

New Perspectives in Policing

JUNE 2015

HARVARD Kennedy School
Program in Criminal Justice
Policy and Management

National Institute of Justice



Race and Policing:

Al A. ... A. ...

... B. ... A. ...

Executive Session on Policing and Public Safety

This is one in a series of papers that will be published as a result of the Executive Session on Policing and Public Safety.

Harvard's Executive Sessions are a convening of individuals of independent standing who take joint responsibility for rethinking and improving society's responses to an issue. Members are selected based on their experiences, their reputation for thoughtfulness and their potential for helping to disseminate the work of the Session.

In the early 1980s, an Executive Session on Policing helped resolve many law enforcement issues of the day. It produced a number of papers and concepts that revolutionized policing. Thirty years later, law enforcement has changed and NIJ and the Harvard Kennedy School are again collaborating to help resolve law enforcement issues of the day.

Learn more about the Executive Session on Policing a... many suggestions for dealing with the issue were discussed, the Executive Session did not

try to formulate policies to deal with the various

issues involving race. Concern about race seemed to become stalled in discussion rather than advancing to action. So, the authors of this article suggested to the Session members that we try to cull an agenda for action from the years of frank, insightful and sometimes passionate conversation. The Session readily agreed. These are the ideas we think are most promising in terms of what police executives might do to alleviate the problems of race in contemporary policing. They reflect what we have learned that might help the most. We alone are responsible for the contents of this agenda.

Readers should also understand that the agenda consists of suggestions, not directions. Although some of these ideas have been tried, few, if any, have been evaluated. Furthermore, many of them are controversial. We include them nonetheless in order to provoke thought, often explicitly acknowledging their shortcomings. We hope that this agenda will move discussions about race from anger and yearning to concrete action by police leaders, and beyond. This is also not a “scholarly” paper that cites and explores all the writing that has been done on the activities suggested. That is beyond our ability. Therefore, before following any of our leads, readers should do their homework. Others, often more experienced than we, have thought about these issues before.

The agenda is organized into two parts — Strategic Voice and Tactical Agency. Strategic Voice argues that problems of race in policing cannot be resolved by the police alone. Other people must help by understanding and ameliorating the social conditions that cause race to be associated with crime and hence become a dilemma for American policing. Rather than accepting these conditions as givens, police leaders with their powerful collective voice should actively call attention to what needs to be changed.

Tactical Agency outlines what the police can do on their own initiative to deal with the operational dilemmas of race — in the communities they serve and in their own organizations.

Strategic Voice

We believe there are two messages that police leaders must find the voice to deliver: (1) Police need to be supported by policies that address conditions causing criminality and disorder to be concentrated in particular places, especially in communities of color; and (2) police strategies must expand freedom and justice, not just provide safety.

Strategic Voice One

Police officers know, through hard-won experience, that crime is not randomly distributed

focusing more on exploring factors that facilitated criminality (such as “routine activity theory,” Cohen and Felson, 1979) or changing criminal trajectories of individuals than on macrosocial correlates (Sampson, 2012). Advocates for structural reform have been very few (Currie, 2010). Intellectual predispositions, it would seem, may shape scholarship just as ideology does politics.

Asking police leaders to speak with Strategic Voice One is asking a lot. It requires them to articulate a larger vision of the social forces and structural factors linked to crime, even as they direct the everyday efforts of their police officers to address specific incidents of crime. As one

member of the Executive Session said, g33.0.5 36oI0.5(o)f-10.5(c)e2.3(e)l0.5(l)5.8.2(1)-31.2(5)-7(e(e)0.J-0.003 4c -0.03 TTw 10.5039

troublemakers, to improve safety significantly. Perhaps in those situations, consent is more likely to come from being “tough on crime” rather than from procedural justice (Tankebe, 2009). Issues like these are being explored and tested in a departmentwide training program developed by the Chicago Police Department in 2011. It has already been given to over 3,000 employees (Meares and Neyroud, 2015)

Finally, supporting policing by consent involves taking a stand on another development that is very controversial among police, namely, civilian review. In the U.S., racial minorities have repeatedly criticized the willingness of police agencies to investigate themselves. Their consent to be policed turns, to a considerable degree, on whether they believe police are being held to account. Civilian review is supposed to provide that assurance. Civilian review panels have been used to evaluate both the crime-control effectiveness of the police and the behavior of police in carrying out assigned duties.

