RACIAL RECONCILIATION, TRUTH-TELLING, AND POLICE LEGITIMACY

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U.S. Department of Justice
Office of Community Oriented Policing Services

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Acknowledgements

COPS
COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

Dear Colleagues,

Law enforcement in America is facing many daunting challenges. Perhaps none is more troubling and complex than that of race. The issue of race continues to prevent us from effectively performing our core functions of reducing violence and improving quality of life for all citizens.

To be sure, we have made great progress. Many local departments, along with support from the U.S. Department of Justice, have analyzed their car-stop data, reviewed policies to reduce bias-based policing, and engaged in outreach with their local minority leaders. No one can deny that departments grow increasingly diverse, especially as younger generations with fewer biases are moving into the force.

Over the last several decades, as part of a transition to true community policing, law enforcement has undergone a fundamental shift in the hiring and recruitment of a diverse pool of talented officers, an achievement that deserves more public recognition than it has received. Nonetheless, representation of minorities among the ranks is, in and of itself, insufficient in overcoming the problems that are a legacy of the 300 years of racial history in this country. On a daily basis, in our poorest, most disadvantaged, and often urban minority communities, crime claims the lives of young, black males, whether through violent death or incarceration.

My staff here at the Office of Community Oriented Policing Services wrote this publication to serve two purposes. First, it is meant to introduce, in an accessible and practitioner-focused way, the key theoretical, criminological, and historical concepts that underlie the issue of race and policing. Second, and more importantly, it provides the law enforcement field with the chance to hear from their own colleagues, both their peers and leaders, why this issue is of paramount moral and strategic importance.
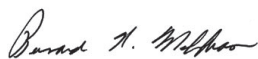
Policing is a noble profession. Yet in many of the communities where we are needed most desperately, policing and the criminal justice system as a whole suffer from low levels of perceived legitimacy. Why this perception persists is difficult to explain. After all, I have yet to meet a police officer, in my nearly 40 years in this business, who has told me that his or her reason for joining the force was to enforce a racist agenda. Nevertheless, in these economically devastated and high-crime black communities, the police are still often mistakenly viewed as conspirators working against the good of the community.

This misunderstanding endures because of factors far outside law enforcement's control. As a society, we address other systemic, social problems—educational, economic, and health disparities, for example—with social programs and community-based solutions. However, the cycle of violence that disproportionately affects our black youth remains a social problem that we treat first and foremost with a criminal justice system response. This is not justice, neither for the victims of this problem nor the police who are charged with the primary responsibility for solving it.

Upon graduation from the academy, every new peace officer swears an oath, one that places a high value on defending civil liberties for all. This oath may vary from jurisdiction to jurisdiction, but most stem from the law enforcement code of ethics, which includes the following promise: "As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice."

This is not a duty any of us takes lightly. We face a great challenge and a great opportunity. In an era of reduced budgets, loss of police capacity requires we increase our reliance on the community we serve, whose ability to enforce its own standards and norms is crucial in affecting collective behavioral change. The suspicion and mistrust borne of a cycle of arrest and incarceration must be countered with new and alternative solutions, such as the ones that are discussed in this publication. If we tackle this issue of racial reconciliation informed by evidence and research, supported by community partners, and performed with courage, then we will be moving into a new era of policing. We will realize the ideals that have always formed the core of the profession: uphold the law, protect the weak, demand justice, and defend the equal rights of all citizens.

Sincerely,

Bernard K. Melekian, Director
Office of Community Oriented Policing Services

The Office of Community Oriented Policing Services (COPS Office) is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territory, and tribal law enforcement agencies through information and grant resources.

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Rather than simply responding to crimes once they have been committed, community policing concentrates on preventing crime and eliminating the atmosphere of fear it creates. Earning the trust of the community and making those individuals stakeholders in their own safety enables law enforcement to better understand and address both the needs of the community and the factors that contribute to crime.

The COPS Office awards grants to state, local, territory, and tribal law enforcement agencies to hire and train community policing professionals, acquire and deploy cutting-edge crime fighting technologies, and develop and test innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders and all levels of law enforcement. The COPS Office has produced and compiled a broad range of information resources that can help law enforcement better address specific crime and operational issues, and help community leaders better understand how to work cooperatively with their law enforcement agency to reduce crime.

