officer use of lethal force (Cunningham et al. 2022). However, although the study examines the influence of LEOBORs in aggregate, it does not consider variation in the actual content of the LEOBORs. Some "rights" in LEOBORs may facilitate police use of force and misconduct even if in aggregate there is little overall effect of LEOBORs on police violence. Moreover, LEOBORs in some states may be quite influential with respect to police violence and misconduct, but in other states they may be of little consequence. Hence, in the discussion to follow, we unpack the potential impacts of LEOBORs and other mechanisms of lobbying and electoral politics.

Reduced Disciplinary Consequences

Like some CBAs, LEOBORs have been found to provide officers accused of misconduct with several advantages during investigations, including delaying officer interviews, providing officers under investigation access to investigative materials, preventing the consideration of past records of discipline in investigations, and limiting the length of investigations (Keenan & Walker 2005, Rushin 2017). Beyond LEOBORs, police unions have been active in lobbying at the federal level against the introduction of legislation to end qualified immunity for law enforcement, which protects officers from financial liability when they violate a person's constitutional rights. Unions have also been working at the state level to resist efforts to end existing qualified immunity provisions (Kindy 2021).

Other legislatively related union activities include lobbying against legislation to expand state decertification programs. Decertification helps prevent what Grunwald & Rappaport (2020) call the "wandering officer." It allows for a police officer's license to be revoked after certain disciplinary actions and prevents decertified officers from being reemployed at a different police agency (Goldman & Puro 1987, Grunwald & Rappaport 2020). California was the first state to decertify police officers who committed misconduct, but police unions were successful in 2003 in ending the state decertification process. Only recently has the state been able to revive the decertification process after being dormant for many years (Freivogel & Wagman 2021).

Undermined Oversight

Like CBA provisions, LEOBORs include impediments to oversight. For instance, LEOBORs in Illinois, New Mexico, and Rhode Island limit the filing of anonymous complaints against the police, creating problems on the front end of the oversight process (Keenan & Walker 2005, Rushin 2019a). And in Maryland, the now-repealed LEOBOR prohibited investigations by nonsworn officers (Keenan & Walker 2005). Indeed, one common tactic of civil rights activists has been to lobby for the creation of civilian review or oversight boards, but the Maryland LEOBOR

⁶Text of the now repealed LEOBOR in Maryland can be found at <https://law.justia.com/codes/maryland/2020/public-safety/title-3/subtitle-1/>.

dramatically undermined the role and authority of such boards by mandating that officers suspected of misconduct could only be interviewed by sworn officers, not by civilian board members.

Whereas political alliance building is a common tactic among police unions, unions have started directly endorsing politicians who provide rhetorical support for policies that limit transparency, restrict oversight, increase police protections, and insulate the police from accountability (Greenhouse 2020, Hardaway 2019, Levin 2020, Rushin 2019a). Perhaps the most visible example of this includes the endorsement of federal candidates, including the backing of Donald Trump by the Patrolmen's Benevolent Association of New York and the FOP during his 2020 re-election campaign. These endorsements may have been an implicit reciprocation for the scaled-back federal efforts during his presidency to investigate and monitor police departments.

Limited Transparency

In terms of transparency, LEOBORs are often designed to limit the release of police disciplinary records. Some LEOBORs also stipulate requirements to purge officer misconduct histories even from internal personnel files (Keenan & Walker 2005).

Yet union legislative tactics extend beyond the implementation of LEOBORs to limit police transparency. For instance, there are several examples of unions successfully lobbying against legislation intended to repair accountability and increase transparency, such as "sunshine" bills that require greater transparency in government (Bies 2017). Two recent examples of these bills, however, reveal there are limits to the extent to which police unions can thwart legislation designed to enhance transparency. In 2019, unions in California unsuccessfully fought against State Senate Bill 1421, the Right to Know Act, which requires law enforcement agencies to make available their investigative records of use of force (BondGraham 2020).⁷ A similar example occurred recently in New York, where in 2020 police unions unsuccessfully fought against the repeal of section 50-a of the New York Civil Rights Law, legislation passed in 1976 that prevented officer misconduct records from being released.

COURTS AND LEGAL ACTIONS

Legal action, within and beyond the courts, is another key tactic police unions use to protect and insulate their members from public scrutiny and discipline. For instance, Fisk & Richardson (2017) identify several instances in which unions filed lawsuits to undermine police reform efforts and accountability by battling consent decrees and fighting against the influence of police monitors. One recent example is a lawsuit by the Philadelphia Lodge of the FOP that seeks to thwart implementation of a law that would curtail pretextual police stops, which are stops done as a pretext to search a vehicle (Lauer 2022). Such stops have contributed to numerous high-profile killings by the police in other jurisdictions, including the deaths of Sandra Bland, Walter Scott, and Daunte Wright in recent years.

Reduced Disciplinary Consequences

With respect to legal action to undermine the discipline of officers, attempts by the city of Chicago to reform the Chicago Police Department in the wake of the fallout of the murder of Laquan McDonald by former officer Jason Van Dyke provide an example of the legal measures police unions take to thwart reforms to disciplinary practices. In this case, the city sought to

⁷Drawing on the records released to the public following the passage of California Senate Bill 1421, the NPR podcast *On Our Watch* (<https://www.npr.org/podcasts/510360/on-our-watch>) provides a revealing exposé of the typically opaque police investigative processes following incidents of misconduct and brutality.

standardize punishments for police misconduct, similar to how sentencing guidelines operate to provide more uniformity and certainty in punishment of convicted offenders (Hinkel 2017). However, the Chicago FOP has sought to block such changes in disciplinary procedures, asserting that such changes should have been negotiated through the collective bargaining process.

