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# THE POLICY CIRCLE

## UNDERSTANDING LAW ENFORCEMENT



# ➤ UNDERSTANDING LAW ENFORCEMENT ◀

PUBLIC DEBATES AROUND LAW ENFORCEMENT DEAL WITH KEY QUESTIONS ABOUT THE ROLE OF GOVERNMENT AND ENSURING ACCOUNTABILITY FOR PEOPLE AND INSTITUTIONS GRANTED LARGE AMOUNTS OF POWER AND RESPONSIBILITY.

THIS NEED FOR PUBLIC SAFETY ALSO HAS TO BE BALANCED WITH THE RIGHTS OF PEOPLE ACCUSED OF A CRIME AND THE NEED TO PREVENT ABUSES AND OVERREACH OF POLICE POWER. FIVE OF THE TEN CONSTITUTIONAL AMENDMENTS THAT MAKE UP THE BILL OF RIGHTS INVOLVE THE CRIMINAL JUSTICE SYSTEM IN SOME WAY, INCLUDING THE RIGHT TO TRIAL BY JURY FOR PEOPLE ACCUSED OF A CRIME, A BAN ON CRUEL AND UNUSUAL PUNISHMENT, AND REQUIREMENTS FOR SEARCH WARRANTS THAT PROTECT AMERICANS FROM UNREASONABLE SEARCHES AND SEIZURES BY LAW ENFORCEMENT.

EVERY LEVEL OF GOVERNMENT HAS A ROLE TO PLAY IN AMERICA'S LAW ENFORCEMENT SYSTEM, FROM LOCAL POLICE DEPARTMENTS AND COUNTY SHERIFFS TO STATE POLICE AND NATIONAL AGENCIES LIKE THE FEDERAL BUREAU OF INVESTIGATION (FBI).

EXAMPLES OF EXCESSIVE USE OF FORCE BY POLICE OFFICERS, AS WELL A RECENT INCREASE IN CRIME THAT BUCKS THE TREND OF 30 YEARS OF DECLINING CRIME RATES MEAN THAT THE PROPER ROLES, RESPONSIBILITIES, AND RESTRAINTS OF LAW ENFORCEMENT ARE KEY POLITICAL ISSUES FOR COMMUNITIES ACROSS AMERICA.

# ➤ FACTS TO KNOW ◀


THERE ARE MORE THAN 600 LAW ENFORCEMENT ACADEMIES ACROSS AMERICA THAT TRAIN OFFICERS FOR 19,000 DIFFERENT LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES. THERE ARE AROUND 700,000 STATE AND LOCAL POLICE OFFICERS WITH POWERS OF ARREST. NATIONWIDE, THERE ARE 2.2 LAW ENFORCEMENT OFFICERS PER 1,000 AMERICANS.

THE FEDERAL GOVERNMENT IS THE LARGEST PROVIDER OF POLICE TRAINING THROUGH THE DEPARTMENT OF HOMELAND SECURITY'S FEDERAL LAW ENFORCEMENT TRAINING CENTERS. OF THE 700 HOURS OF AVERAGE TRAINING FOR POLICE RECRUITS, ABOUT 60 HOURS ARE DEDICATED TO FIREARMS TRAINING AND 50 HOURS TO SELF-DEFENSE TRAINING. IN CONTRAST, FEWER THAN 30 HOURS ARE DEDICATE TO COMMUNITY POLICING, SUCH AS MEDIATION SKILLS, CONFLICT MANAGEMENT, AND HUMAN RELATIONS.

IN A JULY 2020 POLL BY GALLUP, 58% OF ALL AMERICANS SAID THAT THERE ARE MAJOR CHANGES NEEDED FOR POLICE REFORM. AS OF MID-2021, 61% OF BLACK AMERICANS, 41% OF WHITE AMERICANS, AND 30% OF HISPANIC AMERICANS SAID THEY HAD LITTLE OR NO CONFIDENCE IN THE CRIMINAL JUSTICE SYSTEM. HOWEVER, BY LATE 2021, THE SHARE OF ADULTS WHO WANT MORE FUNDING FOR POLICING IN THEIR AREA INCREASED TO 47%, UP FROM 31% IN JUNE 2020.