- Since 1994, the COPS Office has invested nearly $14 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing.

- By the end of FY2011, the COPS Office has funded approximately 123,000 additional officers to more than 13,000 of the nation's 18,000 law enforcement agencies across the country in small and large jurisdictions alike.

- Nearly 600,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.

- As of 2011, the COPS Office has distributed more than 6.6 million topic-specific publications, training curricula, white papers, and resource CDs.

COPS Office resources, covering a wide breath of community policing topics—from school and campus safety to gang violence—are available, at no cost, through its online Resource Information Center at www.cops.usdoj.gov. This easy-to-navigate website is also the grant application portal, providing access to online application forms.

NATIONAL NETWORK FOR SAFE COMMUNITIES

The National Network for Safe Communities represents and supports cities around the country to apply and advance proven strategies to reduce serious violent crime and to close overt drug markets.

The National Network recognizes that both law enforcement and the community must play a critical role in addressing these problems—but that neither can do it alone. Therefore, its strategies combine the best of law enforcement and community crime prevention approaches to improve public safety dramatically.

Launched by the Center for Crime Prevention and Control at John Jay College of Criminal Justice in New York in 2009, the National Network comprises more than 50 cities actively implementing and advancing two specific strategies: the Group Violence Reduction Strategy (GVRS), first implemented as "Operation Ceasefire" in Boston in the mid-1990s, and the Drug Market Intervention (DMI), also known as the "High Point Model," after the North Carolina city that pioneered it.

More than 20 years of field experience and a substantial body of research demonstrate that these strategies:

- Reduce serious violence

- Shut down overt drug markets

- Reduce arrests and imprisonment

- Strengthen disadvantaged communities

- Use existing resources

The National Network is committed to "saving lives, saving communities" by taking its strategies to a national scale and serving the nation's most vulnerable communities. The National Network is designed to represent and support its members by raising the visibility of their work, offering them technical assistance, recognizing and helping others learn from their work and innovations, supporting peer exchange and education, and conducting research and evaluations.

Please visit www.nnscommunities.org for detailed information on the National Network's mission, strategies, research findings, media coverage, events, and membership.

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Background

On January 11, 2012, the Office of Community Oriented Policing Services (COPS Office), in conjunction with the National Network for Safe Communities at John Jay College of Criminal Justice, hosted an executive session with police chiefs, researchers, and policymakers at the U.S. Department of Justice in Washington, D.C.

This meeting focused on the topic of "racial reconciliation and truth-telling," a phrase used by the National Network for the process of addressing grievances, perceptions, and misperceptions between communities of color affected by violence and the law enforcement agencies that serve them. When these issues are addressed openly, new and different understandings emerge, and a profound transformation in community–police relations becomes possible. Community norms against violence and crime strengthen as tensions with law enforcement ease, and those norms can carry much of the burden of crime prevention.

The National Network for Safe Communities is a coalition of cities and jurisdictions that have committed to implementing two violence and drug market reduction strategies. The Group Violence Reduction Strategy (GVRS) and the Drug Market Intervention (DMI)—also known as "Boston Ceasefire" and the "High Point Model," respectively—have demonstrated a reduction in the levels of gang violence and overt drug markets in troubled neighborhoods across the country.[1]

These strategies are most often deployed in minority neighborhoods struggling with serious systemic problems. High crime, poverty, incarceration rates, and unemployment combined with low educational attainment and lack of community trust for governmental institutions— especially for the police, who are often the most visible representatives of local government— have created a cycle of disinvestment in these communities. As the work of the National Network has evolved, the immediate, pressing need to address the historical tension between law enforcement and minority communities has become increasingly clear.

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1. For the most recent research on these strategies, see the Campbell Collaboration's meta-analysis of focused deterrence strategies (see Braga and Weisburd 2011).