Binding arbitration is a key legal tool used by police unions to undermine disciplinary punishments. Arbitration is a legally binding form of dispute resolution held outside of formal courts. Rushin (2017) provides a detailed exploration of binding arbitration clauses found in union contracts in many cities across the United States. He argues that these clauses limit the ability of police departments to hold officers accountable.

Moreover, Rushin (2017, 2019a) notes that the requirement for arbitration in disputes is consequential because arbitrators typically rule in favor of officers, thereby undermining the ability of departments to hold officers accountable. The tendency for arbitrators to side with officers is likely due to the fact that police officers and unions in more than half of police departments in midsized and large cities in the United States have some level of influence over the selection of arbitrators (Rushin 2019a). For instance, in Chicago the selection of arbitrators is a point of negotiation during the collective bargaining process between the city and the FOP. Even when arbitrators rule in favor of a city in a dispute, arbitrators may be limited in the severity of sanctions they can impose on officers. For instance, Rushin (2017) provides an example of Burbank, California, in which a memorandum of understanding between the city and the police union specified no limit to how much arbitrators could reduce a disciplinary punishment against an officer, but the memorandum of understanding imposed limits on how much a punishment could be increased by the arbitrator.

Undermined Oversight

In addition to using legal action to reduce the disciplinary consequences of misconduct, police unions have been found to fight oversight efforts through lawsuits. For example, 2017 legal action by the Chicago FOP, although ultimately dismissed, attempted to prevent the replacement of the Independent Police Review Authority with the Civilian Office of Police Accountability, the latter of which afforded more comprehensive police oversight (*Fraternal Order of Police, Chi. Lodge No. 7 v. City of Chicago* 2017). Legal action to block, delay, or otherwise constrain civilian oversight authorities has occurred in many other cities as well (Bekemeyer 2021, Fisk & Richardson 2017).

Although our discussion in this section has focused on civilian oversight, union influence has also been used to thwart federal oversight. Unions have been found to file grievances stating that US Department of Justice (DOJ) consent decrees alter working conditions, which tends to delay reform efforts given that most DOJ consent decrees include language stating that the reforms can only be implemented if they do not conflict with the respective CBA (Fisk & Richardson 2017). To reiterate, given the importance of the point, consent decrees specify that police union contracts and CBAs take precedence over consent decrees, so a central tool for fostering police reform can be rendered impotent if decree requirements are inconsistent with police protections guaranteed in union contracts and CBAs (Emmanuel 2016, Rushin 2017, Rushin & Garnett 2017, Schanzenbach 2021).

Limited Transparency

Police unions pursue legal action to limit transparency in a variety of ways, including by fighting the release of police misconduct records. One recent example includes legal action by the Chicago FOP requesting the courts to seal or destroy police complaint files (Berg 2015). A second example

includes lawsuits filed by the Patrolmen's Benevolent Association in New York to thwart both the implementation of BWCs and the release of body camera footage (Southall 2018). A third example, in Philadelphia, is a successful suit against the city blocking the enactment of an ordinance that required a public hearing process for future contract negotiations (D'Onofrio 2021).

Moreover, even when legislation blocking transparency of records has been repealed, such as New York Civil Rights Law section 50-a, unions have been successful in using the courts to challenge and delay the release of misconduct records (Kelly 2020). In other words, the courts provided another arena for unions to block the release of misconduct records despite changes in state legislation allowing for their release.

FUTURE AVENUES AND RECOMMENDATIONS

Scholars and journalists have long stressed the lack of sufficient literature on the role of police unions (e.g., Walker 2008). While acknowledging the merits of recent work, including the clever quasi-experimental designs employed by Chandrasekher (2016, 2017), Cunningham et al. (2021, 2022), Dharmapala et al. (2022), and Goncalves (2021), there remain significant gaps that constrain our understanding of law enforcement unions and their relationship with accountability, increased police violence, police protectionism, and race. In what follows, we identify several timely research questions within and beyond the various mechanisms of police union influence and associated impacts we have discussed throughout the review.

Police Union History and Dynamics

While acknowledging the comprehensive and critical historical scholarship of, among others, Bekemeyer (2021), Jones (2021), Levine (1988), and Slater (2004), continued historical investigations that explore the expansion of police unionism and organized police membership as a response to racial progress and civil rights would provide further insight into police unionism and its growth. The role of race in the historical origins of police unions needs to be centered to appropriately contextualize union actions (Bekemeyer 2021, King & Smith 2005). It would also be useful to examine the historical relationships among police unions, other public sector unions, and the broader labor movement. When have police unions allied with other unions, and what factors have led those alliances to break down? We would particularly encourage the research community to examine the historic and contemporary role of minority police unions, as suggested by Fisk & Richardson (2017). What conditions fostered the development of minority police unions? In which cities have they been most effective at securing wages and protections for minority officers and why? Is the influence of such unions on the rise or decline in the United States?

