

Policing

What Should We Do to Ensure Equal Justice and Fair Treatment in Our Communities?

THE UNITED STATES IS IN CONFLICT as most Americans demand change in the policing practices intended to keep our neighborhoods safe. In the spring of 2020, the killings of George Floyd, Breonna Taylor, and Rayshard Brooks sparked nationwide protests as many citizens voiced their concerns about the unjust treatment of racial minorities. All three died during encounters with police, and their names joined a lengthy list: Eric Garner in New York City in 2014; Freddie Gray in Baltimore, Maryland, in 2015; Philando Castile in St. Paul, Minnesota, and Alton Sterling in Baton Rouge, Louisiana, in 2016, to name only a few.

Too many unarmed Black people and other Americans from vulnerable populations have died at the hands of police officers. Now, the majority of people nationwide, including police chiefs and police officers, are calling for change. What should we do?

While the federal government has taken some steps to review and reform policing policies and practices, pivotal decisions will have to be made at the state and local levels in the months and years to come. Making these decisions will require sustained focus and the involvement of community members, policymakers, law enforcement professionals, and others.

Communities are different from one another, but nearly all of them face complex questions, including:

- What kinds of changes would make our community safer and more just for everyone?

- What law enforcement functions do we value and want to enhance? What aspects do we want to change?
- What roles should community members, law enforcement, officeholders, social services, educators, businesses, and others play? What should these groups do differently?
- How can we make sure local police departments provide the training, transparency, and accountability needed to serve all members of their communities equitably and well?
- How could some community issues be handled without the involvement of law enforcement? How can we ensure that these alternative responses are reliable, practical, and effective?

This issue framework presents three broad options for improving police practices and suggests actions that could be taken to make progress on each. As with all ideas for change, all these actions involve risks and trade-offs as well as benefits.

But the ideas outlined here are just a starting point. They are meant to spur deliberation on an issue that increasingly disturbs Americans of all ages and all races. Those taking part in these forums can consider the options and actions listed here as well as modify, reject, or add to them.

As with most difficult issues, sound judgments depend on taking the time to consider the facts and listen to people with different experiences and perspectives.

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Option 1: Increase accountability

This option says: Nearly all of us want to live in law-abiding communities, but to ensure safety and justice for all, we need well-trained, thoughtful, and accountable police officers who do not rely solely on force and intimidation. We should rethink the ways in which police officers are hired, trained, supervised, and disciplined. We need to reevaluate how they do their jobs, and we must make sure the police have the skills and oversight necessary to enforce the law sensibly and fairly.

A Primary Drawback

We have repeatedly tried to reform policing, but these efforts keep failing. Unless we address the effects of racism in law enforcement and drastically limit the scope of police department responsibilities, abusive policing will continue.

Things we might do:	Drawbacks:
Fire officers who fail to report suspected police misconduct; reward and promote those who do.	← → This could create an atmosphere of second-guessing and informing among officers who need to trust each other and work together. It could easily be misused.
End access to military-grade weaponry.	← → Criminals have easy access to automatic weapons, and we expect the police to respond to mass shootings and terrorist threats. Sometimes officers need this kind of equipment.
Make police disciplinary records available in a public database so journalists and the community have access to them and officers with repeated complaints won't be hired elsewhere.	← → Officers who are cleared of charges may have their careers ruined and be publicly and unfairly smeared.
Allow members of the public to sue and collect damages when police officers are abusive or use bullying tactics.	← → This could lead to frivolous lawsuits and make officers overcautious about doing their jobs.
Create diverse, multiracial, and independent civilian review boards that can investigate complaints from the public and recommend an officer's removal if warranted.	← → Reviews of police behavior should be conducted by those who understand the job firsthand. Civilian boards can inject too much partisanship and emotion into the process.