The questions for American police are not “whether” to allow civilian review but, instead, “when” and “how.” More than 100 American cities have already developed some form of

Tactical Agency

Police may do important things to address the dilemmas of race in policing without waiting for outside support in the form of either additional resources or progressive social policies. Indeed, many departments have courageously accepted the need to confront issues of race, instituting new programs and revising customary ways of doing business. We provide references to some active programs (see “References”). However, given the number and variety of American police agencies, the implementation of such actions has been uneven. To encourage and assist in reform, we make the following suggestions, drawing on the growing experience of police themselves and on the research by scholars. Our suggestions are divided into two parts — engaging the community and managing police agencies.

Engaging the Community

1. Reorient the culture of policing from going to war against lawbreakers to engaging with communities to help those at risk and in need. One way to do this is to take the time to educate police officers about the history of the communities to which they are assigned, stressing the fact that their inhabitants, especially the children, have no control over that history.
2. Embrace community policing as the primary strategy for policing. This is not an uncomplicated suggestion. Community policing has been consistently advocated as a philosophy applicable throughout policing (see, e.g., Bayley and Skolnick,

1988). Views differ considerably, however, about its programmatic elements (Maguire et al., 1997). As a result, officers have been confused about what it means for their work, frequently dismissing it with the comment, “community policing, whatever that means.” For this reason, many officers have come to the conclusion that it was largely a matter of rhetoric, a flavor-of-the-month whose time had passed. Problem-oriented policing (POP), often associated with community-oriented policing, has enjoyed greater staying power precisely because it has a clear implementation program. POP quickly became identified as a set of activities — scanning, analysis, response and assessment —

A better way is to show recruits what the world looks like from subcultural points of view. This can be done by assigning recruit officers to live among and with minority families for short periods of time or to serve as interns for neighborhood nonprofit organizations.

5. Develop procedures for evaluating whether officers engage effectively with communities, and reward them in recognizable ways.
6. Create early warning systems for detecting patterns of behavior, such as complaints filed against officers, that indicate potential vulnerabilities for the officer and the department. The primary purpose of such systems is not to punish but to provide counseling to officers so as to reduce their level of risk. The creation of such a system was a key recommendation in the 1997 consent decree between the U.S. Department of Justice and the Pittsburgh police department, and many other accords since then.

Conclusion

The purpose of this article has been to move the discussion about the dilemmas of race in policing from talk to action. Although we think these actions will help to ease tensions at the intersection of policing and race, race will remain difficult to talk about. However, at some point in the career of every senior officer, the need to do so will almost inevitably arise. It will occur when a white officer shoots a black man, when police of any color arrest distraught minority women amid a jeering crowd, and when crime-control

activities in high-crime neighborhoods weigh more heavily on minority people. In situations like these, race becomes “the third rail” in discussions between police leaders and their communities, leading to an angry disconnect. Because of its sensitivity, therefore, police leaders should think carefully about what they should say when race-infused events occur.

The key is for police leaders to remember that they are not trying to change the minds of the people who are either irretrievably bigoted or already open-minded. Some people are attuned to expect prejudice in all dealings with the police, others reflexively defend the police and discount charges of unequal treatment, and still others wave the “bloody flag” of race for their own purposes. The target audience is not these, but the vast majority who know little about either policing or race. For these people, the discussion needs to move away from charge and countercharge to an understanding of what police work requires and what minority status compels with regard to treatment.

If approached with forethought and no small amount of courage, controversial race-implicated events should be seen as opportunities to develop new understandings and not just as inevitable public relations disasters. Police officials should

Fridell, Laurie, Bob Lunney, Drew Diamond and Bruce Kobe. 2001. *Racial Profiling—A Principled Response*. Washington, D.C.: Police Executive Research Forum.