Relatedly, except for unions specifically created along racial lines, the leadership of police unions in many cities tends to be dominated by White officers. For instance, the Chicago FOP, which represents the rank and file of the CPD, has had only White leadership since its inception in 1963 (Evans & Emmanuel 2021). An important avenue of future research is to examine the extent of racial diversity among union leadership nationwide and the relationship between a diverse leadership and outcomes such as accountability.

Despite the fragmented and decentralized system of policing in the United States, with some 18,000 law enforcement agencies across federal, state, county, and local levels of government, research cataloging the hundreds of police union contracts nationwide reveals considerable similarities in protections afforded to the police (e.g., Rad 2018, Rushin 2017). Although there has been some attention paid to the ways in which labor organizing has facilitated the diffusion of police union strategies nationwide (Keller & Barker 2021), we would encourage further work detailing and explaining the isomorphism in police union strategies and contract provisions.

Collective Bargaining

The quasi-experimental analyses described earlier in the review addressed the specific roles of collective bargaining rights in facilitating police misconduct. However, the considered quasi-experimental studies do not explore which elements associated with collective bargaining, or unionism more generally, may be associated with misconduct and violence. Hence, additional work is needed in this area, particularly to further pinpoint which police protections derived through collective bargaining contribute to misconduct and deter accountability and which contract provisions may be most detrimental to fair and just policing.

At a higher level, it is worthwhile to revisit Walker's (2008) assertion about the role of unions in creating a "culture of impunity" among police. To the extent that the influence of police unions ever weakens, it would be worthwhile to examine if and how long it would take to observe shifts in police behavior. The code of silence among police officers may continue to insulate officers from accountability and sanctions for misconduct even if, for example, it becomes easier for citizens to file anonymous complaints against officers or if civilian oversight boards are given real authority to investigate police misconduct.

Following up on our discussion of the quasi-experimental studies suggesting evidence of a causal relationship between collective bargaining and police misconduct (Cunningham et al. 2021, Dharmapala et al. 2022), a worthwhile line of inquiry is to consider what might be viewed as the unintended costs of collective bargaining. More specifically, if collective bargaining facilitates police misconduct and violence, that may come at a huge financial cost to cities through civil lawsuits (Alexander et al. 2022, Rozema & Schanzenbach 2019). Accordingly, beyond considering the costs of union influence in terms of compensation, another category to consider is payouts from civil lawsuits.

Another area of future inquiry related to CBAs is the question of whether it is possible to increase accountability in policing without sacrificing collective bargaining rights, both within policing and beyond. Simply put, is there a suitable way to hold police accountable for misbehavior without dismantling or weakening unions and collective bargaining rights for police and other workers? Similarly, while there are examples of case studies in the literature with, for example, comparisons of relatively strong versus weaker union municipalities (Rad 2018), an important area of inquiry is the identification and understanding of negatives cases—i.e., strong union municipalities that nevertheless have meaningful levels of accountability as well as weak union cities that still manage to ensure strong police protections.

Legislative Lobbying and Electoral Politics

The effectiveness of unions in blocking reforms and maintaining the status quo can be better understood in relation to both the American political development and special interest group literatures. These literatures examine the ways in which the design of the American state benefits special interest groups, including how the system favors hard-on-crime stances that tend to lend support to law enforcement (Baumgartner & Jones 1993, Pierson 2000). In contrast to many types of unions, including most public sector unions, police unionism benefits from politicians on both sides of the US political spectrum. Rushin (2019b, p. 535) asserts that since they situate themselves as "protectors of public safety," police unions can attract Republican support despite the tendency of conservative politicians to promote an antilabor agenda. Further exploration of the ways police unions have built bipartisan "law and order" coalitions is a profitable avenue for future research. Indeed, efforts to reimagine policing in the twenty-first century need to understand the ways in which unions have built political coalitions that have not only guaranteed the police enormous protections but also stymied progress on police reform.

Scholarship exploring how unions navigate lobbying should be further investigated. One difficulty in understanding the nature of union political influence, as discussed in Rad (2018), is that there is a great deal of informal and “backdoor” lobbying and meetings that remain undocumented and therefore largely invisible to researchers due to the nature of city politics. A worthwhile avenue of research, if possible, is to examine both the formal and informal means by which unions influence and navigate local politics.

One key dimension of electoral politics that has received scant attention in the research literature on police unionism is campaign finance. Yet political contributions may be a significant mechanism by which unions influence elected officials. Future research on the intersection between campaign finance and police unions may be facilitated by data on campaign contributions collected by Campaign Zero (<https://nixon6.org/contributions/>).

We have noted research by Cunningham et al. (2022) on LEOBORs, which failed to find an association between the passage of LEOBORs and police killings. Nevertheless, we suggest that further research is needed to understand whether and in what ways LEOBORs may be consequential to police behavior beyond police misconduct, including productivity indicators. Similar to the design of Cunningham et al. (2022), the enactment, but also the repeal, of LEOBORs could be leveraged to conduct such analyses.

Courts and Legal Actions

We would recommend that researchers prioritize a comprehensive review of the different legal actions and the legal landscape to better understand how the courts are employed to potentially hinder police accountability. Work by Schwartz (2014) on civil lawsuit settlements can be used as a starting point. Research should also leverage the variation and timing of lawsuits requiring disclosure of records to examine the effects of transparency on different policing outcomes. Additionally, as suggested by Fisk & Richardson (2017) and Hardaway (2019), union legal challenges around consent decrees should be further investigated to understand how legal actions and processes impact officer behavior. Finally, we concur with suggestions by Rushin (2017, 2019a) about the need to further explore the impact of arbitration on police accountability.

