



# Cleveland Division of Police IN-SERVICE TRAINING 2018



# Procedural Justice and Police Legitimacy (PJ1)



National  
Initiative for  
Building  
Community  
**TRUST &**  
**JUSTICE**

## Housekeeping:

- Keep your cell phones on silent
- Have an open mind
- Participation is encouraged
- Be respectful of other's opinions
- Everyone has something to offer





# Welcome!

*Thank you for being here*



Policeman - By. Paul Harvey (Tribute to our Police Officers).mp4



## Objectives:

- Understand and employ Bias-Free Policing
- Provide officers with tools to combat implicit bias
- Provide officers with a basic understanding of the new Bias-Free Policing policy





## The Interactive Nature between Legitimacy, Procedural Justice, and Goals in Policing



# Procedural Justice and Police Legitimacy



## Definitions:

**Legitimacy:** The public view the police as entitled to exercise authority in order to maintain social order, manage conflicts, and solve problems in the community.

**Procedural Justice:** The procedures used by police officers where citizens are treated fairly and with proper respect as human beings.





## Procedural Justice Leads to Legitimacy:

- When police officers give citizens a voice (listen) and are objective and respectful, police officers gain the trust of the citizenry.
- The procedural justice process of fairness and respect leads citizens to view the police as legitimate and trustworthy.



# Procedural Justice and Police Legitimacy



## Why Are We Here?

When utilizing procedural justice and gaining legitimacy, police officers reap many benefits:

- Increased safety
- Lowered stress levels
- Fewer complaints
- Greater cooperation from citizens
- Voluntary compliance
- Reduced crime





## What are our goals in policing?

- Maintain social order.
- Prevent crime, stop crime (to be fair and impartial).
- Ensure constitutional rights.
- Secure safety, effectiveness, and support.
- Serve and protect the public.
- Generate and hold public trust.

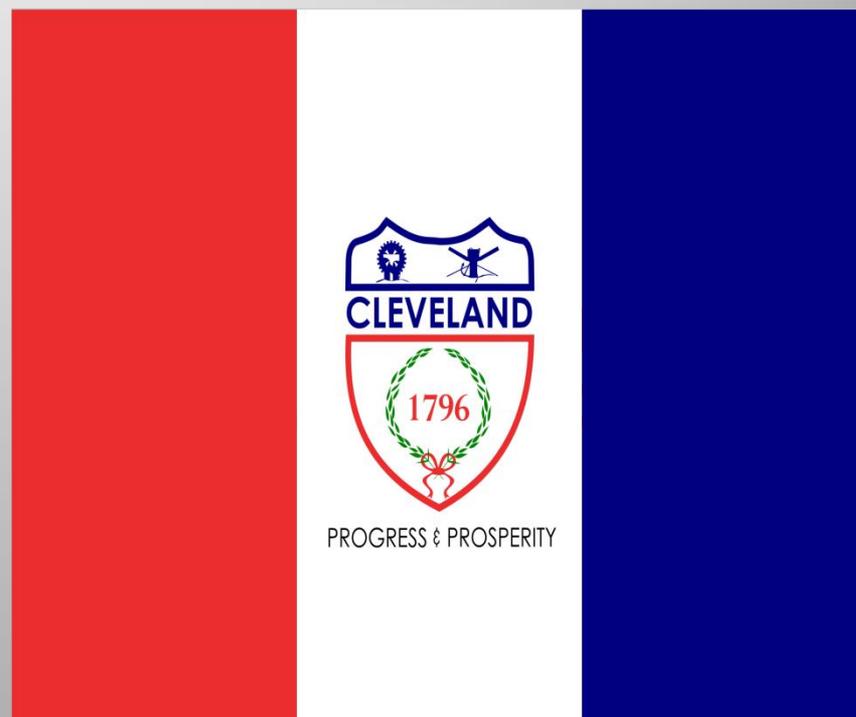


# Procedural Justice and Police Legitimacy



## Cleveland Division of Police Mission Statement

The mission of the Cleveland Division of Police is to serve as guardians of the Cleveland community. Guided by the Constitution, we shall enforce the law, maintain order, and protect the lives, property, and rights of all people. We shall carry out our duties with a reverence for human life and in partnership with members of the community through professionalism, respect, integrity, dedication and excellence in policing.