> Behind every narrative is a culture—and people will die for that. You will strap on a bomb vest if you think your religion is being challenged. You will die if you're a gangbanger in order to protect your set; that's what you've been told to do.
>
> — *Chris Walter*

Two competing narratives

While police legitimacy is low across many communities of color, the relationship between the police and the African-American community comes with its own unique challenges and history, which include a set of complexities and traumas distinct from those of newer immigrant communities. The foundation of both GVRS and DMI is built on the premise that effective and sustainable crime reduction can come only with the internal, public articulation of community norms and practices.[2] However, without addressing the differences in perspective between the police and the community, this goal becomes increasingly unrealistic. According to Professor David Kennedy, co-chair and founder of the National Network, two competing narratives have emerged:

> Many in the African-American community feel that most cops are dishonest and out to get them, that the CIA is behind the drug epidemic, and it's all a conspiracy to lock up more and more African-American men. On the other hand, the cops will say the community is complicit, that "nobody cares; no one is raising their kids," "everybody is living off of drug money," and "the only thing we can do is occupy them."[3]

These two narratives are simultaneously enduring and false, and their self-sustaining nature, according to Professor Kennedy, arises from the fact that both the police and the community points-of-view "are entirely reasonable and plausible. You stand on one side and look at what is going on, and they both make sense. And yet at the root of this problem lies a profound if rational misunderstanding." Moreover, the prevalence of these narratives among both populations is endemic. As Chris Watler, director of the Harlem Community Justice Center, explains,

> In the black community, these narratives are very powerful. You hear them in church; you don't just hear them on the street from kids…. Behind every narrative is a culture—and people will die for that. You will strap on a bomb vest if you think your religion is being challenged. You will die if you're a gangbanger in order to protect your set; that's what you've been told to do.

To dismiss the power, scope, and reach of the narratives communities tell about themselves is perilous, and for law enforcement to disregard them as out of hand will ultimately be both counterproductive and cyclical.

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2. This premise itself, in turn, is based on research demonstrating that informal social control is more effective at crime reduction than formal justice system controls (see Sampson 1986; Sampson and Laub 1990).

3. Unless otherwise cited, quotations in this publication are taken from the executive session hosted by the COPS Office and National Network in Washington D.C. on January 11, 2012.

Putting narratives into historical context

To law enforcement, the belief in a concerted government conspiracy to create the crack cocaine epidemic is patently false, even bordering on ludicrous or paranoid. To the community, the idea that everyone in the neighborhood is a criminal profiting from the drug trade is highly offensive and encoded with racist biases. This (almost knee-jerk) reaction to dismiss each other's narrative as unreasonable or absurd is what creates a dangerous set of misunderstandings that subvert the creation of sustained community safety. Both sets of beliefs are false, to be sure, but they are not without context.

From the communities' perspective, the troubled history between the police and the poorest African-American communities makes a government conspiracy, in which police are not only complicit but also actively participatory, seem plausible. The combat rhetoric of the "War on Drugs"—and its policies resulting in disproportionate minority contact—has provided hardly any evidence to the contrary.[4] Moreover, although the worst of the daily atrocities perpetrated against African-Americans occurred generations ago, many older members of communities of color still vividly remember the police role in enforcing both written, statutory laws and unwritten codes of conduct aimed at denying the civil rights of minority communities.

Whether or not law enforcement acknowledges this past role, both the police and the community are currently inheriting problems associated with it. Professor Kennedy illustrates this point with an anecdote from within the police ranks:

> When [Professor] Tracey Meares [of Yale University] and I came to talk about racial reconciliation for [Superintendent] Garry McCarthy and the Chicago PD, which we were told was the first time his command staff had ever talked about this in any open way, one of the department's black command officers said, "You look at the pictures of the people lynched and hanging from the trees, and most of them are in handcuffs. And you know what that means."

Within this historical context, it becomes easier to understand the community's deep-seated mistrust of the police, and that feeling manifests itself in the belief that law enforcement is still actively conspiring to do racial harm against minority populations.

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4. For a more extended discussion of the "War on Drugs" and racial disparities, see "Criminal Justice, Race, and the War on Drugs" (Mitchell and Lynch 2011).