Compensation

Earlier we noted Becker & Stigler’s (1974) assertion that better compensation is a potential deterrent to police misconduct because existing officers may be less inclined to risk termination from a well-paying job. Wage levels may also influence misconduct and police violence by attracting better job candidates to the profession (i.e., ones less inclined toward aggression). Accordingly, we suggest that more research should be done to test these hypotheses related to the responsiveness of police misconduct to union-negotiated wage increases.

Police Protection

A key aim of police unions is to protect the interests of the police, and the ultimate interest is survival. Indeed, much has been written about the “warrior” mentality of the police and the “danger imperative” that permeates the culture of policing (Sierra-Arévalo 2021, Stoughton 2015). Surviving a shift is the primary goal each day. That begs the question of whether police unionism makes police more or less safe. In other words, the evidence presented in this review suggests that police unionism may make the public less safe because of a heightened risk of police violence and misconduct, but is that a trade-off done to make police officers safer?

Given the dangers to police officers induced by firearms (Crifasi et al. 2016, Sierra-Arévalo & Nix 2020, Swedler et al. 2015), we suggest that work be done, building on the groundbreaking

work by Carlson (2020) on policing and the politics of gun control, to examine the influence of police unions on the gun control debate. Indeed, whereas the International Association of Chiefs of Police (2018) supports a range of gun control measures, police unions such as the FOP (2022) arguably support only the most modest of proposed gun policies. Hence, there appears to be a contradiction in that a central aim of police unions is to improve the working conditions of officers, which includes their safety, yet the pursuit of protections for police officers does not generally extend to the realm of gun control even though the foremost goal among police officers is to make it home each day. Further exploration of the role (or lack thereof) of police unions in the politics of gun control is a worthwhile area of future inquiry.

CONCLUSION

In his essay *A Report from Occupied Territory*, James Baldwin (1966) recounts,

I have witnessed and endured the brutality of the police many more times than once—but, of course, I cannot prove it. I cannot prove it because the Police Department investigates itself, quite as though it were answerable only to itself. . . This arrogant autonomy, which is guaranteed the police, not only in New York, by the most powerful forces in American life—otherwise, they would not dare to claim it would indeed be unable to claim it—creates a situation which is as close to anarchy as it already, visibly, is close to martial law.

The accountability crisis in policing that Baldwin wrote about six decades ago endures, and in this review we have sought to examine one potential culprit of this inertia: police unions. Indeed, a backlash against the civil rights gains in the 1950s and 1960s contributed to the rise and proliferation of police unions across the country, further entrenching the lack of accountability in policing, despite efforts to professionalize the institution.

Any effort to reimagine policing in modern America must confront the realities and influence of police unions and the corresponding impediments to change. The preservation of the status quo is a fundamental attribute of union influence. And as with the prospects for police reform more broadly, the decentralized nature of policing in the United States means that efforts to curtail police union protections or to negotiate with unions for more accountability are likely to be piecemeal.

Inhibiting reform is just one of the many impacts of police unionism. In this review, we have devoted specific attention to understanding how police union mechanisms, such as collective bargaining and lobbying, have been employed to reduce the disciplinary consequences of police misconduct, undermine oversight, and limit transparency in policing. As uncovered through recent quasi-experimental research (e.g., Cunningham et al. 2021, Dharmapala et al. 2022), by reducing accountability in policing and undercutting the potential deterrent effects of sanctions against misconduct, union mechanisms contribute to an increase in police misconduct, including violence.

It is important to note that we do not wish to indict unionism in general. Unions work to protect members' interests by securing better wages, benefits, and working conditions. They have also played important roles in fighting for social welfare and egalitarian policies with benefits far beyond union members. We see great value in these aspects of unionism. Where the complexity of police unionism arises is when these pursuits for worker protections undermine rather than contribute to public safety. But is a trade-off between worker safety and public safety inevitable in policing? We think not.

Consider the two general strategies to obtain obedience to the law: forced compliance and normative compliance. Forced compliance refers to the use of sanctions and punishments to incentivize obedient behavior and is the foundation of deterrence-based crime control. The “warrior” mindset and the “us versus them” mentality at the root of the forced compliance model, combined

with the inherent unpredictability of many police–public interactions and the necessity of quick decision-making, may produce situations (or fail to de-escalate them) where the risk of injury and death to both officers and the public is all too prevalent.

In contrast, normative compliance fosters obedience to the law based on the belief that those making the law have a right to do so and that the law is “just” (Tyler 1990). The normative model, by definition, suggests that societies can regulate themselves more efficiently and effectively through normative compliance (Bell 2017, Tyler 1990). However, when individuals perceive that the law is unjust and illegitimate, normative compliance breaks down and individuals are more likely to disobey the law and less likely to cooperate with it (Desmond et al. 2020, Kirk & Papachristos 2011).

The palpable cynicism of, and estrangement from, the law in James Baldwin’s words above reveals that the lack of transparency and accountability in policing is undermining the legitimacy of the law. Yet the pursuit of normative rather than forced compliance could foster obedience to the law without sacrificing the safety of officers. Doing so will require an embrace of transparency and accountability in policing rather than a resistance to it, which happen to be two features of policing that unions can measurably influence.

