

NIJ Strategic Research and Implementation Plan - Sentinel Events Initiative

Introduction

About the National Institute of Justice (NIJ)

The National Institute of Justice (NIJ)--the research, development and evaluation agency of the U.S. Department of Justice (DOJ)--is dedicated to improving knowledge and understanding of crime and justice issues through science. NIJ provides objective and independent knowledge and tools to reduce crime and promote justice, particularly at the state and local levels.

Sentinel Events Initiative Purpose and Mission

Currently, the U.S. criminal justice system lacks mechanisms by which to learn from its mistakes and prevent their recurrence.¹ Sentinel event reviews provide such a mechanism by breaking down silos across the system, and shifting the culture from one of retroactive blame to one of forward-looking solutions. NIJ's Sentinel Events Initiative (SEI) aims to enable the creation of a system that acknowledges inherent weaknesses, and works collaboratively to effect continual system improvements that minimize preventable harm.

The mission of SEI is to spur the widespread adoption of sentinel event reviews, an evidence-based model for learning from error in the criminal justice system, to scientifically examine the feasibility, impact, and sustainability of this model, and to support the widespread adoption of local efforts to collaboratively learn from error in criminal justice.

Though this approach is more focused in action research and program development than NIJ's traditional portfolios, NIJ is the ideal incubator for this potentially transformative concept. By building a program grounded in science and regular evaluation, NIJ is supporting the development, implementation, and broad adoption of a rigorous approach that not only reveals system weaknesses, but also identifies high priority areas where further scientific exploration is needed to support system improvements.

Sentinel Events Initiative Strategic Research and Implementation Plan Purpose

NIJ developed the Sentinel Events Initiative Strategic Research and Implementation Plan to describe the current and projected efforts of NIJ to develop, implement, and evaluate a mechanism for learning from error in criminal justice.

This document will be of interest to researchers (academic, governmental, and industry), Federal, state, and local government partners, as well as justice policymakers, practitioners, and communities. It provides a summary of SEI, its progress to date, and offers a roadmap for NIJ's plans for expansion. As with all Federal programs, this expansion is dependent on funding availability. Findings from the activities that fall within this strategic research plan will be disseminated among constituents and partners in ways designed to achieve the greatest impact.

¹ See, e.g., Recommendation 2.3, *Final Report of the President's Task Force on 21st Century Policing*, Washington, DC: Office of Community Oriented Policing Services, pp 22-23; James M. Doyle, "Learning from Error in the Criminal Justice System: Sentinel Event Reviews," in *Mending Justice: Sentinel Event Reviews*. National Institute of Justice. September 2014. Pages. 3–20.

A call for collaboration

The program development and research directions included within this strategic research plan intentionally span many scientific and practitioner disciplines. The breadth of the plan is driven by the magnitude of questions that need to be researched within the criminal justice system in order to minimize preventable harm. NIJ envisions that researching, evaluating, and implementing sentinel event reviews as part of this agenda will require both interdisciplinary collaboration among criminal justice agencies, and partnerships between researchers of varying disciplines, practitioners, and communities. Finally, mirroring the need for collaboration, NIJ will seek partnerships with other Federal agencies and private institutions that support the development and adoption of sentinel event reviews. These partnerships may include: fostering support for expanded funding; establishing public-private partnerships to support the implementation of sentinel event reviews; co-sponsoring research awards; convening meetings to bring key players together; exploring the establishment of a SEI Center of Excellence to support implementation and evaluation; and nurturing an engaging national discourse on learning from error within the criminal justice system.

Definitions and Scope

Sentinel events, such as wrongful convictions², are negative outcomes. They are sometimes the result of multiple errors, which may signal an underlying system weakness, and – if understood – may provide the information needed to prevent future errors from occurring. Sentinel event reviews aim to unpack the causes of and contributing factors to these incidents in a complex, adversarial system. Used in medical fields for decades in order to learn from error³, these reviews are based on three fundamental principles:

- *Non-blaming*: Reviews must not be framed as a hunt for a bad actor. Rather, they seek to understand why multiple, smaller errors occurred, why decisions seemed like the best decisions at the time, and how the system is structured to allow for such mistakes.
- *Forward-looking*: Reviews must be conducted for the purpose of learning, with an eye towards using information to improve policy and practice, and to reduce the likelihood of future harm.
- *All-stakeholder*: Reviews must include representatives from all aspects of the system whose actions and/or failure to act could have reasonably contributed to the error. They must be willing and able to share all relevant information across disciplines to inform a deliberative, transparent process.

