

Procedural Justice and Police Legitimacy

2.0



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- In-Service 2017/2018
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Goals and Objectives

21st Century Policing

- Increase community and officer safety
- Define the Pillars of Procedural Justice (PJ)
- Understand the power dynamic of police encounters
- Understand the human components of PJ
- Community perceptions of policing strategies and tactics, use of force
- Recognize the impact of technology on community perception



Quick Review

Fair and Impartial and Procedural Justice 1.0

- All human beings have some level of implicit bias. Being aware of it is how we reduce it
- Human bias and officer safety (i.e. Las Vegas Shooting)
- Understanding Procedural Justice

This Class is Designed to Allow Open Discussion

Listen actively -- respect others when they are talking

Speak from your own experience instead of generalizing ("I" instead of "they," "we," and "you")

Refrain from personal attacks -- focus on ideas. Everyone has a chance to speak as long as it is tasteful

Instead of invalidating somebody else's story with your own spin on her or his experience, share your own story and experience

The goal is not to agree -- it is to gain a deeper understanding

Be conscious of body language and nonverbal responses -- they can be as disrespectful as words

Why are we here?





Procedural Justice



What is Procedural Justice

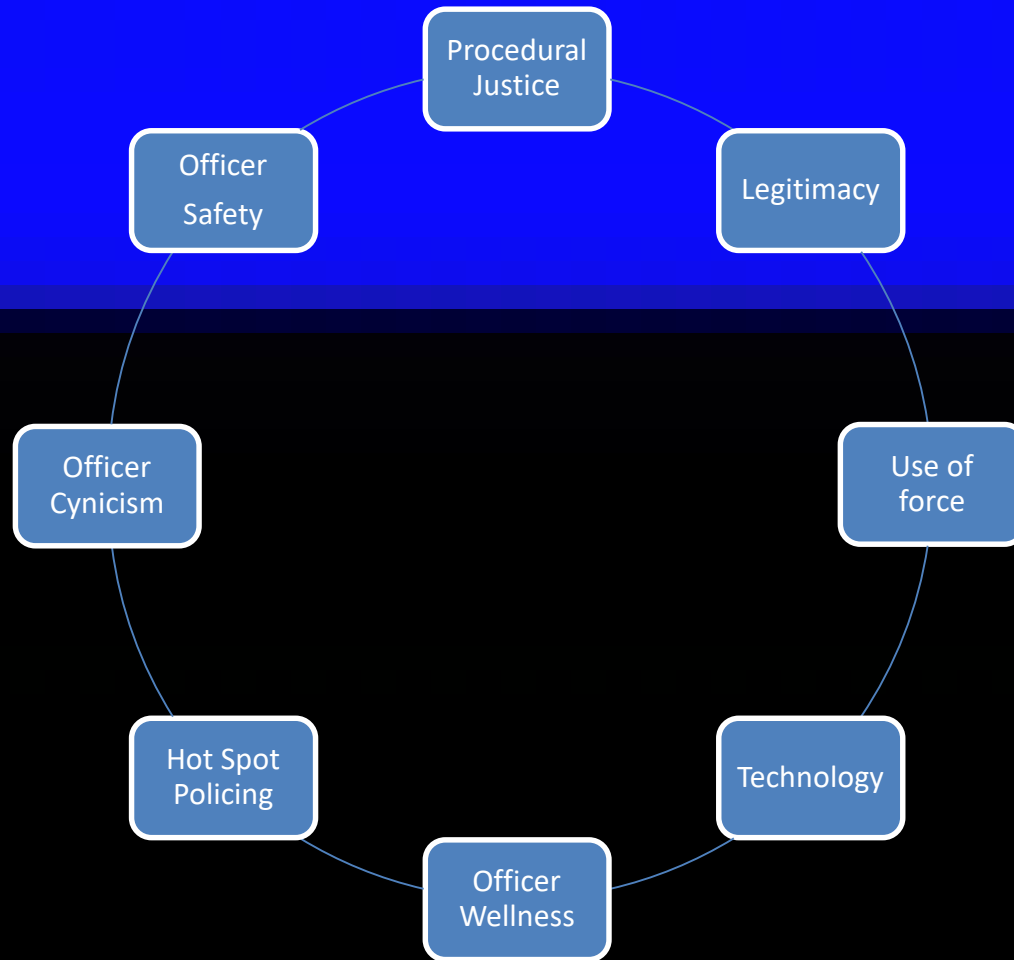


What is Procedural Justice.mp4 - Shortcut.lnk

The President's Task Force on 21st Century Policing



How It All Connects



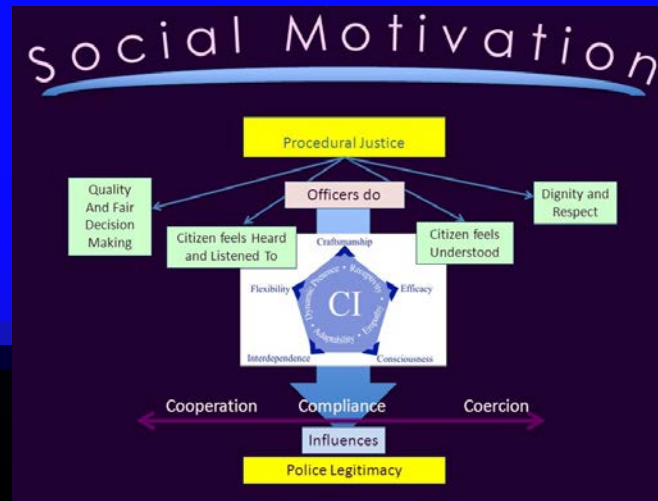
Manifestations of the 4 Principles

FAIRNESS

VOICE

TRANSPARENCY

IMPARTIALITY



The four principles of procedural justice:

Voice

Neutrality

Respect

Trustworthiness

We can all relate to the concept of Procedural Justice



Bad Customer Service Montage.mp4 -- Shortcut.Ink

Banking Analogy

Think about interactions with community as transactions

Positive transactions equal – deposits

Negative transactions equal – withdrawals