DISCLOSURE STATEMENT

In addition to his affiliation with the University of Oxford, Abdul Nasser Rad is a researcher at Campaign Zero, a criminal legal reform and advocacy organization.

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LITERATURE CITED

- Abraham PM. 2015. *Opening the Curtain on Government Unions*. Harrisburg, PA: Commonwealth Found.
- Alexander KL, Rich S, Thacker H. 2022. The hidden billion-dollar cost of repeated police misconduct. *Washington Post*, March 9. <https://www.washingtonpost.com/investigations/interactive/2022/police-misconduct-repeated-settlements/>
- Anzia S, Moe T. 2013. *The politics of pensions*. Paper presented at the American Political Science Association 2013 Annual Meeting, Chicago. <https://ssrn.com/abstract=2300640>
- Ba B. 2020. *Going the extra mile: the cost of complaint filing, accountability, and law enforcement outcomes in Chicago*. Work. Pap., Univ. Calif., Irvine
- Ba B, Kaplan J, Knox D, Komisarichik M, Mariman R, et al. 2022. *Who are the police? Descriptive representation in the coercive arm of the government*. Work. Pap., Princeton Univ., Princeton, NJ. https://scholar.princeton.edu/sites/default/files/policing_rep.pdf
- Ba B, Knox D, Mummolo J, Rivera R. 2021. The role of officer race and gender in police–civilian interactions in Chicago. *Science* 371:696–702
- Baldwin J. 1966. A report from occupied territory. *The Nation*, July 11. <https://www.thenation.com/article/archive/report-occupied-territory/>
- Bartel A, Lewin D. 1981. Wages and unionism in the public sector: the case of police. *Rev. Econ. Stat.* 63:53–59
- Baumgartner FR, Jones BD. 1993. *Agendas and Instability in American Politics*. Chicago: Univ. Chicago Press
- Becker GS. 1968. Crime and punishment: an economic approach. *J. Political Econ.* 76(2):169–217
- Becker GS, Stigler GJ. 1974. Law enforcement, malfeasance, and compensation of enforcers. *J. Leg. Stud.* 3:1–18

- Bekemeyer A. 2021. *The labor of law and order: how police unions transformed policing and politics in the United States, 1939–1985*. PhD Diss., Harvard Univ., Cambridge, MA. <https://dash.harvard.edu/handle/1/37370101>
- Bell MC. 2017. Police reform and the dismantling of legal estrangement. *Yale Law J.* 126:2054–150
- Berg A. 2015. Chicago police unions are fighting to destroy decades of complaint records. *Illinois Policy*, Dec. 14. <https://www.illinoispolicy.org/chicago-police-unions-are-fighting-to-destroy-decades-of-complaint-records/>
- Bies KJ. 2017. Let the sunshine in: illuminating the powerful role police unions play in shielding officer misconduct. *Stanf. Law Policy Rev.* 28(1):109–49
- BondGraham D. 2020. Black people in California are stopped far more often by police, major study proves. *The Guardian*, Jan. 3. <https://www.theguardian.com/us-news/2020/jan/02/california-police-black-stops-force>
- Brunner EJ, Ju A. 2019. State collective bargaining laws and public-sector pay. *ILR Rev.* 72:480–508
- Carlson JD. 2020. *Policing the Second Amendment: Guns, Law Enforcement, and the Politics of Race*. Princeton, NJ: Princeton Univ. Press
- Chandrasekher AC. 2016. The effect of police slowdowns on crime. *Am. Law Econ. Rev.* 18(2):385–437
- Chandrasekher AC. 2017. *Police labor unrest and lengthy contract negotiations: Does police misconduct increase with time spent out of contract?* SSRN Work. Pap. 2470344. <https://doi.org/10.2139/ssrn.2470344>
- Cheng C, Long W. 2022. The effect of highly publicized police killings on policing: evidence from large US cities. *J. Public Econ.* 206:104557
- Corley C. 2022. The officer who killed Laquan McDonald is free after three years. Activists are angry. *NPR*, Febr. 3. <https://www.npr.org/2022/02/03/1077574977/jason-van-dyke-chicago-police-released-laquan-mcdonald?t=1646175433337>
- Crifasi CK, Pollack KM, Webster DW. 2016. Effects of state-level policy changes on homicide and nonfatal shootings of law enforcement officers. *Inj. Prev.* 22:274–78
- Cunningham J, Feir D, Gillezeau R. 2020. *Overview of research on collective bargaining rights and law enforcement officer's bills of rights*. Work. Pap., Univ. Memphis, Memphis, TN
- Cunningham J, Feir D, Gillezeau R. 2021. *Collective bargaining rights, policing, and civilian deaths*. IZA Discuss Pap. No. 14208
- Cunningham J, Feir D, Gillezeau R, Harvey M, Rad A. 2022. Law enforcement officers' bills of rights and police violence. *Am. Econ. Assoc. Pap. Proc.* 112:174–77
- Damien C. 2018. California police unions defeat use-of-deadly-force bill; supporters vow to keep fighting shootings. *Palm Springs Desert Sun*, Aug. 30. <https://www.desertsun.com/story/news/politics/2018/08/30/california-police-unions-defeat-use-deadly-force-bill/1146185002/>
- DeLord R, Burpo J, Shannon M, Spearing J. 2008. *Police Union Power, Politics, and Confrontation in the 21st Century: New Challenges, New Issues*. Springfield, IL: Charles C Thomas Publ.
- DeLord R, York R. 2016. *Law Enforcement, Police Unions, and the Future: Educating Police Management and Unions About the Challenges Ahead*. Springfield, IL: Charles C Thomas Publ.
- Desmond MS, Papachristos AV, Kirk DS. 2020. Evidence of the effect of police violence on citizen crime reporting: reply. *Am. Sociol. Rev.* 85(1):184–90
- Dharmapala D, McAdams RH, Rappaport J. 2022. Collective bargaining rights and police misconduct: evidence from Florida. *J. Law Econ. Org.* 38(1):1–41
- D'Onofrio M. 2021. Court rolls back public hearing mandate for police contract proposals. *Axios*, Oct. 20. <https://www.axios.com/local/philadelphia/2021/10/20/philadelphia-public-hearing-law-police-contracts>
- Emmanuel A. 2015. Chicago police contract scrutinized in the aftermath of Laquan McDonald's death. *The Chicago Reporter*, Dec. 10. <http://www.chicagoreporter.com/chicago-police-contract-scrutinized-in-the-aftermath-of-laquan-mcdonalds-death/>
- Emmanuel A. 2016. How union contracts shield police departments from DOJ reforms. *In These Times*, June 21. <http://www.inthesetimes.com/features/police-killings-union-contracts.html>
- Evans E, Emmanuel A. 2021. How Chicago's most powerful police union preserves tradition of problematic leadership. *Injustice Watch*, Sept. 13. <https://www.injusticewatch.org/news/2021/analysis-heres-how-chicagos-most-powerful-police-union-maintains-tradition-of-problematic-leadership/>