By regularly bringing multiple stakeholders to the table to collaboratively identify root causes of system errors, these reviews are designed to reveal weaknesses in policies and practices, as well as how best to correct or mitigate them. Routinizing sentinel event reviews as an ongoing, embedded practice helps

² James Doyle first laid out how to apply sentinel event reviews to the criminal justice arena in a 2012 article. J. Doyle (May 2012). [Learning from Error](#). *Ideas in Policing*. Police Foundation. No. 14

“In the criminal justice system, sentinel events can be such obvious errors as wrongful convictions or wrongful releases. They may also include such events as a police-citizen encounter that unexpectedly turns violent, or “near misses” that may have resulted in a bad outcome had they not been caught in time.”

³ Joint Commission (January 2016) Sentinel Event Policy and Procedures. Accessed on [Joint Commission website](#): “The Joint Commission adopted a formal Sentinel Event Policy in 1996 to help hospitals that experience serious adverse events improve safety and learn from those sentinel events. Careful investigation and analysis of Patient Safety Events (events not primarily related to the natural course of the patient’s illness or underlying condition), as well as evaluation of corrective actions, is essential to reduce risk and prevent patient harm. The Sentinel Event Policy explains how The Joint Commission partners with health care organizations that have experienced a serious patient safety event to protect the patient, improve systems, and prevent further harm.”

NIJ Strategic Research and Implementation Plan - Sentinel Events Initiative

ensure continual process improvement and system optimization, leading to increased system reliability and greater public confidence in the system’s legitimacy, while minimizing preventable harm.

NIJ’s focus on individuals poised to contribute to improving the criminal justice system include but are not limited to: law enforcement, corrections, courts, probation and parole, victim advocates, defenders, prosecutors, forensic scientists, and city and risk managers, among others. We also acknowledge that these improvements must reflect the perspective and experiences of victims and their families, exonerees, incarcerated persons and their families, and the community at large.

Summary of Strategic Priorities

NIJ’s primary focus is on answering three overarching research questions with regards to sentinel events:

- 1) Can non-blaming, all-stakeholder, forward-looking reviews of sentinel events be implemented in the criminal justice context?
- 2) If such reviews are implemented, can they provide jurisdictions with the information necessary to inform procedures and practice, and will this contribute to system improvement?
- 3) If these reviews can be implemented in the criminal justice context, and if these reviews do contribute to system improvements, can these models be sustained over time?

Because these types of reviews exist in such a limited capacity in U.S. criminal justice systems, NIJ must not only design evaluations, but also build the sample of reviews to evaluate. Accordingly, NIJ’s strategic priorities span the breadth of socializing the concept, understanding promising practices for review implementation (and barriers thereto), and implementing and evaluating sentinel event reviews at the local level. NIJ’s specific strategic priorities are as follows:

- I. Advance the concept of learning from error in criminal justice
- II. Understand contextual drivers and barriers, and identify promising practices for sentinel event reviews
- III. Inspire, facilitate, and support adoption of evidence-based sentinel event reviews and evaluations thereof

Strategic Priority I: Advance the concept of learning from error in criminal justice

The concept of proactively identifying errors and freely engaging in frank discourse among multiple stakeholders in the criminal justice system is a novel one. NIJ is committed to educating criminal justice stakeholders and community partners on the concept of learning from error, and identifying early adopters and credible messengers to support this process.

Background

Sentinel event reviews were initially developed to better understand the causes of industrial accidents. They were then adapted with considerable success in the medical and transportation industries, particularly in the field of aviation⁴. Former NIJ Visiting Fellow James Doyle first developed the concept of using sentinel event reviews in criminal justice, and through his two-year fellowship built the foundation for programmatic development and evaluation. NIJ has since built the framework for a rigorous exploration and expansion of sentinel event reviews in criminal justice, and hosted an expert convening of practitioners, policymakers, and researchers in May 2013 to advance the concept, as well as to better understand challenges facing implementation, and how best to overcome them.⁵

Objectives

The objectives supporting Strategic Priority I build on NIJ's prior efforts to socialize the concept of sentinel event reviews with criminal justice stakeholders, and leverages the country's most recent interest in and commitment to improving and advancing the criminal justice system. NIJ will continue to work with partners, including other Federal agencies, to encourage the integration of learning from error in reform and improvement efforts.