The more positive transactions you have with your community the stronger your relationship will be

Procedural Justice

Is Not

- Soft on crime
- Not giving up command
- Not giving up power
- Not easy
- Not risking officer safety
- Procedural Justice is diffusing a situation before it needs to be diffused. The goal is to strive for voluntary compliance



Officer Safety

- ❖ First priority – “Go Home Safe – We talk about this from the moment we put on the uniform – Does this influence the way we police – Change in mindset – everyone goes home safe
- ❖ Hyper vigilant - Size up every call we respond to/ set and reset
- ❖ Officer survival includes most valuable weapon (brain)
- ❖ Can we still practice officer safety techniques and treat a person with respect simultaneously
- ❖ Force is necessary in certain situations/never looks good/don't allow emotions to dictate your behavior/be a professional and don't take disrespect personally

Officer Safety

- ❖ Constitutional issues always arise during incidents/power of arrest/right to search/right to detain and question but should we also be thinking about the fairness of what we are doing
- ❖ Your actions effect officers everywhere – Ferguson – Baltimore- New York – you were not there but it impacted your community and officers
- ❖ When appropriate/without compromising officer safety place yourself in the other persons position and try to understand their point of view/being detained or arrested can be a stressful experience
- ❖ Recognize the tipping point in each encounter

Procedural Justice “Myths”

- The principles of procedural justice require that all people be treated the same way
- A choice must be made between adopting the principles of procedural justice and controlling crime and disorder
- Adherence to the principles of procedural justice will jeopardize officer safety
- A command staff that adopts a customer oriented approach has chosen the community over the cops on the street

Internal and External Legitimacy



Officers who feel respected by supervisors and peers are more likely to accept department policies, understand decisions and comply with them voluntarily.