FBI AND DEPARTMENT OF JUSTICE DATA SHOW THAT CRIME FELL BY 50-70% BETWEEN 1993 AND 2018. IN SPITE OF THIS, IN MOST SURVEYS CONDUCTED DURING THIS TIME A MAJORITY OF RESPONDENTS THOUGHT CRIME HAD INCREASED COMPARED TO THE YEAR BEFORE. HOMICIDE RATES INCREASED BY 30% FROM 2019 TO 2020, REACHING 6.5 HOMICIDES PER 100,000 PEOPLE. THE 1990S PEAK REACHED 9.5 HOMICIDES PER 100,000 AMERICANS. THERE ARE AN AVERAGE OF 8.25 MILLION CRIMINAL OFFENCES EACH YEAR, RESULTING IN ABOUT 10 MILLION ARRESTS.

# GOVERNMENT INVOLVEMENT




ADJUSTED FOR INFLATION, LAW ENFORCEMENT SPENDING ROSE FROM \$42 BILLION IN 1977 TO \$115 BILLION IN 2017. 85% OF THIS SPENDING IS AT THE LOCAL LEVEL. THIS INCREASE HAS OUTPACED THE GROWTH OF OVERALL CITY AND COUNTY BUDGETS IN THIS PERIOD, AS WELL AS TYPES OF SPENDING ON SERVICES LIKE PARKS AND RECREATION AND K-12 EDUCATION.

THE DEPARTMENT OF JUSTICE (DOJ) IS THE PRIMARY FEDERAL AGENCY DEDICATED TO PUBLIC SAFETY AND CONTROLLING CRIME. MOST CRIME STATISTICS ARE COLLECTED BY THE FEDERAL GOVERNMENT THROUGH THE DOJ. THE 2020 FEDERAL BUDGET INCLUDED \$15 BILLION IN FUNDING FOR DEPARTMENT OF JUSTICE AGENCIES LIKE THE FBI AND DRUG ENFORCEMENT ADMINISTRATION (DEA).



CONGRESS INFLUENCES LAW ENFORCEMENT THROUGH THE HOUSE AND SENATE'S JUDICIARY COMMITTEES. FOR EXAMPLE, THE HOUSE SUBCOMMITTEE ON CRIME, TERRORISM, HOMELAND SECURITY, AND INVESTIGATIONS IS RESPONSIBLE FOR THE FEDERAL CRIMINAL CODE AS WELL AS SENTENCING AND PAROLE WITHIN THE FEDERAL PRISON SYSTEM.

65 DIFFERENT FEDERAL AGENCIES, FROM THE FBI TO THE DEPARTMENT OF HOMELAND SECURITY, EMPLOY FULL-TIME PERSONNEL THAT ARE AUTHORIZED TO CARRY FIREARMS AND MAKE ARRESTS. STATE AND LOCAL AGENCIES MAKE UP THE BULK OF THE ALMOST 19,000 LAW ENFORCEMENT AGENCIES ACROSS THE COUNTRY AND HAVE THE MOST INTERACTIONS WITH COMMUNITIES, RESPONDING TO 911 CALLS AND ENFORCING TRAFFIC LAWS.



# ➤ FRAMING THE ISSUE ◀

## POLICE CULTURE

POLICE HAVE BECOME DE FACTO RESPONDERS FOR A HOST OF SOCIAL PROBLEMS THEY ARE NOT TRAINED TO RESPOND TO. LOW-RISK ENCOUNTERS CAN INADVERTENTLY ESCALATE WHEN OFFICERS FACE HEIGHTENED PRESSURE, STRESSORS, AND TRAUMA, OR FEEL OVERBURDENED AND ILL-EQUIPPED ON THE JOB. ONE PEW RESEARCH STUDY FOUND ONLY 14% OF POLICE OFFICERS BELIEVE THE PUBLIC HAS AN UNDERSTANDING OF THE CHALLENGES THEY FACE ON THE JOB, ADDING TO POLICE-COMMUNITY DISCONNECTIONS AND MISTRUST.