Objective 1.1 Encourage and inform discourse on criminal justice system improvements through sentinel event reviews

- Develop a strategic communications plan to socialize the SEI model among key stakeholders
- Support panels and plenary sessions at practitioner conferences, and integrate into existing DOJ conferences and events
- Leverage non-traditional avenues to instill the importance of learning from error in the next generation of criminal justice leaders
- Strategically engage national policymakers who are committed to criminal justice reform

Objective 1.2 Connect with community stakeholders, and begin to link learning from error efforts with interests in reconciliation and rebuilding between communities and local criminal justice systems.

- Host a community roundtable to introduce the sentinel event review concept, establish the concept as being separate from, but not exclusive of, liability and accountability, and explore community roles in learning from error
- Liaise with Federal partners engaging with community groups, and seek to integrate sentinel event reviews with existing community engagements as appropriate

⁴ See e.g., Committee on Quality of Health Care in America (1999) *To Err Is Human: Building a Safer Health System*. Institute of Medicine. National Academies Press.

⁵ Notes from the expert panel held in Alexandria, VA in May 2013 were not published. However many of the panelists contributed articles to *Mending Justice*.

Objective 1.3 Identify complementary efforts within the criminal justice system to leverage enthusiasm, distinguish the SEI, and ensure fidelity to the concept.

- Develop an association across relevant Federal and other efforts to ensure collaboration and avoid duplication, integrate these efforts when appropriate, and work to create a clear platform for the field to understand the various efforts and options.
- Engage OJP and DOJ leadership to elevate SEI's profile and integration into existing system improvement efforts as appropriate

Objective 1.4 Forge sustainable partnerships with professional organizations, legislative bodies, and program advocates who can serve as credible messengers of SEI's promise.

Strategic Priority II: Understand the contextual drivers and barriers, and identify promising practices for sentinel event reviews

Since the inception of SEI, NIJ has made great strides in understanding the potential drivers and barriers to applying a sentinel events approach in the criminal justice system, but more work is necessary to identify promising practices, and to test sentinel event reviews in varying contexts, such as within justice agencies of varying sizes and missions with different resource levels.

Background

In 2014, NIJ developed research solicitations to explore how sentinel events can be used to improve the administration of justice, and better understand the contextual challenges the criminal justice system presents. NIJ is currently funding four research projects through this portfolio, with the first round of final results anticipated in 2017. Future research should focus on better understanding the drivers and contextual challenges inherent in implementing and advancing sentinel event reviews in criminal justice.

Objectives

The objectives supporting Strategic Priority II build on previous NIJ investments in understanding the fundamental elements affecting reviews, increasing the rigorous evidence base supporting these reviews, and integrating research findings from multiple fields to inform a multi-disciplinary response.

Objective II.1 Establish a community of practice of multi-disciplinary stakeholder partners, to ensure program design reflects what the field needs and has the capacity to support

- Host a broad meeting of criminal justice stakeholders, researchers, and community advocates to explore program development and implementation issues
- Facilitate continued dialogue among meeting attendees, and enable regular input on program development
- Host a broad stakeholder meeting focusing on the equities of crime victims in this process

Objective II.2 Conduct legal and policy reviews across multiple jurisdictions to determine policy and legislative landscape in areas of:

- Confidentiality and information-sharing across multiple criminal justice agencies
- Municipal and personal liability, and relevant statutes of limitations
- Current incident review processes

Objective II.3 Continue to build a social science evidence base through research solicitations, with an emphasis on multi-disciplinary approaches and innovative methodology. Possible focus areas include:

- Quantifying the economic impact of wrongful convictions and other sentinel events
- Examining the role of risk management in system improvement⁶
- Understanding and effecting culture change within criminal justice⁷

⁶ See Rappaport, John (May 8, 2016). Cops Can Ignore Protestors: They Can't Ignore Their Insurers. Outlook. Washington Post; Rappaport, John (Feb. 15, 2016). How Private Insurers Regulate Public Police. Social Science Research Network (SSRN)

⁷ See Boyer, D. K. (2008). "Oklahoma's Quality Assurance Experience: Continuous Improvement through Employee Empowerment, Teamwork, Diversity and Best Practices." *Corrections Today* 70(4): 38-40, 42; Criswell, J. and E.