One of the challenges is that we want to live in a world where bringing down crime is the same as bringing people to justice; but that's not always the same thing. We know that lots of arrests may bring down crime, but that can also leave communities worse off than they were before.

— *Tracey Meares*

Yet, Professor Kennedy sees the importance of communicating, unequivocally, that "there is no conspiracy." The goal of local law enforcement is not to arrest and imprison every young male of color in the neighborhood. Yet, at the same time, he continues,

> I absolutely understand why the community believes it. African-American communities have historically been subject to deliberate oppression by law enforcement, from slave-catching through Reconstruction, Jim Crow, and the civil rights movement. Today the community sees relentless drug enforcement: people are stopped on the street. Their doors are kicked in. They are taken from their families and sent to prison at enormously high rates, and they come back with criminal records, unable to get a legitimate job … This is not about bias, profiling, abuse, or any other way we usually talk about criminal justice problems. I work in these communities. The crime is real, and overwhelmingly the arrests are legitimate. But we are destroying the village in order to save it. (Kennedy 2009, 15)

The police, furthermore, are neither unconflicted nor unreflective about this untenable situation, in which they too are caught. George Turner, an African-American chief of the Atlanta (Georgia) Police Department, emphasizes that he and his department are extremely sensitive to the charges that police are targeting young, black males; yet he admits that 75 percent of the 38,000 people his department arrested last year fit that description. On the one hand, he says, "we have an obligation as law enforcement to go in and do the work that we are sworn to do. And that is to bring [criminals] to justice." On the other hand,

> what happens with the revolving door is another story. We're arresting young men that look like me on a regular basis. … Poverty and lack of education and all of the social problems are what create the crime situation; but it leaves law enforcement in a tough place. There's not a chief [in the country] who would remain in the position they are in if they allowed crime to rise in their communities.

Chief Turner accurately describes this political pressure, which requires police chiefs to respond to spikes in violence and deliver immediate reductions in crime. However, this system of incentives and punishments can create a counterproductive prioritization of short-term goals over long-term ones. Professor Tracey Meares of Yale University summarizes the resulting problem in the following terms:

> One of the challenges is that we want to live in a world where bringing down crime is the same as bringing people to justice; but that's not always the same thing. We know that lots of arrests may bring down crime, but that can also leave communities worse off than they were before.

"Overpolicing" or, perhaps more accurately, "over-enforcement" may lead to the immediate crime reductions necessary for mayors to be reelected and, therefore, police chiefs to keep their jobs. However, to put it in Professor Kennedy and Meares's terms, law enforcement in the long term may be "burning down the village" or "destroying the community's immune system" in the process. This leads to the vicious cycle in which the community is no longer healthy enough to police itself through informal social control.

Furthermore, not only are formal social controls—i.e., the traditional justice system tools of arrest and incarceration—less effective at controlling crime, but at some point they may even become counterproductive. Research has suggested that overreliance on incarceration, by reducing social capital and "weaken[ing] family and community structures," may lead to communities "experienc[ing] more, not less social disorganization" (Rose and Clear 1998, 441). In other words, incarceration rates may reach a certain tipping point, which—once passed— actually contribute to the social conditions that lead to, rather than control, crime.

The police perspective, legal cynicism, and community responses

To be clear, however, the police should not carry all blame for this complex dynamic; municipal policing, after all, was designed to be a safety mechanism for a community when informal social controls fail. The wide-ranging and systemic root causes for the structural inequalities existing in America's most trouble neighborhoods extend far beyond the reach and responsibility of law enforcement alone. Yet law enforcement often singlehandedly bears the burden of addressing the crime and violence issues that are symptomatic of these underlying problems.

To further complicate matters, a traditional and narrow understanding of what the police do means that officers have primarily at their disposal tools of enforcement and arrest, which have the ability to exacerbate the low collective efficacy in these communities. In short, the police are charged with solving a problem beyond their scope with tools that are inadequate in addressing the social factors that contribute to persistent crime and violence.