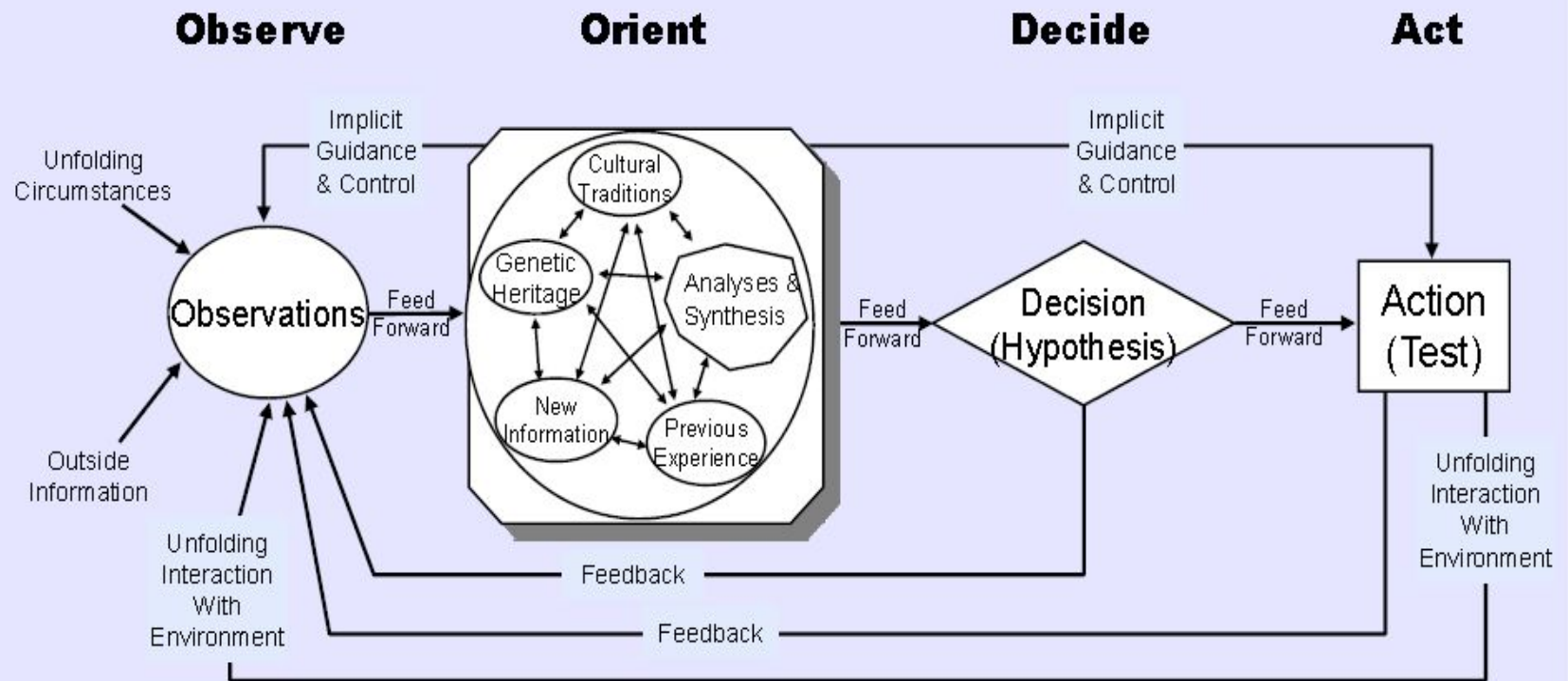


Officers assessment of department, is it fair – special assignments, promotions, discipline, vacation time,



Compare to persons assessment of officer – was he or she fair – was person treated respectfully even though a ticket or some other type of enforcement was implemented

Dynamics of Human Encounters



Police Encounters and Preconceived Notions



Did You Know - Procedural Justice.mp4 - Shortcut.lnk

Improved Police Encounters

Actionable

- Be safe by using good tactics and information
- Find opportunities to use PJ principles
- Be able to orient yourself to the subjects point of view



Roadblocks

What can get in the way of using the principles of procedural justice?



Impact of Stress



Richard Goerling – Awful But Lawful Police Work.mp4 – Shortcut.Ink

Officer Cynicism

- Do you see the world differently as a police officer
- Do you look at people differently
- Do you read situations differently
- Assholes and Bullshit
- How often does an officer let their anger and cynicism cloud their judgment
- Emotional survival for police officers impacts you, your family and the community
- Recognize the effects and counter through officer wellness
- Officer Cynicism causes laziness/creates shortcuts to decisions



COPS



What my buddies think I do



What my mom thinks I do



What kids think I do



What grown-ups think I do



What I think I do



What I actually do

Do Humans Prejudge?

Implicit Bias?



Susan Boyle First Audition - Britain's Got Talent - I Dreamed A Dream.mp4 - Shortcut.lnk

Confirmation Bias



The Self-Fulfilling Prophecy





EXEMPLARY POLICING

THE TOXIC EFFECT OF CYNICISM

Sometimes all an officer sees is trouble. Something can happen to people of goodwill in that environment.

After years of police work, officers sometimes cannot help a certain cynicism creeping into their life. Being shaped by their life experiences.