DRAFT – TEXT ONLY

NIJ Strategic Research and Implementation Plan - Sentinel Events Initiative

- Understanding the role of state or regional agencies in facilitating sentinel event reviews
- Understanding the role of the community in learning from error in the criminal justice system

Objective II.4 Conduct literature reviews and develop white papers on relevant issues and current reflections

Davis (2004). "Promoting Continuous Improvement and Accountability in Community Corrections." Corrections Today **66**(1): 44-47; Cohn, A. W. (1994). "Future of Juvenile Justice Administration: Evolution v. Revolution." Juvenile and Family Court Journal **45**(3): 51-64

Strategic Priority III: Inspire, facilitate and support the adoption of evidence-based sentinel event reviews and evaluations thereof

The criminal justice system in the U.S. is diverse and vast; therefore the widespread adoption of sentinel event reviews rests on local and state agencies. NIJ's role is to inspire, facilitate and support this adoption as much as possible, through an array of activities.

Background

In 2014, NIJ launched the Beta Project, in which three pilot jurisdictions successfully conducted a single multi-stakeholder sentinel event review. NIJ has published a number of articles on lessons learned and programmatic development thus far, based on the results of the Beta Project.⁸

Building on lessons learned from these efforts, NIJ is now poised to support the expansion of sentinel event reviews in multiple jurisdictions, as a means to further knowledge development and program improvement. NIJ will encourage and support jurisdictions to adopt the core tenets of the sentinel events approach, tailoring each effort to meet local needs and capacity. NIJ will facilitate evaluations of local efforts throughout the process, ensuring that lessons learned and promising practices will shape continued efforts. NIJ's intent is not to create a "one-size-fits-all" approach to implementation. Rather, NIJ aims to identify a set of promising strategies for conducting sentinel event reviews that can be uniquely tailored to each jurisdiction.

While additional sentinel review pilots must be conducted, institutionalized, and evaluated in order for the true impact of these reviews to be understood, NIJ strongly believes that this promising practice warrants consideration by any jurisdiction seeking to learn from errors, minimize preventable harm, and improve both the efficacy and legitimacy of their criminal justice system.

Objectives

The objectives supporting Strategic Priority III build on previous efforts to implement sentinel event reviews at the jurisdictional level. This objective integrates and leverages analogous efforts, while seeking to specifically advance sentinel event reviews as a distinct approach to learning from error in criminal justice.

Objective III.1 Identify and brief Federal partners who are positioned to implement the sentinel event review concept by:

- Building on previous efforts to establish an association of relevant partners (see I.3), leveraging existing DOJ investments at the community level, and seeking to align implementation with pre-existing engagements when appropriate (see e.g., Civil Rights Division, Community Relations Service, etc.)

⁸ See e.g.

[Testing a Concept and Beyond: Can the Criminal Justice System Adopt a Nonblaming Practice?](#)

[Mending Justice: Sentinel Event Reviews](#)

[Paving the Way: Lessons Learned in Sentinel Event Reviews](#)

[NIJ's Sentinel Events Initiative: Looking Back to Look Forward](#)

NIJ Strategic Research and Implementation Plan - Sentinel Events Initiative

Objective III.2 Generate a work plan and establish a funding mechanism for an entity to oversee the development of pilot sites and support the sites through implementation.

- Work with the DOJ Office of Justice Programs (OJP) to determine requirements for supporting implementation sites, and develop and implement approaches ensuring fidelity across participating jurisdictions

Objective III.3 Establish a communication mechanism for interested state and local jurisdictions to explore what a sentinel event review entails, and engage in preliminary discussions about the possibility of implementation.

- Establish a peer-to-peer communications mechanism between and across cities who implement sentinel event reviews and NIJ staff.
- Make site-level implementation documentation publically available for jurisdictions who may be interested in exploring sentinel event review implementation on their own, while mindfully communicating that this is a scientific exploration not yet supported by evaluation evidence.

Objective III.4 Launch pilot demonstration sites across the United States.

- Work with OJP sister agencies and relevant partners to identify likely sites and recruit participation
- Develop solicitation for site participation in FY18 (depending on funding availability)

Objective III.5 Continuously evaluate demonstration sites, and revise future implementation plans accordingly.

- Develop solicitation for process and impact evaluation of demonstration sites in FY18 and FY19
- Conduct research on early adopters of the model to identify motivations and contextual factors that prove favorable to effective reviews