# Procedural Justice and Police Legitimacy



Law Enforcement Stressors



COP

Street

Time



Untrust  
Control  
Less-  
Emotional

See

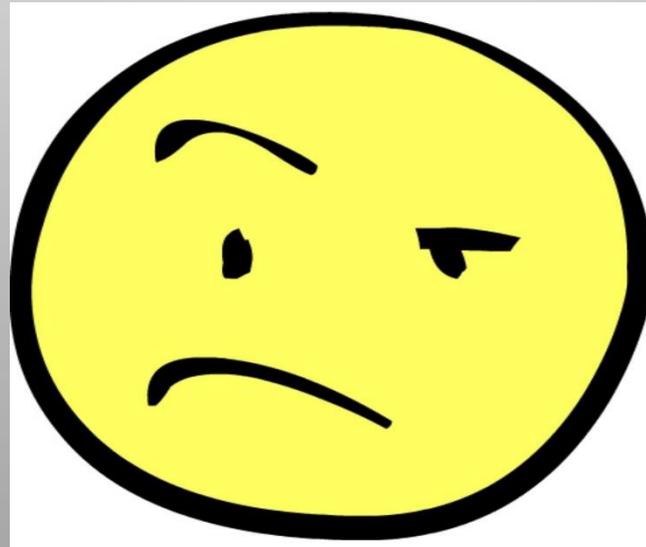
See

Department

Family  
#1 Priority



# Cynicism



# CYNICISM



Sobol (2010) found that:

“Officers become cynical when they encounter citizens who do not cooperate and when they see the criminal justice system fail to remedy deviance” (p. 482).

# CYNICISM



This addresses that fact that officers become cynical when they perceive systemic functions in the criminal justice system that tend to invalidate their hard work, and when offenders do not receive the punishment or rehabilitation that the judiciary was set up to administer.

# CYNICISM



Cynicism starts to set in when the officer begins to feel that they have little to no control in policing.

They use terms and phrases such as:

- “We are handcuffed!”
- “We can't be the police anymore!”
- "No one listens to us anymore!"

# EFFECTS OF CYNICISM



Decreased work performance is a sign that an officer or group of officers have lost the emotional battle that comes with being a police officer.



## “Us” vs. “Them”:

“Real World”  
for police= 3-  
6% of the  
population

In reality, 94-97%  
of the population  
Is law abiding



## Expectations Exercise:

- What does the community EXPECT/want from police officers? (Group 1)
- What do police officers EXPECT/want from the community? (Group 2)

## Expectations Exercise - Group 1:

### What does the community expect...

- Service, protection
  - Peace keeper
- Lawfulness
  - Enforce laws
  - Exemplary behavior
- Fairness
  - Impartial process
  - Unbiased policing
- Partnership
  - Respect
  - To solve problems
- Trust





## Expectations Exercise - Group 2 :

What do police officers expect...

- Acceptance of our authority
- Compliance with:
  - The law
  - Orders
- Cooperation
- Information
- Responsibility
- Respect
- Trust





## How Can the Community and Police Work Together to Fight Crime?

Can the police fight crime without the community?

Legitimacy and procedural justice lead to the community helping the police.





## Why Do People Obey the Law?

- Deterrence
  - Expensive
  - Must follow through with punishment
- It is the right thing to do.
- Police have the right to tell citizens what to do.
  - (public trust and legitimacy)