- Feuille P, Delaney JT. 2016. Collective bargaining, interest arbitration, and police salaries. *ILR Rev.* 39(2):228–40
- Fisk C, Richardson LS. 2017. Police unions. *George Wash. Law Rev.* 85(3):712–99
- Frandsen BR. 2016. The effects of collective bargaining rights on public employee compensation: evidence from teachers, firefighters, and police. *ILR Rev.* 69(1):84–112
- Fratern. Order Police (FOP). 2022. Legislation supported by the FOP in the 117th Congress. *Fraternal Order of Police*. <https://fop.net/government-and-media-affairs/legislation-we-support/>
- Fraternal Order of Police, Chi. Lodge No. 7 v. City of Chicago*, No. 2016 CH 16529 (Ill. Cir. Ct. 2017)
- Freivogel W, Wagman P. 2021. Wandering cops move from department to department. *ABC News*, April 28. <https://abcnews.go.com/US/wireStory/wandering-cops-move-department-department-77366107>
- Goldman R, Puro S. 1987. Decertification of police: an alternative to traditional remedies for police misconduct. *Hastings Const. Law Q.* 15(1):45–80
- Goncalves F. 2021. *Do police unions increase misconduct?* Work. Pap., Dep. Econ., Univ. Calif. Los Angeles
- Greenhouse S. 2020. How police unions enable and conceal abuses of power. *The New Yorker*, June 18. <https://www.newyorker.com/news/news-desk/how-police-union-power-helped-increase-abuses>
- Grunwald B, Rappaport J. 2020. The wandering officer. *Yale Law J.* 129:1676–782
- Hardaway AB. 2019. Time is not on our side: why specious claims of collective bargaining rights should not be allowed to delay police reform efforts. *Stanf. J. Civ. Rights Civ. Lib.* 15(2):137–200
- Hardaway AB. 2022. *The rise of police unions on the back of the Black Freedom Movement*. Case Leg. Stud. Res. Pap. No. 2022-5
- Harper N. 2022. Substantive differences in proposed 2020–2022 MPD union contract. *Medium*. <https://medium.com/@nharpermn/substantive-differences-in-proposed-2020-2022-mpd-union-contract-e2c8547f7e20>
- Harris C, Sweeney MM. 2021. Police union contracts: an analysis of large cities. *Polic. J. Policy Pract.* 15(1):622–34
- Hinkel D. 2017. Judge rules against new police disciplinary guidelines in victory for FOP. *Chicago Tribune*, Nov. 14. <https://www.chicagotribune.com/news/breaking/ct-met-chicago-police-discipline-fop-20171114-story.html>
- Holmes MD, Smith BW. 2014. Police use of excessive force in minority communities: a test of the minority threat, place, and community accountability hypotheses. *Soc. Probl.* 61(1):83–104
- Huq AZ, McAdams RH. 2016. Litigating the blue wall of silence: how to challenge the police privilege to delay investigation. *Univ. Chic. Leg. Forum* 2016:213–54
- Iafolla R. 2022. D.C. police reform faces union challenge at U.S. appeal court. *Bloomberg Law*, Febr. 2. <https://news.bloomberglaw.com/daily-labor-report/d-c-police-reform-faces-union-challenge-at-u-s-appeals-court>
- Ichniowski C. 1988. Public sector union growth and bargaining laws: a proportional hazards approach with time-varying treatments. In *When Public Sector Workers Unionize*, ed. RB Freeman, C Ichniowski, pp. 19–40. Cambridge, MA: NBER
- Int. Assoc. Chiefs Police. 2018. *Firearms policy position statement*. Firearms Position Pap., IACP, Alexandria, VA. https://www.theiacp.org/sites/default/files/2018-08/IACP%20Firearms%20Position%20Paper_2018.pdf
- Invisible Inst. 2022. Citizens police data project. *Invisible Institute*. <https://cpdp.co/>
- Jones WP. 2021. *Police collective bargaining and police violence*. Work. Pap., Univ. Minn., Minneapolis, MN
- Juris H, Feuille P. 1973. *Police Unionism: Power and Impact in Public-Sector Bargaining*. Lexington, MA: Lexington Books
- Katz W. 2021. Beyond transparency: police union collective bargaining and participatory democracy. *SMU Law Rev.* 74(3):419–46
- Kearney RC, Carnevale DG. 2001. *Labor Relations in the Public Sector*. New York: Routledge. 3rd ed.
- Keenan KM, Walker S. 2005. An impediment to police accountability? An analysis of statutory law enforcement officers' bill of rights. *Public Interest Law J.* 14:185–244
- Keller MH, Barker K. 2021. Police unions won power using his playbook. Now he's negotiating the backlash. *New York Times*, March 10. <https://www.nytimes.com/2021/03/10/us/police-unions.html>

