

## Reducing Police Violence in the US

By Marc Brenman  
IDARE LLC  
Mbrenman001@comcast.net

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It's a very hard thing to figure out what to do about reducing police violence in the US, especially reducing and eliminating racist violence. These issues keep coming to our attention largely because of undue and inappropriate police violence against unarmed African-American men. Recording of videos on cellphones and subsequent distribution on social media have made these tragedies much more public and apparent. These tragedies have been occurring for a very long time. Progress has been spotty and inadequate.

In classic strategic planning, we talk about what to stop doing, what to do more of, and what to do less of. There appear to be issues of organizational culture, where a substantial number of police departments are disconnected from morals, ethics, humanity, cultural competence, and the surrounding communities. Clearly, if an organization is being overtly discriminatory, they should stop doing that. But most of us aren't overtly discriminatory, so our connection to the larger society must be producing discriminatory effects. The issues are complicated by the fact of about 19,000 largely independent police departments in the US.

It helps to start by admitting there is a problem. Like all societal problems, they are complex, with connections, externalities, spillover benefits for some people, historical antecedents, complexities, etc. America still suffers from the vestiges of slavery, Jim Crow, white supremacy, institutional racism, and discrimination. The disparities between white and Black communities in wealth, education, health, housing, and incarceration are large.

Where's the causality for police violence? If the violence were random, then many fewer African-Americans would be victimized. What responsibility and blame do we as ordinary citizens have? Choking a Black man to death is clearly wrong. So is setting fire to a police station. So is looting. So are the disproportionately adverse effects of the Covid pandemic on the Black community. Most people have a breaking point. For you or me, it might be for defense of our children. The Black community feels particular frustration because these tragic incidents have been happening since the invention of Black slavery in North America in the 1600's. The horrible experiment of cutting people off from their families, culture, religion, language, education, and tribe succeeded in creating a group of people who became unmoored to those values. Is it surprising that sometimes they will become fed up and rebel?

But while we discuss African-Americans, we need to be clear that there are indeed outsiders in the violent demonstrations. Historically, these outsiders have included faux Anarchists, who are mostly young, white, wear black, wear masks, and like committing violence like breaking windows and starting fires. They believe that the "system" must be destroyed.

Urban rebellions must be understood as complex, deliberate mechanisms through which the desperate seek political recourse they feel they cannot get by other means. By understanding the texture of these modern rebellions, activists, elected officials, and policymakers can hope to find solutions that improve upon past failures. The pandemic is making conditions much worse. Fifty years ago the Kerner Commission (officially the National Advisory Board on Civil Disorders) following long hot summers of racial rioting concluded that America was “moving toward two societies, one black, one white — separate and unequal.” These findings are still true:

- African-American unemployment is consistently double the white rate, and Black workers are crowded into the lowest-skilled and least-well-paid occupations.
- “Redlining” by mortgage lenders restricted the areas in which Black urban dwellers could live, resulting in overpriced, overcrowded and inferior housing.
- Black students experienced de facto segregation, lack of Black teachers, overcrowded schools, and biased school boards.

One would hope that after all the horrible incidents and tragedies, the 19,000 police departments in the US would have de-escalation policies and training. De-escalation means using non-violent means to prevent police use of violence, like using guns. Instead, some police departments keep making things worse. It is time for local elected officials to stop appointing recalcitrant police chiefs. When hiring police chiefs, their records should be examined, their references checked, and they should be asked questions about how they would issue orders and provide training to their blue suits about how to react in troubled circumstances.

The power of police unions also needs to be decreased. Police unions almost always cover up for their members.

The legal standards for justifying police violence need to be changed to provide less of a shield for misbehaving police.

Police action records need to be released to the public.

Police cameras need to be used more, and turned off less. The film needs to be released to the public.

Applicants for jobs as police officers need to be tested for racism, authoritarianism, and high control needs, and rejected if they score high. Such psychological tests exist. About 80% of police departments already use psychological tests, but clearly they are the wrong tests and/or the results are not be used for employment decisions.

It is possible that the wrong people are doing police work. Too many men inclined to shoot first and ask questions later. Men inclined to feel under fatal threat. Men inclined to misperceive reality. Men with very high control needs.

More racial diversity on police departments will help, but studies show not by much. Hiring more female officers can help. Female officers are less likely to use excessive force. When a police department cultivates a diverse workforce, preferably hiring from the community it serves,

it doesn't just send a message of equality to that community. It also creates the conditions within the department for contact between groups that can reduce negative implicit bias among officers, particularly when the leadership makes a special effort to facilitate dialogue and positive experiences.

