

## **Policing Sources**

I have organized sources according to a preliminary outline of a study of ways to change policing. In addition to the specific articles and reports below, I have looked at several books. There is a huge literature on different aspects of police and law enforcement; these are works that seemed to be recommended and cited by contemporary experts focused on reform, but there is a lot more to look at.

[The End of Policing](#), Alex Vitale, Verso Press, 2017.

[Rise of the Warrior Cop](#), Radley Balko, Publicaffairs Press, 2013.

I have stuck to the problem of police and front-line public order forces, and not looked at the other parts of the criminal justice system—prosecutors, courts, prisons. I would just note that the problem of policing cannot be solved in isolation and changes are needed throughout the system.

## **POLICING**

### **I. The Problem**

Policing in America faces the immediate and overwhelming problem of being repressive and de facto racist in many jurisdictions. The experience of policing is radically different for middle-class white communities, and for African-American and other communities of color and poverty. For the former the police are generally experienced as helpful, responsive, honest, and impartial (if not deferential). For the latter they are generally experienced as dangerous, confrontational, corrupt and biased. The police are viewed in these communities as closer to an alien “occupying force” than a force that protects and preserves.

The sources of this problem are many and often mutually reinforcing. They include:

- a. Violence and militarization—police have absorbed a ‘warrior culture,’ made worse by ready availability of military vehicles and weapons
- b. Excessive decentralization—Over 18000 separate police forces with no common standards or training; very hard to collect good data; easy for ‘bad apples’ to move from job to job
- c. Over-tasked/weak US social safety net—police expected to deal with fallout from social crises in housing, drug use, human trafficking, unemployment, and mental health
- d. Extractive and predatory practices—police (as in Ferguson) are often a major source of revenue for strapped municipalities via fines, fees, arrests
- e. Poor training and low pay—US police poorly trained and paid compared to other countries
- f. US gun culture—presence of guns puts police on ‘hair-trigger’ alert, places officer safety above everything

### **II. History**

History is not destiny, but some knowledge of the origins and development of US policing is essential for understanding how police are organized, how they act, and how they are viewed by different communities. Key historic steps include:

- Peele creates 1<sup>st</sup> modern police in London
- US Northern Cities adopt Peele's program
- Southern Slave Patrols
- Frontier experience (e.g. Texas Rangers)/colonial experience (Philippines)
- Progressive Reforms
- Impact of Technology: Phones, Radios, Cars
- Crime Wave of 70s/80s
- 9/11 aftermath

Sir Robert Peel's Policing Principles

<https://lawenforcementactionpartnership.org/peel-policing-principles/>

Peel created the first modern police force in London in the late 1820s. It became the model for most early US police forces created in major cities in the 19<sup>th</sup> century. Peel promoted community policing and unarmed officers, but the underlying purpose was to deal with the perceived threats from workers flooding British cities in the early stages of industrialization.

Dr. Gary Potter, Eastern Kentucky University, "The History of Policing in the United States"

<https://plsonline.eku.edu/sites/plsonline.eku.edu/files/the-history-of-policing-in-us.pdf>

A good 15 page summary of US policing history, emphasizing the role of police in protecting property and key economic interests and managing perceived dangerous elements, such as immigrants and minorities. Highlights the dual origins of police: northern cities imitating British policing, and southern slave patrols. Discusses police reforms in the progressive era and the impact of new technologies—telephone, radio, automobiles—in creating a more 'professional' force. Includes a useful set of sources.

Olivia B. Waxman, "How the US Got its Police Force," Time, May 2017

<https://time.com/4779112/police-history-origins/>

Short summary. Highlights the use of police to support urban political machines.

Encyclopedia Britannica, "Early Police in the United States"

<https://www.britannica.com/topic/police/Early-police-in-the-United-States>

Another good summary that compares English and US practices. Discusses corruption in early policing, and the important role of the US frontier experience with armed vigilantes and anti-Indian militias preceding and shaping the creation of regular police forces. Good overview of 20<sup>th</sup>-century reforms that moved away from community policing, in part to combat corruption, and the impact of Prohibition.

The History of the Police

[https://www.sagepub.com/sites/default/files/upm-binaries/50819\\_ch\\_1.pdf](https://www.sagepub.com/sites/default/files/upm-binaries/50819_ch_1.pdf)

Aimed at teachers and scholars, includes discussion material and sources. (Includes individual academic articles: "Southern Slave Patrols as a Transitional Police Type," by Philip L. Reichel; "The Evolving Strategy of Policing," by George L. Kelling and Mark H. Moore)

### III. What We Can Learn From Other Countries

Other developed countries have police forces with greater community trust and much lower levels of use of force. Key differences include better training and higher standards for recruitment, higher pay, a non-militarized culture, low levels of gun ownership, and stronger social programs that do not involve policing and take the lead to deal with individual and community problems. Other countries with histories of abusive police have experimented with ways to restore trust.