And that can lead to mental shortcuts, to assumptions,
all of which can tear us apart.

- James B. Comey, Director, FBI

Is the Cynicism Always Justified?



5 Angry Cops Caught On Camera! (Angry Police Officer Caught On Video).mp4 - [Shortcut.Ink](#)

Procedural Justice

The Impact of Police Tactics and
Strategies

Hot Spot Policing

- Where are we policing? based on crime analysis/location of crime, offenders, victims, violence
- Often times in a concentrated area of poor residents and people of color/this increases chance of being stopped by police/how are we performing this type of policing/is Terry being adhered to/are we over policing certain areas and entering a certain segment of the population into the system/if so what impact does that have/is that something police should be aware of
- Residents of those areas are asking for police protection and community safety/how do we balance both

Stop and Frisk

Terry

Rules of Terry – reasonable suspicion based on specific and articulable facts

Difference between encounter and stop

When can we frisk or search

How does Terry impact the community

How does Terry impact an officer

Terry is an important tool used by police to deter crime

How does Terry effect police legitimacy

Does the public understand Terry

Balancing officer safety and fair treatment during a stop



Use Of Force

Police officers are inevitably involved in situations where the use of force is necessary.

The sanctity of human life for all should be at the heart of everything we do.

Everyone goes home safe.

Guardian vs. Warrior

Lawful but Awful (do officers understand the difference)

One incident of unlawful use of force can damage police/community relations – Training and Supervision is imperative

Can it be done?



A Positive Police Interaction.mp4 - Shortcut (2).lnk

Impact of Modern Technology

The revolutionary change in recent years is the ubiquity (very common) of cameras on mobile phones, which millions of people carry with them at all hours of the day and night. The near universal availability of mobile phones, combined with the ability to instantaneously share videos with millions of people through social media, result in a new reality for police, at any time, during any interaction, they may be filmed and the video could go “viral”.

Police interactions that are captured on video, positive or negative effect officers everywhere. Officer safety is owned by every police officer regardless of location.



On Stage- Like it or Not



Massive mob overwhelms school's favorite police officer!.mp4 - Shortcut.lnk

Preparing for your YouTube Debut

- Accept the reality that you will be video recorded
- Mentally prepare yourself. How will you respond. Watch videos of police officers “doing it right”
- Never attempt to seize or interfere with someone recording unless authorized by a supervisor



Make the Most of It



Cops Who Woke Up On The Right Side Of The Bed.mp4 -- Shortcut.Ink

Case Study

Officer Brady is working his fourth double in a row because he is behind on his bills and has financial stress. He receives a call to respond to 12 Patriot Way apt. 3 for a loud party. To reach the third floor several stairs must be traveled. He has been neglecting his officer wellness program and is extremely out of shape. When he arrives at apt. no. 3 he is greeted by Bill B. At this point officer Brady is in no mood to negotiate a resolution because he is mentally and physically exhausted and Bill B must be a jerk if the police were called to his house. Officer Brady immediately orders Bill in a derogatory manner to shut the music or “else”. Bill does not immediately comply and ask officer Brady why he is speaking to him that way. Officer Brady tells Bill as he is grabbing him that I am the police and that’s “why”. During the scuffle Bill suffers a broken arm and is placed under arrest for disorderly conduct. The whole incident is recorded on a phone by one of Bill’s guest.

Police Tactics

Actionable

Transparency

- Develop a culture of transparency
- Consider Participate in the President's Police Data Initiative (PDI)
- Individual officers should proactively explain the actions they are taking and why

Communication

- Embrace social media and other ubiquitous web-based platforms. Develop a strategy to drive traffic to your social media platform
- Notify your community about new initiatives. Clearly outline specific goals and performance measures

Feedback Loop

- Create an easy method for the community and line officers to provide feedback to include anonymous submissions
- When possible talk about instances then the feedback resulted in change
- Command Staff presence at community meetings and on the ground during operations to demonstrate the importance placed on feedback

President's Task Force Report

“Trust between law enforcement agencies and the people they protect and serve is essential in a democracy . It is key to the stability of our communities, the integrity of our criminal justice system , and the safe and effective delivery of policing services”.

This is Nothing New

“In a republic that honors the core of democracy- the greatest amount of power is given to those called Guardians. Only those with the most impeccable character are chosen to bear the responsibility of protecting the democracy”

PLATO



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Questions

