

CITY HALL

Consultant hired to dissect Louisville police doesn't 'play footsie' with departments

Andrew Wolfson Louisville Courier Journal

Published 8:47 a.m. ET Jul. 11, 2020 | Updated 8:48 a.m. ET Jul. 11, 2020

LOUISVILLE, Ky. — The consulting company that the city of Louisville hired to evaluate its troubled police department began in 2004 with two guys — a retired Secret Service agent and a former Chicago police superintendent, who each plunked down \$3,000 in seed money.

One of its first paying jobs was protecting people who won cars and other valuable goodies on Oprah Winfrey's talk show.

But Terry Hillard and Arnett Heintze eventually assembled what the Chicago Sun-Times called a law-enforcement dream team to advise cities on how to fix police departments plagued by shootings and other scandals.

It became one of the fastest-growing private companies in America.

And since last year, Hillard Heintze has been part of the Jensen Hughes, a goliath in corporate security and consulting, boasting 90 offices in 100 countries and providing risk analysis to more than 575 brands and 150 of the world's richest families.

Led by a former police chief in San Jose, its law enforcement unit has reviewed — and ripped apart — police departments large and small.

The company doesn't talk about its clients, its staff or its principles, said spokeswoman Courtney Ramirez. But it has published some of its reports on its website, and several are scathing.

Its 2015 assessment of the Denver Sheriff Department, which had rung up \$9 million in settlements over jail deaths and beatings, found an “absence of strong leadership at all levels” and the need for “extensive and sustained reforms to nearly every area of operations.”

Its 2010 investigation of Chicago-based Metra, the nation's second-largest commuter rail, found that its 105-officer police department had not patrolled its trains and hadn't undergone firearms qualification training in two more than two years. The company was hired after Metra's director killed himself amid a probe of financial irregularities.

More: Louisville could soon see 'hybrid' civilian review of the police department. What to know

In perhaps its harshest report, Hillard Heintze in 2015 found that the chief of Beloit, Wisconsin's 70-officer police department had secluded himself in his office and castigated or disciplined anyone who disagreed with him, and that its deputy chief refused to cooperate after 911 calls alleged domestic violence at his home. The firm said the department needed new leadership, and the chief and deputy were forced to retire.

Other reports have gushed praise, like one of internal affairs practices at the Miami Police Department, which called it “a professional agency led by and represented by many highly capable individuals who recognize and support the department's commitment to its many constituencies.”

The 2018 report did recommend some specific changes, including that Miami police adopt a disciplinary “matrix,” to ensure that punishments are fair and consistent and that it conduct a quarterly review of sanctions and identify areas that require more training.

“They are not going to play footsie with a department,” said Sam Walker, a use-of-force expert who is a professor emeritus at the University of Nebraska at Omaha.

The consulting firm — Hillard is retired and Heintze is the CEO — has drawn both praise and criticism from clients and community leaders.

The internal auditor who hired the firm to assess the performance of the 323-officer Riverside, California, department told The Courier Journal it was “very professional” and “well worth the cost.”

In Ann Arbor, Michigan, however, where the company was hired to study “community engagement practices” at the 126-officer department after an officer fatally shot a woman armed with a knife, two City Council members complained that it had failed to do enough outreach to minority communities.

Another council member, Jack Eaton, who favored creating a strong civilian review board, said the company told him if that is what he was looking for “we were the wrong company to

hire.”

Instead, Hillard Heintze recommended what its report called “co-produced policing,” in which the department and residents would “share responsibility to develop policing strategies.”

For subscribers: Despite local and national calls to defund police, Louisville didn't. Here's why

Former Ann Arbor city manager Howard Lazarus said some residents distrusted the consulting team because it seemed dominated by former law enforcement officers. But he said it made valuable recommendations for implicit bias and de-escalation training, both of which were adopted.

The consultant’s report urged less focus on firearms training and more on “soft skills” such as “cultural awareness and interpersonal skills.”