## LAW ENFORCEMENT BUDGETING

THOSE WHO ADVOCATE DEFUNDING THE POLICE SEEK TO REDISTRIBUTE A PORTION OF FUNDS FROM POLICE TO OTHER COMMUNITY HEALTH PROGRAMS AND ARGUE THIS WOULD REDUCE BURDENS ON POLICE OFFICERS. HOWEVER, POLICE BUDGETS ARE NOT THIS SIMPLE; CHIEFS WORK WITH BUDGETS SET BY ELECTED OFFICIALS, BUT HAVE NO ABILITY TO CHANGE OR INFLUENCE BUDGET ITEMS LIKE PENSION OBLIGATIONS AND MULTI-YEAR COLLECTIVE BARGAINING AGREEMENTS THAT GOVERN PAYROLL.

## POLICE PROTECTIONS

DUE TO THE NATURE OF POLICE OFFICERS' WORK, THEY HAVE CERTAIN PROTECTIONS, SUCH AS QUALIFIED IMMUNITY WHICH PROTECTS THEM FROM LIABILITY IF THEY BREAK THE LAW. BUT THESE CAN ACT AS BARRIERS TO INVESTIGATING MISCONDUCT. COLLECTIVE BARGAINING CONTRACTS NEGOTIATED BY POLICE UNIONS CAN MAKE THE PROCESS OF INVESTIGATING PUBLIC COMPLAINTS OR MISCONDUCT MUCH MORE DIFFICULT THAN IT IS FOR OTHER TYPES OF CIVIL SERVANTS. EVEN THE DOJ NEEDS TO WORK AROUND UNION CONTRACTS.

## USE OF FORCE

FINDING DATA TO VERIFY USE OF FORCE IS ONE OF THE GREATEST CONCERNS FOR MANY AMERICANS, BUT FINDING DATA TO VERIFY STUDIES AND FEARS IS DIFFICULT. THERE IS NO NATIONAL USE OF FORCE STANDARD OR NATIONAL DATABASE TO KEEP BETTER TRACK OF USE OF FORCE DATA, SO DATA ON LOWER LEVEL USES OF FORCE IS ALMOST NONEXISTENT, AND THE DATA THAT DOES EXIST MAY NOT BE RELIABLE.

# ➤ SOLUTIONS ◀

## LEGISLATION

FEDERAL LEGISLATION CAN ADDRESS PUBLIC CONCERNS THROUGH MEASURES LIKE A NATIONAL STANDARD FOR WHAT COUNTS AS EXCESSIVE USE OF FORCE, AND A NATIONAL DATABASE OF INSTANCES. SOME STATES HAVE RESPONDED BY REQUIRING OFFICERS TO WEAR BODY CAMERAS AND RESTRICTING THE TRANSFER OF SURPLUS MILITARY EQUIPMENT TO POLICE DEPARTMENTS. THESE EFFORTS ARE A MEANS TO ENSURING RELIABLE DATA, WHICH CAN BE PAIRED WITH ACCOUNTABILITY MEASURES.

## COMMUNITY POLICING

CHANGING THE WAY POLICE INTERACT WITH COMMUNITY MEMBERS CAN RESHAPE POLICE-COMMUNITY RELATIONS FOR THE BETTER. POLICE AND COMMUNITIES CAN BE TRAPPED INTO A CYCLE WHERE PEOPLE DON'T TRUST THE POLICE OFFICERS IN THEIR COMMUNITY, AND IT IS HARDER FOR THE POLICE TO SOLVE CRIMES WITHOUT COMMUNITY COOPERATION. INCREASING COMMUNICATIONS CAN SUPPORT COMMUNITY-POLICE COLLABORATIONS. FOCUSING ON PARTNERSHIPS BETWEEN POLICE AND COMMUNITIES CAN DIRECTLY ADDRESS THE CONDITIONS THAT RESULT IN PUBLIC SAFETY ISSUES, AND HAS BEEN FOUND TO REDUCE CRIME AS WELL AS FEAR OF CRIME AND INCREASE POSITIVITY TOWARDS POLICE.

