

## “NUMBERS” RULE – EVERYWHERE

*Production pressures degrade what’s “produced” – and not just in policing*



For *Police Issues* by Julius “Jay” Wachtel. Yes, the aircraft pictured above is Boeing’s notorious 737 “Max”. [Two crashes](#) – one in October 2018, soon after its introduction into service, then another in March 2019 – killed a total of 346 passengers. These accidents, which led to the planets worldwide grounding, were ultimately attributed to its newfangled flight stabilization program, MCAS. And it’s not as though Boeing wasn’t forewarned. [According to former engineer Curtis Ewbank](#), his employer rejected requests to add a backup system that could have prevented the tragedies:

...Ray Craig, a chief test pilot of the 737, and other engineers wanted to study the possibility of adding the synthetic airspeed system to the Max. But a Boeing executive decided not to look into the matter because of its potential cost and effect on training requirements for pilots. “I was willing to stand up for safety and quality,” Mr. Ewbank said in the complaint, “but was unable to actually have an effect in those areas. Boeing management was more concerned with cost and schedule than safety or quality.”

At the time, America’s leading maker of commercial aircraft [was being severely challenged](#) by Europe’s Airbus. Boeing executives insisted “we need something now”. That, said an engineer who worked on the project, created “a much more intense pressure cooker than I’ve ever been in.”

It wasn’t until November 2020 that the Max returned to service. Things seemed fine for about three years. [Misfortune then struck again](#). On January 5, 1924, a factory-installed plug for an unused passenger exit blew out during an Alaska Airlines flight. While this caused instant decompression and forced an emergency landing, there were fortunately no injuries or loss of life. But unlike the earlier catastrophes, which involved foreign carriers and took place overseas, this mishap happened to a domestic carrier (Alaska Airlines) on a domestic flight, and blowback was severe. And as in the earlier, highly lethal failure, preventing it would have required that Boeing resist the urge to

crank things out. [Here's what a retired engineer had to say](#) about why the plug was improperly secured:

...I would argue that the most like scenario is that the employees felt rushed, and employees were feeling rushed because the corporation is pressuring the factories to produce these planes and pump them out the door.

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On October 21, 2021 cinematographer Halyna Hutchins was killed and director Joel Souza was wounded when actor/co-producer Alec Baldwin [unintentionally fired a live bullet](#) during a rehearsal on the New Mexico set of “Rust”. Although accounts vary, the gun was apparently placed in a prop cart by the armorer, Hannah Gutierrez-Reed, then picked up by Assistant Director David Halls, who handed it to Baldwin.



Halls and Gutierrez-Reed were both responsible for assuring that prop guns were harmless. Prosecutors, though, attributed a far lesser measure of culpability to Halls, from whom they accepted a guilty plea to a misdemeanor. Gutierrez-Reed, on the other hand, was recently tried and convicted of felony involuntary manslaughter and sentenced to 18 months’ imprisonment (that’s her being led away after the verdict). Baldwin’s trial on that charge is pending.

How did a live round come to be in the gun? To us, and likely to Baldwin’s jurors, that would seem to be the most pressing question. [In a recent filing](#), New Mexico Special Prosecutors Kari T. Morrissey and Erlinda O. Johnson announced they would address this issue with examples from Baldwin’s past conduct:

In this case, evidence of acts committed by the defendant between October 12 and 21, 2021, such as, inter alia, using the firearm to point at people on set, putting his finger on the trigger when handling the firearm, *pressuring crew members to get things done quickly* [emphasis ours] are admissible to show lack of accident or mistake (p. 11).

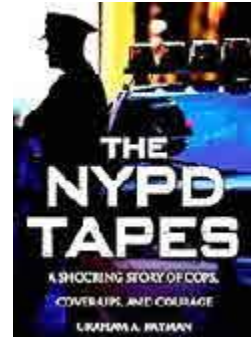
Video clips from the production, which prosecutors intend to use at trial, allegedly depict Mr. Baldwin “rushing the armorer to reload the gun and rushing other crew members to hurry” (p. 3). According to Spencer Parsons, an educator and film industry professional, [“rushing” is common on film sets](#) and makes accidents more likely to happen:

In some cases they can put people through even longer hours, and the need for speed is even greater. That can be very, very dangerous. The need for speed on any set incentives behaviour that’s not always the best for safety.