Yasmeen Serhan, Atlantic, June 2020, “What the World Could Teach America About Policing,” <https://www.theatlantic.com/international/archive/2020/06/america-police-violence-germany-georgia-britain/612820/>

Short look at several examples of foreign practices—dismantling, training, strong centralized standards—that could inform US reforms.

Melissa Godin, Time, June 2020, “What the US can Learn from Countries Where Cops Don’t Carry Guns,” <https://time.com/5854986/police-reform-defund-unarmed-guns/>

Looks at 19 countries where officers do not routinely carry weapons.

Sara Miller Llana, The Christian Science Monitor's Europe Bureau Chief, “In Many European Countries Police Rarely Use Their Guns. Here’s Why,” 2015.

<http://www.takepart.com/article/2015/06/29/many-countries-police-rarely-use-their-guns-heres-why>

Examines Germany, England, Canada, Japan and other countries that emphasize alternatives to lethal force in policing.

Amanda Taub, New York Times, June 2020, “Police the Public, or Protect It: For a US in Crisis, Hard Lessons from Other Countries”

<https://www.nytimes.com/2020/06/11/world/police-brutality-protests.html>

Cases where police have lost legitimacy due to bifurcated policing that targets specific communities: South Africa, Northern Ireland, Sri Lanka, Myanmar. Restoring trust is possible but a long and difficult process.

#### **IV. How to Respond**

There are essentially two approaches to changing policing in response to the killing of George Floyd and other African Americans. One is a reform program that largely accepts the current shape of policing but wants to fix key problems to curb racism and excessive use of force. The other is a program of radical change that claims reforms have been tried and failed; instead we need to de-fund or abolish current police and change their missions and capabilities.

##### **Reform**

Matthew Yglesias, Vox, June 2020, “8 Can’t Wait, Explained”

<https://www.vox.com/2020/6/5/21280402/8-cant-wait-explained-policing-reforms>

Overview of influential set of reforms that can be implemented quickly, at low cost, to reduce police violence. Rests on major 2016 study looking at correlations between violence and police policies, “Examining the Role of Use of Force Policies in Reducing Police Violence,”

<https://static1.squarespace.com/static/56996151cbced68b170389f4/t/57e17531725e25ec2e648650/1474393399581/Use+of+Force+Study.pdf>

The President's Task Force on 21<sup>st</sup> Century Policing: Implementation Guide, 2015

<https://cops.usdoj.gov/RIC/Publications/cops-p341-pub.pdf>

Obama administration report in the wake of Ferguson, good summary of 'conventional wisdom' reform proposals. Many lists of reforms, e.g 5 things local government can do, 5 things law enforcement can do, etc.

Law Enforcement Best Practices, Department of Justice, Community Oriented Policing Services, 2019

<https://cops.usdoj.gov/RIC/Publications/cops-w0875-pub.pdf>

Another USG effort undertaken by the Justice Department. Discusses 8 'baskets' of reform: Community Policing, De-Escalation, Crisis Intervention, First-Line Supervisors, Early Intervention, Internal Affairs, Recruitment and Promotion, Data Systems.

German Lopez, Vox, June 2020, "How to Reform American Police, According to Experts"

<https://www.vox.com/2020/6/1/21277013/police-reform-policies-systemic-racism-george-floyd>

Seven reform proposals that many law enforcement experts recommend, including anti-bias training, higher pay, focusing on the worst criminals, greater accountability, etc.

## Radical Change

A Policed People's Account of the State

<https://www.portalspolicingproject.com>

An innovative research project that collected hundreds of conversations about police from people living in impoverished communities and communities of color, showing high levels of awareness of how police violate laws and human rights.

Sean Illing, Vox, June 2020, "The 'Abolish the Police' Movement, Explained by 7 Scholars and Activists"

<https://www.vox.com/policy-and-politics/2020/6/12/21283813/george-floyd-blm-abolish-the-police-8cantwait-minneapolis>

A set of experts responds to 3 questions: 1. What does 'abolish the police' mean; 2. Why a 'pragmatic' approach won't work; 3. Is a radical approach politically feasible?

Kevin Wozniak, Washington Post, July 2020, "Defund the Police is a Debate Over How to Prevent Crime. What do Americans Believe?"

<https://www.washingtonpost.com/politics/2020/07/14/defund-police-is-debate-over-how-prevent-crime-what-do-americans-believe/>

Summary of an in-depth opinion study to see if Americans support social and community programs to deal with crime, as opposed to tougher policing. White Americans are less likely to support this approach in African-American communities.

Mariame Kaba, New York Times, June 2020, "Yes, We Mean Literally Abolish the Police"

<https://www.nytimes.com/2020/06/12/opinion/sunday/floyd-abolish-defund-police.html>

Good summary by a community activist of how past reform efforts have failed (e.g Minneapolis, often seen as a model for modern reforms) and radical approaches are needed that sharply cut police roles and resources, and reduce interactions between police and citizens.