- Kelly G. 2020. Police transparency hinges on legal battle. *Investigative Post*, Sept. 1. <https://www.investigativepost.org/2020/09/01/police-transparency-hinges-on-legal-battle/>
- Kelly K, Lowery W, Rich S. 2017. Fired/rehired: Police chiefs are often forced to put officers fired for misconduct back on the streets. *Washington Post*, Aug. 3. <https://www.washingtonpost.com/graphics/2017/investigations/police-fired-rehired/>
- Kindy K. 2021. Dozens of states have tried to end qualified immunity. Police officers and unions helped beat nearly every bill. *The Washington Post*, Oct. 7. https://www.washingtonpost.com/politics/qualified-immunity-police-lobbying-state-legislatures/2021/10/06/60e546bc-0cdf-11ec-aea1-42a8138f132a_story.html
- King D, Smith R. 2005. Racial orders in American political development. *Am. Political Sci. Rev.* 99:75–92
- Kirk DS, Papachristos AV. 2011. Cultural mechanisms and the persistence of neighborhood violence. *Am. J. Sociol.* 116(4):1190–233
- Lauer C. 2022. Philadelphia police union sues city over ban stopping drivers for low-level offenses. *PBS*, Febr. 23. <https://www.pbs.org/newshour/nation/philadelphia-police-union-sues-city-over-ban-stopping-drivers-for-low-level-offenses>
- Levi M. 1977. *Bureaucratic Insurgency: The Case of Police Unions*. New York: Lexington Books
- Levin B. 2020. What's wrong with police unions? *Columbia Law Rev.* 120:1333–402
- Levine MJ. 1988. Historical overview of police unionization in the United States. *Police J.* 61(4):334–43
- Magenau JM, Hunt RG. 1996. Police unions and the police role. *Hum. Relat.* 49(10):1315–43
- McCormick ML. 2015. Our uneasiness with police unions: power and voice for the powerful? *Saint Louis Univ. Public Law Rev.* 35:47–66
- McMahon S, Moore C. 2019. To reform the police, target their union contract. *New York Times*, April 8. <https://www.nytimes.com/2019/04/08/opinion/austin-police-union-contract.html>
- Mladenka KR. 1991. Public employee unions, reformism, and black employment in 1,200 American cities. *Urban Aff. Q.* 26(4):532–48
- Moe TM. 2015. Vested interests and political institutions. *Political Sci. Q.* 130(2):277–318
- Morabito M. 2014. American police unions: a hindrance or help to innovation? *Int. J. Public Adm.* 37(11):773–80
- Morabito M, Shelley TO. 2015. Representative bureaucracy: understanding the correlates of the lagging progress of diversity in policing. *Race Justice* 5(4):330–55
- Navratil L. 2022. Minneapolis city council approves police union contract in divided vote. *Star Tribune*, March 24. <https://www.startribune.com/minneapolis-city-council-approves-police-union-contract-in-divided-vote/600159042/>
- Nowacki JS, Willits D. 2018. Adoption of body cameras by United States police agencies: an organisational analysis. *Polic. Soc.* 28(7):841–53
- Off. Community Oriented Polic. Serv. 2015. *Final Report of the President's Task Force on 21st Century Policing*. Washington, DC: Off. Community Oriented Polic. Serv.
- Ouellet M, Hashimi S, Gravel J, Papachristos AV. 2019. Network exposure and excessive use of force. *Criminol. Public Policy* 18(3):675–704
- Pierson P. 2000. Increasing returns, path dependence, and the study of politics. *Am. Political Sci. Rev.* 94(2):251–61
- Pilkington E. 2015. Laquan McDonald shooting puts Rahm Emanuel in battle over the truth. *The Guardian*, Dec. 3. <https://www.theguardian.com/us-news/2015/dec/03/laquan-mcdonald-shooting-rahm-emanuel-chicago-political-battle>
- Pogarsky G, Piquero AR. 2004. Studying the reach of deterrence: Can deterrence theory help explain police misconduct? *J. Crim. Justice* 32(4):371–86
- Pyrooz DC, Decker SH, Wolfe SE, Shjarback JA. 2016. Was there a Ferguson Effect on crime rates in large U.S. cities? *J. Crim. Justice* 46:1–8
- Rad AN. 2018. *Police institutions and police abuse: evidence from the US*. SSRN Work. Pap. 3246419. <https://doi.org/10.2139/ssrn.3246419>
- Rad AN, Wunschel F, McKelvey K. 2022. Developing an index of police protectionism: a research note. SocArXiv. <https://doi.org/10.31235/osf.io/nuhcd>