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So, how about policing? Anti-crime strategies such as “[hot spots](#),” “[focused deterrence](#)” and “[problem-oriented policing](#)” can help tamp down crime and disorder. But as we’ve repeatedly cautioned, (see, for example, “[Driven to Fail](#)”) even the best-intentioned anti-crime campaigns must be carefully monitored so that “production” doesn’t become the objective.

- In 2012 “[The Numbers Game](#)” recounted the daunting experiences of veteran cop NYPD cop Adrian Schoolcraft. Resisting a “pressure-cooker atmosphere” that emphasized making as many stop-and-frisks and writing as many tickets as possible earned him a string of unsatisfactory evaluations. Schoolcraft was ultimately stripped of his gun and badge, and a dispute with a supervisor landed him in a psychiatric ward. Graham A. Rayman’s “[The NYPD Tapes](#)” points out that [pressures to produce beset every officer](#). Here’s what another retired NYPD detective had to say:



...the police department is using these numbers to portray themselves as being effective. In portraying that illusion, they have pushed these illegal quotas which force police officers to engage in illegal acts...

- In 2016, one year after the death of “suspicious” bicyclist [Freddie Gray](#), who perished while being transported, handcuffed but unbuckled, in a bouncing police van, DOJ launched a probe of Baltimore PD. Here’s an excerpt from its [detailed report](#):

...many supervisors who were inculcated in the era of zero tolerance continue to focus on the raw number of officers’ stops and arrests, rather than more nuanced measures of performance...The continued emphasis on these types of “stats” drives BPD’s tendency to stop, search, and arrest significant numbers of individuals on Baltimore streets—often without requisite legal justification and in situations that put officers in adversarial encounters that have little connection to public safety...(p. 17)

- In 2019 LAPD’s Inspector General [issued a report](#) that blasted the agency’s aggressive stop-and-frisk and chronic offender campaigns for, among (many) other things, detaining persons without clear legal cause. LAPD was urged to develop guidelines to prevent “unwarranted intrusions”. Facing deep backlash from the community, which accused his officers of habitual racial profiling, then-Chief Michel Moore soon suspended the programs.
- Our wrongful conviction posts are replete with examples that reflect an unholy urgency to satisfactorily (and speedily) resolve major cases. In [Damn the](#)

[Evidence – Full Speed Ahead!](#) we discussed the case of Joseph Carter, who was granted “an absolute pardon” after serving 25 years for a 1989 murder that [authorities ultimately conceded he did not commit](#). According to Virginia Governor Ralph Northam, “Mr. Carter was an unfortunate victim of Norfolk Detective Glenn Ford, who used his official capacity to extort witnesses in order to yield high solvability percentages”:

Instead of taking time to sufficiently investigate the murder, or critically evaluate witness testimony, the Commonwealth permitted Detective Ford to elicit false witness testimony that wrongfully implicated Mr. Carter...In 2010, after successfully “closing” nearly 200 homicide investigations during a span of nearly three decades, Ford was Federally convicted of “shaking down” criminal defendants.

After gaining Mr. Carter’s conviction Detective Ford went on to persecute (and prosecute) the [“Norfolk Four,”](#) a notorious case that in time sealed his reputation.

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So, have things changed? Perhaps not. On September 7, 2023 a civil jury working in Riverside, California’s historic courthouse [returned a stunning \\$2.8 million-dollar verdict](#) in favor of retired Riverside police officer Shawn Casteel. Here’s a verbatim extract from the [court record](#):



**RIC1906046: Casteel v. City of Riverside  
9/7/2023 Jury Verdict**

**Question 1:** Did Shawn Casteel disclose that there was a citation quota at the Riverside Police Department? **Answer: Yes**

**Question 2:** Did Shawn Casteel refuse to participate in issuing citations to meet the citation quota at the Riverside Police Department? **Answer: Yes**