Strained relationships between the police and certain African-American communities grow increasingly complex. Misperceptions have given rise to mutually exclusive understandings of the police's role in society and now go well beyond the color line; no longer is it simply the case that the cops are hegemonically white and the community is monolithically black. According to Dan Isom, chief of the St. Louis (Missouri) Police Department, police must be aware of the danger in assuming the entire African-American community feels the same way about law enforcement. He cautions that some residents in predominantly minority communities demand *more* law enforcement, not less:

> As an African-American and also a police officer, I feel like I can talk on both sides. I don't know if there is a consistent narrative about how African-Americans view police officers; it depends on where you live and what your status is in the community. In St. Louis, we find that it's more about the outcomes and the distribution of justice that is the problem. People in those neighborhoods that are affected by high crime are demanding, "Why is there high crime in our neighborhood? Why haven't the police stopped this? Do you have as many police in North St. Louis as you do in South St. Louis? Are the cops in cahoots with the criminals because they keep getting back out of jail?

Of course, Chief Isom is correct in pointing out that not everyone from the same neighborhood or community believes the same thing about the police. However, according to Professor Meares of Yale University, the more important point is that the *percentage* of people who believe that the police are conspiring against the black community is much higher in these high-crime, high-enforcement communities.[5]

Research has documented that the level of legal cynicism in these communities matters; neighborhoods plagued with high legal cynicism are also the neighborhoods plagued by high crime and low collective efficacy, meaning crimes are underreported and cooperation with the police is discouraged (Kirk and Matsuda 2011).[6] Therefore, Professor Meares concludes that

> if you can bring down the proportion of people who believe [the police "conspiracy theory"], what you get is heterogeneity in beliefs. You don't need everybody, but you need *more*; you reach a tipping point. When you get that, you don't have those high levels of legal cynicism, and you can do the work that you need to do to get the crime down and keep it down.

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5. However, one caveat must be mentioned: high levels of dissatisfaction with the police cannot be explained completely by race. Dr. Jeremy Travis, summarizing research on this topic, concludes:

    Once neighborhood economic disadvantage is taken into account, blacks' views are found to be similar to whites'. Blacks appear to be more cynical toward or dissatisfied with the police only because they are more likely to live where disadvantage is concentrated. Even in neighborhoods where the rate of violent crime is high, there is no difference between the races in attitudes toward the police. Racial differences disappear when neighborhood context is considered. Thus, residents' estrangement from the police is better explained by neighborhood context than race. (Travis 1999, 2)

6. The term "legal cynicism" is defined as "a cultural frame in which the law and the agents of its enforcement are viewed as illegitimate, unresponsive, and ill equipped to ensure public safety" (Kirk and Matsuda 2011, 444).

However, legal cynicism can easily (and dangerously) look like apathy, and the police perspective is often more nuanced and compassionate than the community may understand. The current situation is more complicated than the blanket statement that every beat cop, narcotics officer, and sergeant dismisses the community as complicit and apathetic; yet, some frustration with the community still feels warranted. Bernard Melekian, director of the COPS Office, illustrates this point by relaying a story from Pasadena, California, about two contrasting events, both tragic and involving young, African-American males, which prompted two divergent responses from the community:

> In 2004, Maurice Clark was shot and killed after a brief foot pursuit. He was armed at the time of the chase and fired at least one round during that incident. But Maurice was a young man, known both to the community and the police not as a bad kid, but as someone who hung around with the wrong crowd. His death generated a great deal of community anger, both emotional and intense, which served as a stark reminder that issues of race and the police continue to divide our society. It was among the most difficult periods during my tenure as police chief. But what was equally troubling to me was the absence of community outrage around the death of another young person, Shawn Baptiste, just a few years later.

> Shawn was an 18-year-old boy, who was also hanging around in the wrong place and killed by a gang member who was shooting at one of Shawn's companions. Yet the intense, organized, and emotional response triggered by Maurice Clark's death was not there for Shawn Baptiste, even though he was another good kid lost. There were no marches in front of the police department, no public demonstrations of mourning and outrage by the community. The only phone calls I received about Shawn were from his mother. My point is not that the terrible death of Maurice Clark didn't deserve that kind of attention; my point is that the equally terrible death of Shawn Baptiste deserved it as well.