Kennedy, David. 2011. *Don't Shoot: One Man, a Street Fellowship, and the End of Violence in Inner-City America*. New York: Bloomsbury.

Maguire, Edward R., Joseph B. Kuhns, Craig D. Uchida and Stephen M. Cox. 1997. "Patterns of Community Policing in Nonurban America." *Journal of Research in Crime and Delinquency* 34 (3): 368–394.

Manning, Peter K. 2011. *Democratic Policing in a Changing World*. Boulder, Colorado: Paradigm Publishers.

Meares, Tracey L., with Peter Neyroud 2015.. *Rightful Policing*. New Perspectives in Policing Bulletin. Washington, D.C.: U.S. Department of Justice, National Institute of Justice. NCJ 248411.

Myrdal, Gunnar. 1944. *An American Dilemma: The Negro Problem and Modern Democracy*. New York: Harper & Bros.

Robinson, Cyril D. 1975. "The Mayor and the Police — the Political Role of the Police in Society," in George L. Mosse (ed.), *Police Forces in History*, vol. 2. Beverly Hills, California: Sage Publications.

Sampson, Robert J. 2012. *Great American City: Chicago and the Enduring Neighborhood Effect*. Chicago: University of Chicago Press.

Stenning, Phillip. 2011. "Governance of the Police: Independence, Accountability and Interference." *Flinders Law Journal* 13 (2): 241–267.

Tankebe, P.J. 2009. "Public Cooperation with the Police in Ghana: Does Procedural Fairness Matter?" *Criminology* 47 (4): 1265–1294.

Tyler, Tom R. 2006. *Why People Obey the Law*. Princeton, New Jersey: Princeton University Press.

Walker, Sam. 2010. "Police Accountability and the Central Problem of American Criminal Justice," in Candace McCoy (ed.), *Holding Police Accountable*. Washington, D.C.: The Urban Institute.

Wilson, James Q. 1975. *Thinking About Crime*. New York: Basic Books.

Author Note

David H. Bayley is Distinguished Professor Emeritus in the School of Criminal Justice at the State University of New York, Albany.

Michael A. Davis is the Chief Law Enforcement

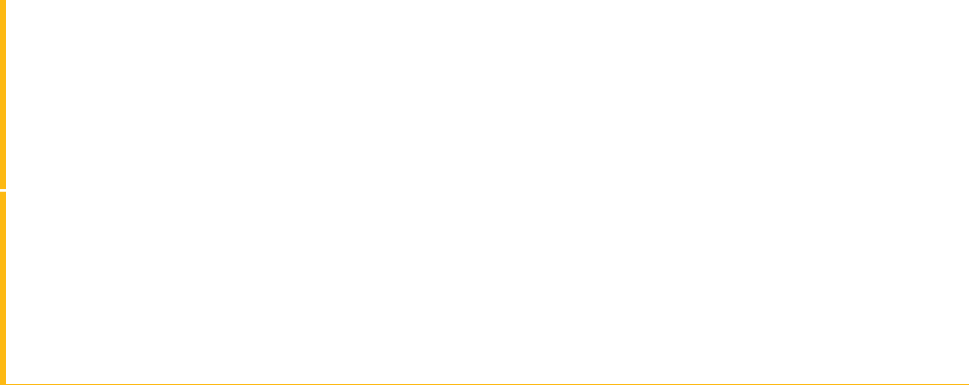
Findings and conclusions in this publication are those of the authors and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice
8660 Cherry Lane
Laurel, MD 20707-4651



PRESORTED STANDARD
POSTAGE & FEES PAID
DOJ/NIJ/GPO
PERMIT NO. G - 26

Official Business
Penalty for Private Use \$300



Members of the Executive Session on Policing and Public Safety

Commissioner Anthony Battista, Baltimore

Chief Edward Flynn, Milwaukee

Professor Greg Ridgeway,