**Research shows overwhelmingly**  
**that the latter two are true!**



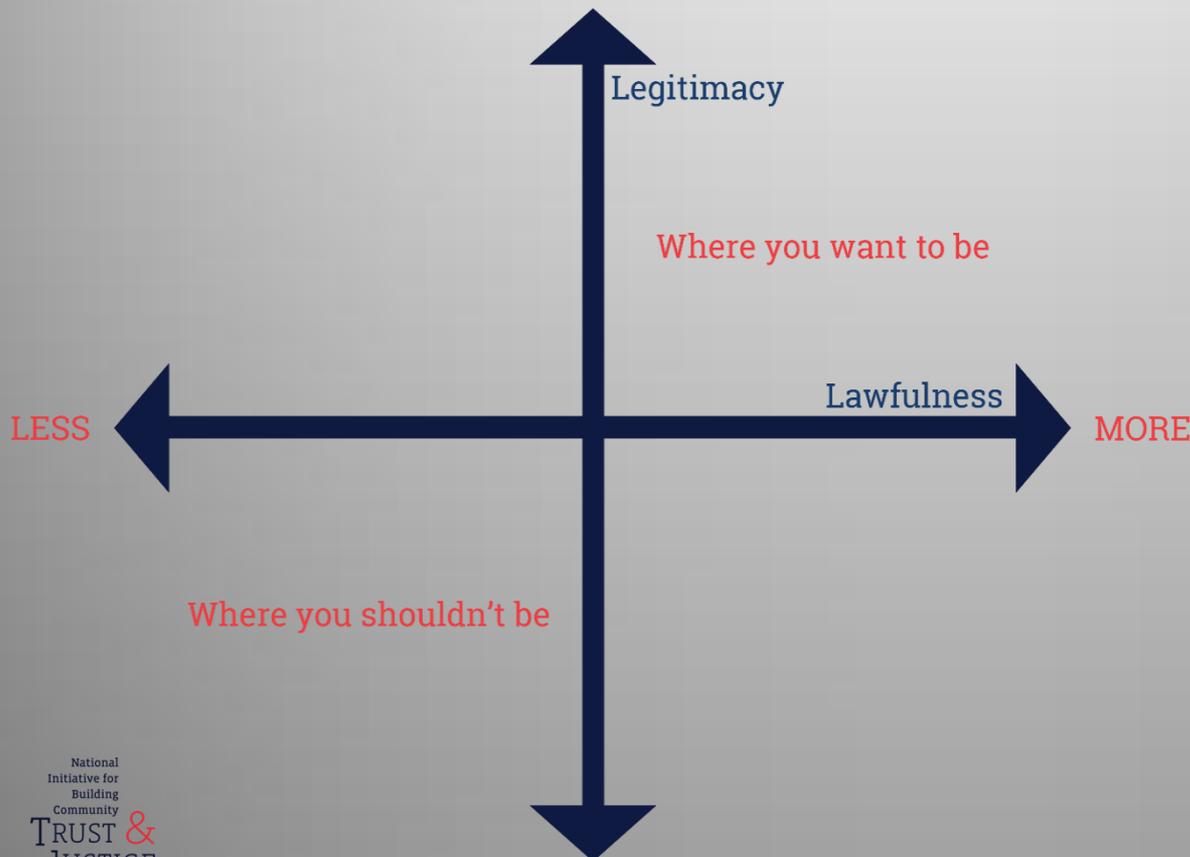
## Legitimacy:

- How do we gain it?
- The four principles of procedural justice:
  - **Voice** (listen)
  - **Neutrality** (be fair)
  - **Respectful treatment** (be respectful)
  - **Trustworthiness** (fair and transparent process)





## Lawfulness vs. Legitimacy: Are Police Actions Lawful and Legitimate?



People are more concerned with how they are treated by the officer than they are about the outcome of the stop. They look for clues that the officer made a decision fairly and without bias.



## Procedural Justice- VOICE:

### Quality of decision-making...**Voice**

- Allowing the participant to voice their point of view or offer an explanation
  - Active listening by the officer
  - Allow them to talk
- Having a voice makes people feel that they are a part of the process and that they have input in the decision, even if it does not impact the decision.

## Voice Contributes to Officer Safety:

- People want to be **heard** and **understood**.
- **Non-verbal** communication is just as important as verbal.
- The subject's **perception** is what counts; don't argue.
- **It's not about you**; it's more about values, feelings, and experiences.
- Emotions are universal, experiences are not.
- With every story, there is an emotion.

