Emerging Issues in American Policing

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**Overcoming Resistance to Evidence-Based Policing Strategies**

Police chiefs can help build support through stories that highlight values, assessments of cost-effectiveness, and community partnerships.

A 2018 report by the Committee on Proactive Policing of the National Academies of Sciences, Engineering, and Medicine described some obstacles to adopting evidence-based strategies. Scholars from George Mason University responded to the report with an in-depth discussion of approaches that may help researchers and police managers overcome resistance to such strategies. Authors James Willis and Heather Toronjo identified three key obstacles to evidence-based policymaking in policing: mistrust of science, the lack of cost-effectiveness studies, and conflicting stakeholder values.

First, evidence shows that mistrust of science and researchers arises when evidence conflicts with audience values. To help skeptics accept evidence-based innovations, police chiefs and other leaders can frame new programs in terms of the values they advance rather than the data supporting them. Communicating about evidence-based policies using emotionally accessible stories and incorporating concrete examples may also appeal to skeptics.

Second, deciding whether to implement a program requires that police leaders assess whether its benefits are worth the costs. Benefits and costs should be measured broadly, including not only direct monetary costs and indirect public safety benefits but also assessments of community mental health, harm to police legitimacy, and other factors that are rarely quantified in dollar amounts.

Finally, police leaders must balance demands for crime control and fairness from various stakeholders while trying to reduce crime. Engaging relevant community partners in regular forums can help. Building such partnerships can help police tailor their work to community needs and simultaneously earn public support for programs by demonstrating police engagement and transparency.
Enforcement of “Quality-of-life” Offenses in Colorado

Data from two surveys of homeless people in Colorado suggests that “quality-of-life” policing doesn’t improve their lives.

In response to persistently high rates of homelessness, many U.S. cities have passed “quality-of-life” laws that criminalize activities such as sleeping, eating, and sitting in public spaces. Some claim that these laws are intended to benefit homeless people by forcing them to accept help from social service providers. Tony Robinson of the University of Colorado Denver political science department collaborated with the community coalition Denver Homeless Out Loud to conduct two field surveys to better understand and improve upon the effects of these laws. The first survey reached 512 homeless residents of Denver, where a camping ban was recently passed; the second reached 441 homeless people in 10 Colorado cities.

Across the state, 70 percent of survey respondents reported that they had been ticketed and 36 percent said they had been jailed for “anti-homeless” “quality-of-life” offenses. Of those ticketed, 60 percent spent time in jail for failure to appear in court or because they could not afford bail or fines. The results of the Denver survey were similar. The camping ban ordinance instructed police to make “reasonable efforts” to connect homeless people with outreach workers, but survey results showed that 80 percent of respondents who were approached were told to “move along” without a service offer and 26 percent were cited or arrested at least once. Asked about their contact with officers related to the camping ban, respondents said that police offered social service information only 10 percent of the time.

In Denver, 89 percent of those who routinely slept outside before the camping ban said they continued to do so afterward. Underscoring significant shelter capacity problems, 40 percent of Denver survey respondents said they had tried to use shelters more often since the ban but 73 percent of them were turned away at least once. Those who remained outdoors said enforcement of the camping ban forced them to move more often and sleep in hidden places that were more dangerous, resulting in diminished safety and more stress.

The researchers concluded that “quality-of-life” laws appear to hurt rather than help those who remain homeless, although more research is needed to determine whether homelessness decreases under these laws.

Predicting Officers’ Behavior Through Perceptions of Fairness
Fair treatment by police organizations can help predict whether officers will defy department policies.

How employees view the fairness of their organization is related to various work-related behaviors and how compliant employees are to the agency’s rules. To explore whether this research extends to police organizations, researchers at the University of North Texas at Dallas and the University of Texas at Tyler conducted online surveys of 1,080 line-level officers who are part of a southern statewide police association. The focus of the survey was organizational defiance, which includes using departmental rules, policies, or laws against the administration; trying to undermine the goals of the administration; and disregarding organizational policies. The purpose of the survey was to identify whether officers who view their organization as treating them unfairly are more likely to participate in defiant behaviors against the organization.

The results of the research reflect that fair treatment by an organization can be used to predict organizational defiance in police departments: if departments are viewed as fair, officers are less likely to engage in organizationally defiant behaviors. Self-reported incidents of organizational defiance were low overall; the results indicate that although fairness matters, officers rarely report overtly engaging in organizational defiant behavior. But in larger police departments—defined by the researchers as those with more than 100 sworn officers—officers were five times more likely to report engaging in organizational defiant behavior as were those who work for smaller departments. This is important, especially given that the survey did not disproportionately involve officers from larger departments. To reduce the likelihood of organizational defiance, the researchers recommend that police departments implement organizational reforms that promote fairness, and that they can achieve this by meeting with line officers to address activities and processes they may view as unfair (like citizen complaints or disciplinary actions), asking for input on policies, and establishing policies that promote fairness.