In Deborah Levine's and my book, *When Hate Groups March Down Main Street*, on community response to neo-Nazis and extreme rightwing groups, we include a chapter on what police departments can do. Each chapter has recommendations.

Teach your children well. Instill good morals, ethics, and values about equality and fairness. Set an example by treating everyone fairly.

In the workplace, become an advocate for diversity, equal employment opportunity, and affirmative action.

Contribute to the campaigns of Democrats running for office at all levels, especially the US Senate, and vote for Democrats.

Support civil rights law enforcement agencies.

Work at a local level to create civilian police review boards that have real power over the police; not just advisory boards. The police are a particularly hard nut to crack, because there are about 19,000 police departments in the US, and most act very independently. Partly we members of the public bear responsibility because we want the police to maintain social order and social control. We call the police when society gets out of order, regardless of actual laws or lawbreaking. They're not equipped to do all the things we want them to do, like be mental health first responders. The thresholds for identifying an incident as needing social control may be too low and/or too discriminatory.

When the paradigm shift to seeing police work as maintaining social control happens, a major role of police should become engaging with the public, and not alienating people. There is great and reasonable mistrust in the African-American community for police. How can that be overcome? In international negotiations, experts speak of "trust-building exercises." It is sometimes best for an officer to simply pause if his or her presence is causing unreasonable, but not necessarily illegal, behavior. Ask open-ended questions, paraphrase what a person has just said so that he or she knows the officer is listening, and make statements that connote empathy with the person's situation. Allowing suspects to explain their side of the story can reduce compliance issues.

There is a slowly emerging [procedural fairness](#) methodology of policing, which emphasizes real-time explanations to civilians of why police are taking particular actions. This seems to be a superficial change that is consistent with changing present, race-based targeting of suspects.

Police officers sometimes punish disrespect because they believe "a challenge to their respect is a challenge to their manhood." For many police officers, disrespect requires an escalation in force. Such escalation is commonly known as ["contempt of cop."](#) Being found in contempt of

court is a punishment for disobeying a judge. “Contempt of cop” occurs when an officer punishes a person for failing to comply with her request.

Stereotypes about the criminality of Black communities affect a police officer’s decision to shoot a suspect. Racial bias training can address the preconceptions and subsequent racially based brutality. After extensive training with a computer simulator in which the race of the suspect was unrelated to the presence of a weapon, a Florida State University study showed that officers were able to reduce their biases. In a separate study, California officers also found that listening to the community and giving suspects time to explain their side of the story reduced compliance issues and increased cooperation. How do we train police officers to avoid making fatal errors? One theory of discrimination is that it is a subset of bad thinking.

Sometimes the punishment takes the form of being charged with disorderly conduct, resisting arrest or a similarly amorphous crime simply for verbally standing up for one’s rights. Sometimes it takes the form of physical force.

Police, at least in theory, are trained to avoid racial profiling. The same can’t be said for the public. If a citizen calls to report a suspicious person, police are suddenly forced into a situation that could stem from the ignorance or racism of an anonymous caller. Ignorance, which comes from all races, does not lend itself to effective community policing. Unfortunately, the age of the knowledgeable local foot officer is over.

Does the color of the driver tip the observation toward a perceived need to make a stop? At what point does the police officer make a decision to shoot his gun? Each decision point can be examined, and, where discriminatory decisions are made, we can look for ways to break the chain of causality. Right now, many African-American parents (for example) are taking on the burden of trying to break the chain of causality by giving and practicing "The Talk" (telling their children to be extra careful around police) to their children, exercising extreme caution when dealing with police, because the police are fragile or possess impaired decision-making abilities, or are fatally equipped with lethal force and the "right" to use it. Police, like gun owners and users generally, need to take on much more responsibility and accountability for their decisionmaking. There needs to be more hesitation and de-escalation, and more use of alternative dispute resolution. Police generally possess an incorrect belief that their decisions must be made extremely quickly, or their lives will be in danger. In reality, the job of police officer is less dangerous than being a farmer, a lumberman, or a construction worker. Daniel Kahneman writes about the approach of thinking more slowly in "Thinking Fast and Slow."

We need more avenues to resolve perceived disputes that don’t really involve criminal laws. For example, we could use neighborhood boards or mediators. For a view of what life is really like for a police officer, read Peter Moskos’ book *Cop in the Hood*. The author was working on a PhD at Harvard in sociology and wanted to study a police department. He wrote to many, but only Baltimore accepted him, on the condition that he go to the police academy and serve a year on the beat as a uniformed patrol officer. He did.