It is hard to know the true scope of the company’s work because some of its reports are not public and it doesn’t talk about itself.

Its website offers reports on only eight police departments and few were for the kind of top-to-bottom review that Louisville Mayor Greg Fischer has requested.

And some of the work was for small cities such as Elgin, Schaumburg and Lemont, all in Illinois. Lemont’s department has only 38 employees.

But the Denver sheriff had 1,000 employees, while another that Hillard Heintz was hired to review — the King County Sheriff’s Office in Seattle — had 720 officers.

That review was ordered because of the office’s dismal record of investigating shootings by officers and other misconduct.

The company found that in an entire year the office had reviewed just two use-of-force complaints, compared with 14 by the far smaller department in nearby Eugene, Oregon.

Its team found an overwhelming majority of internal affairs cases reviewed lacked any significant documentation. And it warned if the department didn’t clean up its act, “community will demand that an outside entity be asked to step in and lead the way.”

The report didn’t seem to do much good. Five years later another outside consultant found the same problems, with many civilian complaints wrongly categorized as

insignificant or otherwise dismissed with little or no scrutiny, according to a Seattle Times story.

Hillard Heintz's work in Elgin produced better results.

Hired after a police lieutenant fatally shot a 34-year old woman on a tollway when she set her car on fire and came at officers with a knife, the firm found that he did not violate department rules but said those rules needed to be changed to stress de-escalation.

"The skills and knowledge necessary to de-escalate an incident are as important as force tactics," the report said. "Both can save lives."

Elgin promptly changed its use-of-force policy.

Also: US Department of Justice investigation into Louisville police looks unlikely right now

Hillard Heintz declined to disclose how many minorities it has on its police review team or how many have a background other than law enforcement. It also declined to discuss its beliefs about what makes good policing.

But in the cover letter on one report, Heintz wrote, "We believe every police department in the United States should work to ensure ethics and integrity in its internal affairs practices."

While the company seems to oppose civilian review, it recommended an inspector general for Metra, the commuter rail line, and briefly served in that role.

The company also demands that departments keep careful records on stops and arrests to detect bias and demands that departments release annual statistical reports to the public on officer discipline.

Its investigations appear thorough. Its report for Riverside included 82 recommendations, and its team spent 500 hours in Beloit interviewing police — anonymously — as well as residents and the chief and deputy chief who eventually were ousted.

Like many consultant reports, Hillard Heintz's appear filled with bios of its leaders and demographic information on the city under study. They also tend to include jargon like "stakeholders."

It calls its proposed report for Louisville "Reimagining a Community-Driven Vision for the Future of the Louisville Metro Police Department."

The company charged Beloit \$130,000 and Metra \$358 an hour, according to news account.

It charged Schaumburg \$148,000, and another \$68,900 a month for the services of its chief operating officer, a former Illinois state police colonel, when he stepped in as the department's interim chief for nine months in 2013.

The firm will charge Louisville \$235 an hour, for a total of \$189,645, for 807 hours of work that will include three site visits.

It has done far bigger projects.

It was paid \$1.5 million by the city of Milwaukee to monitor compliance with the settlement of a 2017 lawsuit in which the ACLU of Wisconsin accused the city police of routinely stopping thousands of minorities without cause or suspicion.

Hillard Heintze was dropped as a consultant in 2018 because of the city's fears its fee might balloon to \$3.5 million, according to news accounts.

In 2016, the U.S. Justice Department's Office of Community Oriented Policing Services gave the firm a \$4.5 million to support the "collaborative reform," a long-term strategy that identifies issues within an agency that may affect public trust and then offers recommendations on how to repair the relationship between the police and the community.

Hillard Heintz started that work in Baltimore, when it was hired by the Justice Department at the city's request after the Baltimore Sun reported that that the city had paid \$5.7 million in court judgments and settlements in more than 102 lawsuits alleging police misconduct in the three prior years.