## SHARING RESPONSIBILITIES

SHIFTING SOME POLICE RESPONSIBILITIES MAY HELP REDUCE EXCESSIVE USE OF FORCE. POLICE OFFICERS ARE "FIRST RESPONDERS" FOR SOCIAL PROBLEMS LIKE HOMELESSNESS AND SUBSTANCE ABUSE, BUT THEY ARE NOT PREPARED OR QUALIFIED TO RESPOND. EUGENE, OREGON'S CRISIS ASSISTANCE HELPING OUT ON THE STREETS (CAHOOTS) PROGRAM SENDS MEDICS AND CRISIS WORKERS TO POLICE CALLS THAT DON'T INVOLVE A LEGAL ISSUE OR RISK OF VIOLENCE. CAHOOT'S TEAM ANSWERS 15-20% OF THE CALLS TO POLICE, AND SAVES THE CITY OF EUGENE MORE THAN 8 MILLION DOLLARS PER YEAR.

# ➤ WHAT YOU CAN DO ◀

## MEASURE -

FIND OUT WHAT YOUR STATE AND DISTRICT ARE DOING ABOUT POLICING.

DO YOU KNOW THE RATES OF CRIME IN YOUR COMMUNITY OR STATE, OR WHAT SOCIAL PROBLEMS ARE PREVALENT? WHAT ARE YOUR STATE'S POLICIES REGARDING REFORMS SUCH AS BODY CAMERAS OR USE OF FORCE DEFINITIONS? HOW DOES YOUR STATE OR LOCAL LAW ENFORCEMENT AGENCY REPORT DATA? ARE THEY PART OF THE POLICE DATA INITIATIVE? DOES YOUR COMMUNITY COLLABORATE WITH LAW ENFORCEMENT? IS THERE A COMMUNITY SAFETY PROGRAM? HAS YOUR CITY OR STATE ENACTED COMMUNITY POLICING LEGISLATION? DO YOU KNOW HOW LAW ENFORCEMENT OFFICERS ARE TRAINED IN YOUR STATE OR COMMUNITY?



## IDENTIFY -

ARE YOU FAMILIAR WITH YOUR LOCAL LAW ENFORCEMENT OFFICERS AND THEIR DAY-TO-DAY ROLES?  
WHO IS YOUR STATE ATTORNEY GENERAL?  
DO YOU KNOW THE ROLE OF POLICE UNIONS IN YOUR STATE?  
ARE THERE ORGANIZATIONS OR PROGRAMS IN YOUR COMMUNITY, SUCH AS FAITH-BASED ORGANIZATIONS OR AFTER-SCHOOL PROGRAMS, THAT ENGAGE WITH LAW ENFORCEMENT?



## REACH OUT -

FIND ALLIES IN YOUR COMMUNITY OR IN NEARBY TOWNS AND ELSEWHERE IN THE STATE.  
FOSTER COLLABORATIVE RELATIONSHIPS WITH LAW ENFORCEMENT OFFICERS, FIRST RESPONDERS, FAITH-BASED ORGANIZATIONS, LOCAL HOSPITALS, COMMUNITY ORGANIZATIONS, SCHOOL BOARDS, LOCAL BUSINESSES, AND ACADEMIC INSTITUTIONS.

PLAN -  
SET MILESTONES BASED ON YOUR STATE'S LEGISLATIVE CALENDAR OR LOCAL COMMUNITY CALENDAR.



## EXECUTE -

VOLUNTEER WITH YOUR POLICE DEPARTMENT OR ASK TO PARTICIPATE IN A RIDE-ALONG TO BETTER UNDERSTAND POLICE RESPONSIBILITIES.  
ATTEND A TOWN HALL MEETING. CONTACT YOUR LOCAL ELECTED OFFICIALS IN ADVANCE TO LET THEM KNOW YOU WOULD LIKE TO DISCUSS LAW ENFORCEMENT.  
CONSIDER IF THERE IS AN OPPORTUNITY TO BRING A POLICE-MENTAL HEALTH COLLABORATION TO YOUR COMMUNITY.  
RETHINK POLICING BY WORKING WITH OTHER STAKEHOLDERS TO DEFINE QUANTITATIVE AND QUALITATIVE MEASURES FOR WHAT SUCCESSFUL POLICING LOOKS LIKE IN YOUR COMMUNITY.