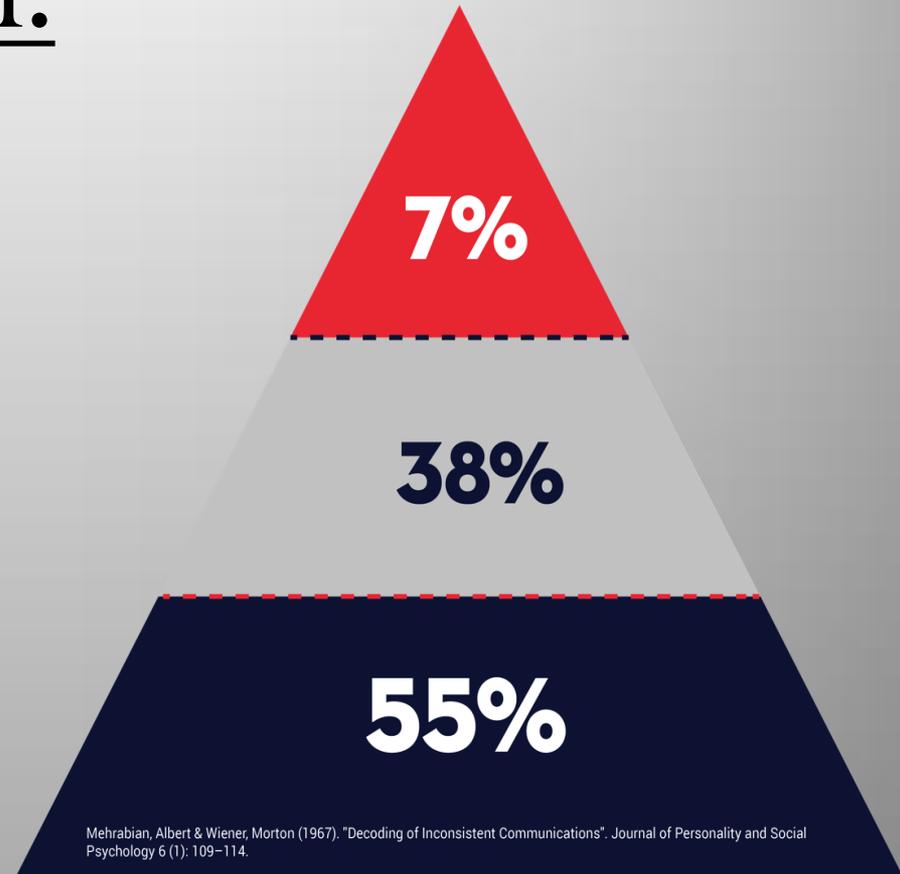




## Voice Breakdown:

**Under stress, non-verbal communication becomes dominant:**

- **Verbal** communication accounts for **7 percent** of information communicated
- **Tone and volume** account for **38 percent** of information communicated
- **Body language** accounts for **55 percent** of information communicated.



Mehrabian, Albert & Wiener, Morton (1967). "Decoding of Inconsistent Communications". Journal of Personality and Social Psychology 6 (1): 109-114.



## Labeling Exercise:





## Quality of Decision-Making: NEUTRALITY

- Employ decision-making that is “neutral”.
  - Exhibits neutral feelings toward the person through non-verbal cues. (Ask yourself: What message am I sending?)
  - Follow unbiased decision-making.
- The decision is not based on personal bias.
- Make consistent and transparent decisions.
  - Apply the decision equally and to all.
- Allows people to see the decision has been neutral.
- Explain why a person has been stopped; explain the process (transparency).



## Quality of Treatment: RESPECT AND DIGNITY

- Respect for the person; respect for one's rights
- Treating a person with dignity validates him/her them as a human being.
- Showing empathy to the importance they he/she places on the issue involving the police shows respect.



**Quality treatment results in voluntary compliance!**



## Quality of Treatment Leads to TRUSTWORTHINESS:

- Listen to people.
- Consider their side of the argument.
- Take their needs and concerns into account (benevolence).
- Explain the decision/action.
  - This demonstrates that you have listened to them and considered their needs and concerns.
  - In doing so, you gain legitimacy for yourself and the Department.