How Civilians Respond to Procedural Injustice During 911 Calls

Results from an experimental study show that 911 callers are more likely to cooperate with police when call takers are “procedurally just” in their interactions with civilians.
Procedural justice initiatives, primarily applied in law enforcement agencies and practices, are aimed at improving relationships between police and communities in efforts to build legitimacy and trust. Despite procedural justice reforms being implemented throughout the country both internally and externally, evaluations and scholarship have resulted in mixed results.¹

To better understand how procedural justice may be applicable to 911 dispatchers and police, researchers from Arizona State University administered a vignette (survey) to 488 people in a university-based sample after being placed in simulated 911-call situations.² The study used two vignettes that differed in terms of the type of emergency call and the type of experimental manipulation. In their analysis, researchers found that callers who experienced procedural injustice, or poor treatment, said they would be less likely to call 911 in the future or to cooperate with 911 operators and police.

Although the findings suggest negative outcomes for police and the courts, the authors raise questions about the ability of this research to predict future behaviors within the criminal justice system. First, they describe the lack of real-world conditions as a serious limitation, due in part to the use of vignettes and that they “may have failed to capture the heightened emotional state associated with making an actual emergency call.” Second, though participants who experienced procedural injustice reported that they would be less likely to testify in court, it is difficult to make these far-reaching claims based on the interaction people had with 911 personnel. Nonetheless, the findings suggest ways that procedural justice may pertain to other public safety agencies. The authors stress that critical 911 systems are often neglected in scholarship and policy making but warrant further investigation.

Police Contact and Its Effects on “Legal Cynicism” Among Urban Teens

Police contact with youth in cities can have unfavorable effects, potentially diminishing trust and respect for law and legal actors.

Researchers from New York University and Columbia University explored how teens’ encounters with police shape their legal socialization—the values and attitudes they develop about the law and legal actors. They examined how the intersection of aggressive policing and legal socialization affects legal cynicism among teenagers and young adults. They studied direct and vicarious forms of police encounters—along with the nature of these interactions, levels of intrusiveness, and implementation of procedural justice—in relation to young people’s cynicism toward legal systems and law enforcement. The researchers used data from the Fragile Families and Child Wellbeing Study, consisting of surveys of 3,001 youth from 20 cities during the first 15 years of their lives.

The study found that during instances of police contact when intrusive behavior (such as stop and frisk) took place, teens’ legal cynicism was significantly magnified.¹ This cynicism significantly decreased when procedural justice techniques were used. All teens displayed a statistically significant relationship between police exposure and increased legal cynicism, and teens of color
reported higher levels of this quality. Although the use of procedurally just approaches during police interactions alleviates the negative effect of legal cynicism, teens still display elevated levels of it toward the police.

In developing and reforming departmental policies and procedures, it is imperative to understand the effect police contact has on teens’ legal cynicism. Approaching situations that require police intervention in a less intrusive and more procedurally just manner may help diminish the negative effects these encounters have on the legal socialization process. Policies focused on minimizing unnecessary police contact could potentially lead to less legal cynicism from future generations.

Helping Police Identify Traumatic Brain Injuries During Domestic Violence Calls

Police departments can assist domestic violence survivors through protocols that help identify concussion symptoms.

Incidents of domestic violence often go unreported with survivors sustaining traumatic brain injuries (TBIs) that are left untreated, leading to psychological and neurological problems. The city of Mesa, Arizona, implemented a standardized protocol designed to assist officers during domestic violence (DV) calls that identify TBIs. The ConQVerge device, created by the CACTIS Foundation, measures people’s ability to control certain eye movements affected by a TBI. The device collects relevant data and, along with other testing conducted by forensic nurses, reliably assesses whether the survivor has a concussion. The program allows officers to use the device to make an initial evaluation of TBI symptoms and to mobilize additional medical help and resources for DV survivors who have experienced a TBI.

The Mesa Police Department, the Maricopa County Attorney’s Office, the CACTIS Foundation, and other organizations collaborated to develop a protocol to assist police response to DV calls involving a TBI. Nine months after the protocol was implemented, 163 DV cases were reported; cases that involved adults who were already in a hospital receiving treatment or juveniles were excluded. Of the 122 remaining cases, almost 40 percent of the survivors refused additional testing when offered. And officers did not offer the ConQVerge testing to just more than 35 percent of survivors who may have experienced a TBI. The officers’ low compliance rate led researchers to investigate how other police departments implement the same or similar protocols.

The researchers’ recommendations include the following:

- Training should be structured and hands-on to ensure that officers have confidence using the device; training for Mesa officers involved only a video demonstration.
- Because TBIs typically go untreated among DV survivors, police management and other local stakeholders should
repeatedly emphasize the importance of providing this service, so that officers understand the value of and the need for the ConQVerge screening.

- Police departments should have a designated DV or special victims unit, to better respond to the needs of victims, prevent future DV incidents, and increase compliance with the protocols.
- Each officer should receive a ConQVerge device, as opposed to one device per patrol supervisor.

Although the researchers were unable to determine whether the initiative was effective in increasing DV survivors' willingness to accept the resources offered, they concluded that officers who are trained to identify TBIs may be able to offer more services to DV survivors and increase their knowledge of TBIs and their effects. This may in turn allow officers to provide more effective and knowledgeable investigations of domestic violence.

The Vera Institute of Justice constantly strives to improve the way we discuss policing and its impacts. If you identify areas of this report that you believe miss a critical perspective or use language that needs improvement, please e-mail us at EmergingIssues@vera.org. While we cannot always reply directly, we will consider each message.

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End Notes

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3. Others involved in the collaboration included social workers, forensic nurse examiners from HonorHealth, and neuroscience researchers from the University of Arizona College of Medicine.