- Rosenfeld J. 2019. US labor studies in the twenty-first century: understanding laborism without labor. *Annu. Rev. Sociol.* 45:449–65
- Rozema K, Schanzenbach M. 2019. Good cop, bad cop: using civilian allegations to predict police misconduct. *Am. Econ. J. Econ. Policy* 11(2):225–68
- Rushin S. 2017. Police union contracts. *Duke Law J.* 66(6):1191–266
- Rushin S. 2019a. Police disciplinary appeals. *Univ. Pa. Law Rev.* 67(3):545–610
- Rushin S. 2019b. Unions and police reform. In *The Cambridge Handbook of Policing in the United States*, ed. T Lave, E Miller, pp. 533–44. Cambridge: Cambridge Univ. Press
- Rushin S, Edwards G. 2017. De-policing. *Cornell Law Rev.* 102(3):721–82
- Rushin S, Garnett A. 2017. State labor law and federal police reform. *Ga. Law Rev.* 51:1209–27
- Sanes M, Schmitt J. 2014. *Regulation of public sector collective bargaining in the states*. Rep., Cent. Econ. Policy Res., Washington, DC. <https://cepr.net/documents/state-public-cb-2014-03.pdf>
- Sass TR, Troyer JL. 1999. Affirmative action, political representation, unions, and female police employment. *J. Labor Res.* 20:571–87
- Schanzenbach MM. 2021. *Policing the police: personnel management and police misconduct*. Northwest. Law Econ. Res. Pap. No. 21-11
- Schuck AM. 2014. Female representation in law enforcement: the influence of screening, unions, incentives, community policing, CALEA, and size. *Police Q.* 17(1):54–78
- Schwartz J. 2014. Police indemnification. *New York Univ. Law Rev.* 89(3):885–1005
- Serrin W. 1969. God help our city. *Atlantic Monthly*, March, pp. 115–21
- Shjarback JA, Pyrooz DC, Wolfe SE, Decker SH. 2017. De-policing and crime in the wake of Ferguson: racialized changes in the quantity and quality of policing among Missouri police departments. *J. Crim. Justice* 50:42–52
- Sierra-Arévalo M. 2021. American policing and the danger imperative. *Law Soc. Rev.* 55(1):70–103
- Sierra-Arévalo M, Nix J. 2020. Gun victimization in the line of duty: fatal and non-fatal firearm assaults on police officers in the United States, 2014–2019. *Criminol. Public Policy* 19(3):1041–66
- Simpson CR, Kirk DS. 2022. Is police misconduct contagious? Non-trivial null findings from Dallas, Texas. *J. Quant. Criminol.* In press. <https://doi.org/10.1007/s10940-021-09532-7>
- Slater JE. 2004. *Public Workers: Government Employee Unions, the Law, and the State, 1900–1962*. New York: Cornell Univ. Press
- Southall A. 2018. New York police union sues to stop release of body camera videos. *New York Times*, Jan. 18. <https://www.nytimes.com/2018/01/09/nyregion/new-york-police-union-body-camera-lawsuit.html>
- Stoughton SW. 2015. Law enforcement’s “warrior” problem. *Harv. Law Rev. Forum* 128:225–34
- Sullivan CM, O’Keeffe ZP. 2017. Evidence that curtailing proactive policing can reduce major crime. *Nat. Hum. Behav.* 1:730–37
- Swedler DI, Simmons MM, Dominici F, Hemenway D. 2015. Firearm prevalence and homicides of law enforcement officers in the United States. *Am. J. Public Health* 105:2042–48
- Trejo SJ. 1991. Public sector unions and municipal employment. *Ind. Labor Relat. Rev.* 45(1):166–80
- Tyler TR. 1990. *Why People Obey the Law*. New Haven, CT: Yale
- Walker S. 2001. *Police Accountability: The Role of Citizen Oversight*. Belmont, CA: Wadsworth Publ.
- Walker S. 2008. The neglect of police unions: exploring one of the most important areas of American policing. *Police Pract. Res. Int. J.* 9(2):95–112
- Walker S. 2015. *The Baltimore police union contract and the law enforcement officer’s bill of rights: impediments to accountability*. Rep., Univ. Neb., Lincoln
- WBEZ Chicago. 2018. 16 shots. *WBEZ Chicago*. <https://www.wbez.org/shows/16-shots/55c63c72-d518-4ad9-b5dc-dd0d841d79a7>
- Wiggins O. 2021. The first state to pass a police ‘Bill of Rights’ could become the first to repeal it. *Washington Post*, Febr. 10. https://www.washingtonpost.com/local/md-politics/police-reform-maryland-/2021/02/08/58519c34-601a-11eb-9061-07abcc1f9229_story.html
- Wiggins O, Cox E. 2021. Maryland enacts landmark police overhaul, first state to repeal police bill of rights. *Washington Post*, April 10. https://www.washingtonpost.com/local/md-politics/hogan-vetoes-police-accountability/2021/04/09/c0ac4096-9967-11eb-962b-78c1d8228819_story.html



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