**Doing what is right gains compliance!**



# SCENARIO # 1



J.T. Video bob marley.MP4



J.T Video CSU.MP4



J.T. Video Hoodie.MP4

# Policing encounters are evaluated by:



- Gauging transparencies about the reasons for the police encounter
- Explaining in advance what will happen during the police encounter
- Giving the citizen a voice during the encounter (even if it has no bearing on the result of the encounter)
- Providing high quality interpersonal treatment that raises the possibility that a citizen will conclude that the officers' decisions are fact-based as opposed to arbitrary



Dragnet 2.mp4



## Historical and Generational Effects of Policing



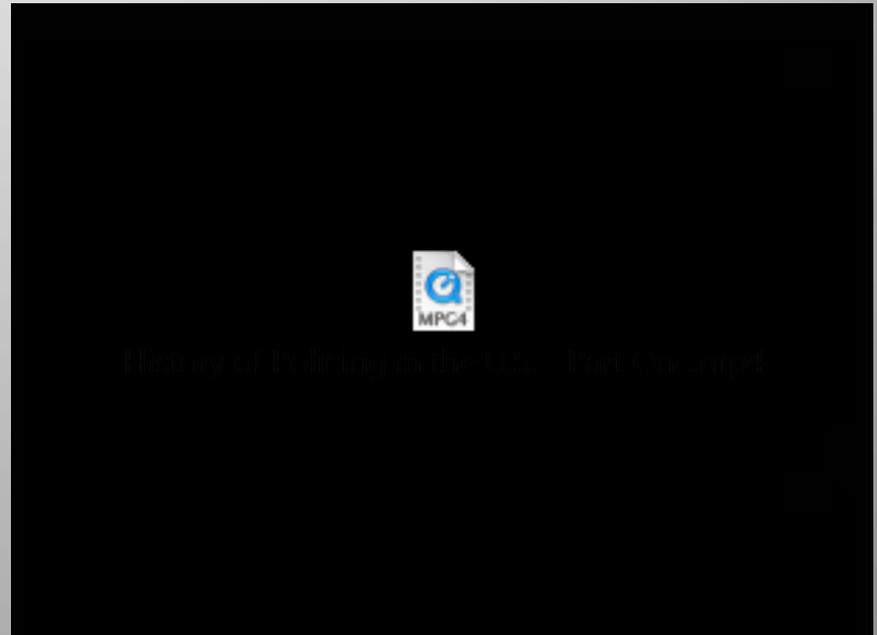


## Historical Effects - Video

### **A Brief History of Policing in the United States**

By Bonnie Bucqueroux

What role does the  
history of policing play in  
how the community  
views police legitimacy?



## How Did We Get Here?

- The Fugitive Slave Act of 1793 was a federal law that was written with the intention of enforcing Article 4, Section 2 of the United States Constitution.
- It declared that all runaway slaves were, upon capture, to be returned to their masters, even if they were captured in free states.





## Expectations and Legitimacy





## Community Bank Account

- Are we making deposits or withdrawals?
- What is the impact of a withdrawal to YOU? The Department? The community?
- What impact does our policing have on future generations?
- Procedural justice is a deposit!





## Deposit or Withdrawal? – Video

Traffic stop video (part 1)





## Deposit or Withdrawal? – Video

Traffic stop video (part 2)



# DATA COLLECTION



- Data collected will be Use of Force data
- Crisis Intervention Team (CIT)
- Community and Problem Oriented Policing (CPOP)
  - Investigatory Stops
  - Injury Investigations
  - Search and Seizure

# 2017 DATA COLLECTION



- 237 U.O.F. incidents involving 516 officers
- CDP reported 314,963 calls last year
- 6 deadly force incidents
- Arrests/CFS  $18086/314963=5.7\%$
- UOF/Arrests  $237/18086= 1.3\%$

# DATA COLLECTION (Cont'd)



- UOF Incidents compared to CFS  
( $237/314963=0.08\%$ )
- Use of deadly force incidents 6  
( $6/237=2.5\%$  of all uses of force incidents)
- Use of deadly force incidents compared to arrests  
( $6/18086=0.03317\%$ )
- Use of deadly force incidents compared to CFS ( $6/314963=0.0019$ )