**Question 3:** Did Shawn Casteel have reasonable cause to believe that the information disclosed a violation of state law, or would Shawn Casteel's participation in issuing citations to meet the citation quota result in a violation of

state law? **Answer: Yes**

**Question 4:** Did the Riverside Police Department subject Shawn Casteel to adverse employment action? **Answer: Yes**

**Question 5:** Was Shawn Casteel's disclosure of the quota or his refusal to participate in the quota a contributing factor in the Riverside Police Department's decision to subject him to adverse employment action? **Answer: Yes**

**Question 6:** Was the Riverside Police Department conduct a substantial factor in causing Shawn Casteel's harm? **Answer: Yes**

**Question 7:** Did the Riverside Police Department prove by clear and convincing evidence that the Riverside Police Department would have subjected Shawn Casteel to adverse employment action anyway at that time for legitimate, independent reasons? **Answer: No**

**Question 8:** What are Shawn Casteel's damages?

**a.** Past non-economic losses, including physical pain, mental suffering, emotional distress, inconvenience, grief, anxiety, humiliation: **\$1,250,000.00**

**b.** Future non-economic losses, including physical pain, mental suffering, emotional distress, inconvenience, grief, anxiety, humiliation: **\$1,600,000.00**

**Total Damages: \$2,850,000.00**

Mr. Casteel had been a motorcycle officer. He testified that supervisors had long pushed ticket quotas, and that when he objected, they retaliated. But Riverside police chief Larry Gonzalez staunchly disagreed. Taking the stand, [he steadfastly denied](#) that quotas existed or that retaliation took place. But line cops "lined up" behind the plaintiff. Here's an extract from the testimony of another former motor officer:

During a roll-call briefing session, [a Lieutenant who commanded the traffic bureau] told everyone in attendance that the traffic bureau wrote 18,000 tickets the previous year and that he expected us to reach the 20,000 mark this year.

What's more, the Lieutenant capped it all off by passing around a tally of the number of tickets written by each of his subordinates. His lapse of judgment likely helped jurors reach theirs.

Mr. Casteel retired in 2022.

Numbers aren't just a problem in California. A member of Ohio's state patrolmen's association [recently estimated](#) that as many as twenty-five percent of the Buckeye State's cops "are told to produce certain numbers or there will be some sort of consequence." In 2022 former Independence, Ohio Police Lieutenant Leonard Mazzola was awarded *nearly a million bucks* because his superiors retaliated against him for complaining about ticket quotas (click [here](#) for his lawyers' account). Here's how the now-retired command officer characterized the issue:



No police department blatantly calls their enforcement efforts quotas. They're presented as goals, standards, minimum performance, performance standards, production expectations, etc. They exist in most departments and are driven by revenue...

Quotas for arrests and traffic tickets are clearly a bad idea. And in California, they've been illegal for at least two decades. [Here's an extract](#) from the Golden State's Motor Vehicle Code:

**Section 41602 - Arrest quota prohibited.** No state or local agency employing peace officers or parking enforcement employees engaged in the enforcement of this code or any local ordinance adopted pursuant to this code, may establish any policy requiring any peace officer or parking enforcement employees to meet an arrest quota.

Stung by the fracas in Independence, members of the Ohio House introduced a [bill](#) that prohibits agencies from using numbers to evaluate officer performance. It's drawn support from citizens and police groups. Opponents, if any, have so far held their fire.



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During his service in Federal and local law enforcement as both a worker bee and first-level supervisor, your blogger found a pervasive preoccupation with "making numbers". That's not to say that "quality" didn't matter. Solving major crimes, arresting worthy targets and hauling in dangerous contraband was definitely a plus. But number-crunchers always lurked in the shadows. Arrest counts mattered a lot to higher-ups, who used the crude measure as a way to secure (and, if possible, *increase*) funding. Inevitably, the pressure trickled down:

Make cases, put people in jail, numbers. Our department right now is heavily into numbers. It's not so much the quality of the case but it's how many cases you do...because there are stat's being taken through the chain of command.

That quote is from one of the many interviews that your blogger conducted with police narcotics detectives while gathering data for his PhD dissertation. Click [here](#) for the journal article version of “Production and Craftsmanship in Police Narcotics Enforcement”.

And let us know what you think!