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Option 2: Confront persistent racial discrimination in policing

This option says: Law enforcement agencies, like other institutions, reflect this country’s history of persistent racial discrimination and injustice. Police violence and bullying—and routine suspicion of certain groups of people—are not confined to a few rogue officers. Law enforcement’s traditions and operating assumptions tend to favor White Americans and penalize those from other racial and ethnic backgrounds. If we do not deal with the widespread racial discrimination and biased thinking among police officers—and the bias embedded in the way they do their jobs—abusive policing will continue.

A Primary Drawback

We should fire officers who abuse and mistreat citizens, but we shouldn’t assume that most officers are racists. By stereotyping all officers and entire departments, we alienate those well-intentioned individuals who want to work with communities to end misconduct and reform policing practices.

Things we might do:	Drawbacks:
Transform police education programs to de-emphasize weapons training and focus more on understanding the impact of racial prejudice and the problems facing the communities the police serve.	▶ We need to give the police the training and tools to focus on finding and arresting violent criminals.
Completely reorganize police departments, and make all officers reapply to serve in new precincts focused on nonviolent and unbiased law enforcement.	▶ This is massively disruptive and minimizes the very real dangers of violent crime, gangs, guns, and drugs in our communities.
Stiffen police recruiting requirements and conduct extensive background checks to weed out applicants with a history of racial bias.	▶ Policies like these can dig up incidents or statements from people’s teenage or college years. We should concentrate on how officers behave in training and on the job.
Require officers to live in the communities they serve so they develop mutual respect for diverse residents and strong ties to all the people they serve.	▶ This will limit the number of people willing to enter policing, and unless we are willing to pay officers more, many won’t be able to afford to live in the communities they serve.
Establish truth and reconciliation commissions to conduct open public hearings that expose instances of police abuse, bullying, and discrimination and provide officers and victims the opportunity to talk together and try to find a better path forward.	▶ Officers who are abusive and discriminate against certain citizens need to be punished or fired. This may create a precedent under which officers who abuse their authority are held fully accountable for these actions.

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Option 3: De-escalate to create new responses to nonviolent problems

This option says: By default, we have left it to the police to address social problems in many of our communities and have never fully considered whether there are better or more cost-effective ways to handle nonviolent disturbances. Assessments by nonpartisan policy institutes and national news organizations reveal that 9 out of 10 calls for service are for nonviolent encounters. More than ever before, police are asked to deal with problems that go well beyond what they should be responsible for and what they were trained for. Many communities lack resources for effectively addressing mental health crises, drug abuse cases, domestic disputes, or minor problems, so these jobs fall to the police. These kinds of nonviolent offenses are better addressed by skilled community members or social service and other health and wellness professionals. We should provide other programs and services to address social ills and nonviolent crime to lessen the growing burden on local law enforcement.

A Primary Drawback

Drug abuse, mental health problems, and domestic disputes often escalate into violence, and drug or mental health counseling is not always effective. This option could leave neighborhoods more disorderly and schools less safe and create space for more drug use and petty crime.

Things we might do:	Drawbacks:
Provide more counseling for law enforcement officers and other first responders to help them handle the pressures of the job.	▶ Counseling is not a cure-all.
Move truancy enforcement back to the schools.	▶ School administrators and teachers are already underpaid and overworked. Their priority should be educating children and not finding and disciplining juvenile delinquents.
Move domestic abuse cases out of traditional law enforcement to special family counselors and courts.	▶ Domestic abuse is violent, and perpetrators should be reported to the authorities and arrested. Without jail time as a deterrent, the cruelty will continue.
Improve first response practices so teams that include social workers, mental health professionals, and drug counselors can get involved before situations escalate.	▶ Communities will need to hire and pay these professionals, and the money has to come from somewhere—either laying off police or finding new tax dollars. We would also be putting these first responder professionals, who are unarmed and cannot defend themselves, at greater risk.
Expand neighborhood watch programs so that people can protect their own communities.	▶ Neighborhood watch programs can be biased against people from certain racial and ethnic groups. Moreover, these volunteers are sometimes put in harm's way.

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