An ideal today is “democratic policing,” a concept developed by scholars like Gary T. Marx at MIT. Broadly, this refers to a police force that is publicly accountable, subject to the rule of law,

respectful of human dignity and that intrudes into citizens' lives only under certain limited circumstances.

Police should be banned from shooting at fleeing nonviolent suspects, firing warning shots into the air and shooting at cars.

A formal inquiry should be conducted on every firearms discharge by police. Officers who fire their weapon should be interviewed afterward by a panel of firearms trainers and other senior officials with the power to impose punishment for breaking rules, and determine why the shooting happened and how training should change in response.

Prosecutors should be very separate from police.

Annual refresher firearms training should be converted from target practice to role play simulations with actors in a mock apartment building, in a series of shoot-don't shoot scenarios, with mock guns drawn. Training should start by sending officers into scenarios where they have to solve problems without recourse to lethal force. In such simulations, police learn through such training to defuse situations that previously would have led to gunfire. Police officers need better training in "threat perception failure" (T.P.F.). These failures occur when the officer(s) perceives a suspect as being armed due to the misidentification of a nonthreatening object (e.g., a cell phone) or movement (e.g., tugging at the waistband).

A German police academy offers intensive study in psychology, government and history with an emphasis on the inhumanities and injustices of the Nazi regime. Copies of complaints made against police officers are studied by recruits so they can avoid repeating past mistakes. The need for human understanding is underscored and recruits are alerted to the dangers of prejudice and stereotyping. There is an excellent curriculum developed by the US Holocaust Museum and the Military Academy at West Point for cadets and young officers using Nazi crimes to teach ethics.

Police department officials should treat a lack of police shootings as a reason to promote an officer rather than a sign he or she was insufficiently tough.

Police violence should be treated as a public health problem. The police are one part of a criminal justice ecosystem with many parts, including problems with defense, prosecution, juries, judges, and mass incarceration. Schools contribute to the problem by kicking misbehaving students out, instead of keeping them in school. Once the youth are on the street, they are more likely to break laws.

Data on traffic stops, stops, frisks, searches, and arrests by race should be collected and analyzed. If disproportions are found compared to prevalent in the population, find out why. Creating a collective empirical picture of bias at work can raise awareness. The San Jose Police Department faced concerns that officers conducted pedestrian stops in a way that disproportionality affected young men of color. The San Jose PD had their data analyzed with the focus on officer interaction, a process that raised awareness within the department of the existence of bias. The report concluded that officers have a significant impact on the "culture" of equitable treatment. The Las Vegas Metropolitan Police Department evaluated their use-of-force data and identified a

specific interaction that was resulting in excessive force: foot pursuits, especially with young men of color. They made a simple policy tweak that proved to be enormously effective: if you are the pursuing officer, you are not the same officer that puts the handcuffs on the suspect. This training policy adjustment disrupted the strong emotions that are often felt by both the officer and individual being arrested, who might have feelings of fear or anger that can lead to unnecessary resistance and subsequent violence. In creating this approach, Las Vegas reduced its use of force incidents following a foot pursuit by 23%. This kind of policy evaluation and change not only reduced use of force but also proved to be a safer approach to apprehending the suspect.

A French police recruit goes through six months of training that structures his or her allegiance so the officer is first a citizen, second a civil servant, and finally a police officer. Before a French candidate can become an officer he or she must go before a jury consisting of several police supervisors, a judge and a university professor. In Sweden, police trainees undergo a 10-month program devoted to a broad spectrum of subjects. Law and social studies make up a substantial part of the curriculum. Their civics text opens with Lincoln's famous quotation that democracy is government of, by and for the people, and then goes on to emphasize such concepts as civil liberties and minority rights. In Finland police can't carry guns the first 3 years on the job. Current US Army doctrine, is heavy on cultural competence, avoiding unarmed and civilian casualties, holding your fire until you know what you're shooting at, taking orders from the chain of command, fire discipline, identifying friend or foe, etc.

Mandate Peace Officer Standards and Training Commission in every state.

The militarization of police in the US is a major problem. They sometimes act like an occupying army. There should be rules that prohibit officers from using force against people simply for talking back or as punishment for running away. Pistol whipping should be prohibited, as is firing warning shots.

Reinstate the US Dept of Justice's Community Policing program. This is an approach that encourages officers to build relationships with the people in the neighborhood, including getting them out of their cars on onto the sidewalks. This is potentially a two-way street, because it may reduce the biases that residents hold against the police as well as those police hold against residents.

Reinstate DOJ's review of police departments.

Require universal use of dash cameras in police vehicles.

Incentivize proper behavior by police, as explored in books like Nudge, and by behavioral economists.