Philip McHarris and Thenjiwe McHarris, New York Times, May 2020, "No More Money for the Police"

<https://www.nytimes.com/2020/05/30/opinion/george-floyd-police-funding.html?action=click&module=RelatedLinks&pgtype=Article>

Article by PhD students gives examples of US communities experimenting with reduced policing and more emphasis on public assistance.

## **V. New Mexico**

It is hard to generalize about a state given the multiplicity of police jurisdictions. What is true for Albuquerque may not hold for Santa Fe or Grants or Roswell. New Mexico does appear to be at or close to the bottom on several key indicators. This is a fast-changing landscape with many jurisdictions discussing police reforms; the legislature debated some changes to law enforcement during the recent special session.

<https://www.abqjournal.com/1266910/nm-ranks-no-1-for-fatal-police-shootings.html>

New Mexico consistently has one of the highest rates of fatal police shootings in the country, according to the Washington Post's annual compilation.

New Mexico in Depth, 2019

<http://nminddepth.com/2019/03/11/nm-lacks-criminal-justice-data-on-race-ethnicity/>

New Mexico does a particularly poor job of collecting basic data on arrests and other encounters with police; it is hard to determine levels of racial or ethnic bias.

New Mexico SAFE

[https://d3n8a8pro7vhm.cloudfront.net/nmpublicsafetyproject/pages/99/attachments/original/1539631285/Latino\\_Decisions\\_NMSAFE\\_Exec\\_Summary\\_%28web%29.pdf?1539631285](https://d3n8a8pro7vhm.cloudfront.net/nmpublicsafetyproject/pages/99/attachments/original/1539631285/Latino_Decisions_NMSAFE_Exec_Summary_%28web%29.pdf?1539631285)

A 2018 poll conducted for the ACLU's New Mexico SAFE project shows broad support for less incarceration and more emphasis on treatment and assistance programs rather than tougher policing.

<https://www.kob.com/albuquerque-news/albuquerque-community-safety-department-asking-for-community-input/5801906/>

In June Albuquerque announced it would create a new Community Safety Department separate from the police to handle certain types of 911 calls and emergencies; the city is working to further define the program.

## **How to Think About Policing and Public Safety**

The response to our present challenges, like our responses in the past, will be shaped by sharply different assumptions about human nature, individual responsibility, and the underlying causes of crime and disorder. Experts such as George Lakoff and Jonathan Haidt who have studied American political beliefs and values have consistently found a coherent set of views that correlate with party affiliation. These views have clear implications for policing.

One view, dominant among conservatives and the Republican Party, sees crime as primarily an issue of individual behavior. People act badly and become criminals because of failure to internalize a strong moral code, manifested in self-discipline, delayed gratification, a strong work ethic, and respect for the law and established social norms. Morality is inculcated via the right kind of family upbringing, which requires a clear image of right and wrong, explicit rules of behavior, and strong punishments for rule

violations. Human beings are naturally weak and prone to sin/selfishness; to be morally good is to gain self-discipline in order to resist our natural urges. Coddling people by overlooking or excusing bad behavior, especially breaking the law, is immoral and damaging, since it teaches that there are no consequences to wrong actions, and ends up producing people who are weak, unable to provide for themselves, and prone to act in ways that are self-destructive and dangerous to others.

A second view, prevalent among liberals and (sometimes) the Democratic Party, sees crime as primarily an issue of social institutions and dominant structures—political, economic, and cultural. People act badly and become criminals because they have been shaped by badly designed or unjust institutions, or other circumstances outside their control. Morality arises from the right kind of upbringing, starting with nurturing families and supportive schools and communities. Human beings are naturally pro-social and cooperative, and if given the right opportunities and support most people will learn to act morally and peacefully. A society with overly strict rules that criminalize a wide variety of behaviors, and an exclusive emphasis on punishments and individual responsibility, warps human development by creating fear and distrust. Similarly, an environment of want, neglect, and lack of necessities—food, shelter, health, education, meaningful work, safety—produces stress, anger and resentment that can lead to crime and anti-social behavior, especially if these lacks are viewed as the result of injustice, such as racial or ethnic bias.

The debate over how to change policing will be shaped by these two views. Calls for de-funding and similar changes are essentially calls to shift from the individualistic worldview, dominant since the crime wave of the 1970s-80s, that deals with crime through deterrence and heavyhanded intimidation (e.g. 'broken windows' policing, stop and frisk); to a communitarian view that emphasizes community involvement and dealing with the 'root causes' of crime. This leads to two approaches: a reformist position that essentially accepts today's policing model but thinks it can be done more efficiently, with less racism, fewer violations of individual rights, and more accountability; and a more radical position that calls for de-funding or abolishing the police in their current form.