I know the community cares because I've sat in too many living rooms and listened to the grief. But if that grief for the Shawn Baptistes of the world never comes out, it makes it possible for people to ignore what's going on.

— *Bernard K. Melekian*

Experiences like these are not unfamiliar to any police officer who serves long enough on the force. Collectively, they underlie those deep feelings of frustration with a situation that no one—neither police nor community alike—finds morally acceptable.

Yet the danger lies in not understanding this story in all its nuances and complexities: the community may not have coalesced and protested loudly in front of places of local government, but that does not mean it was tolerant of the conditions and behaviors that led to Shawn Baptiste's death. According to Director Melekian, the problem is not that the community fails to care, but that, viewed from the outside, it may *appear that way,*

> which generates the belief that they are apathetic among the officers who serve them. If those officers believe the community doesn't care—and this is especially so when they don't cooperate—it lowers the enthusiasm on the police side of the equation. I know the community cares because I've sat in too many living rooms and listened to the grief. But if that grief for the Shawn Baptistes of the world never comes out, it makes it possible for people to ignore what's going on.[7]

Unfortunately, communities holding high legal cynicism are not necessarily those that are reacting vocally with demands but instead are responding silently with grief or anger.

Ronald Davis, an African-American police chief in East Palo Alto, California, heads a relatively diverse police force in a community that is more than 16 percent African-American and 64 percent Hispanic/Latino.[8, 9] But even he admits to making the initial error of misreading his own community. "Most chiefs," according to Davis, "think silence is satisfaction. No, it is not. It's just silence."

Too often, law enforcement mistakes this silence (the perceived lack of outrage, the absence of candlelight vigils and marches on city hall) for, at best, apathy for and, at worst, complicity in the cycle of violence that continues to afflict poor, urban neighborhoods.

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7.   In turn, the community perceives this lack of enthusiasm on the part of the police as neglect. "If residents perceive that the police are neglectful, unresponsive or abusive, then they are less likely to report crimes to the police regardless of whether the police are actually neglectful" (Kirk and Matsuda 2011, 447). Therefore, apathy or the perception of apathy becomes cyclical and self-fulfilling.

8.   Demographic information comes from the 2010 census data: http://quickfacts.census.gov/qfd/states/06/0620956.html

9.   As of 2012, the demographic breakdown of the East Palo Alto (California) Police Department, both sworn and civilian staff, includes 24 percent females and 73 percent minorities. In comparison, the most recent Law Enforcement Management and Administrative Statistics (LEMAS) survey from 2007 reports that, overall, approximately 1 in 8 local law enforcement officers are females and 1 in 4 are minorities (U.S. Department of Justice 2011, 6).

In reality, silence may not represent apathy, nor does it necessarily communicate satisfaction with law enforcement; rather—just the opposite—silence on the part of the community may be a manifestation of anger at the unacceptable levels of violence that occur in poor, black neighborhoods, as well as deep frustration with the inability of the police to prevent that violence. Furthermore, a community may also remain silent to avoid triggering additional, unwanted law enforcement attention to their neighborhood. But to argue that disadvantaged people of color "don't care" when one member of their community kills another would be to argue that those communities are morally bankrupt in a way that evidence shows they are not.

The anecdotal, personal observations of Chief Davis, after all, correspond to empirical research on legal cynicism, which demonstrates that "one can be highly intolerant of crime but live in a disadvantaged context bereft of legal sanctions and perceived justice" (Sampson and Bartusch 1998, 784). In other words, low-income black communities can be highly *intolerant* of criminal and violent behavior (even more so than those in ostensibly lower crime communities) while still holding a high degree of mistrust toward the law and law enforcement.[10]

Through this lens, moral outrage toward violence that plagues disadvantaged communities is not necessarily expressed through the same mechanisms or outlets to which more affluent communities have access—e.g., high profile media attention and political will. Poor minority communities can be highly intolerant of violent behavior while simultaneously remaining silent—or, perhaps more accurately, silenced—by the feeling that the law, the criminal justice system, and its representatives are too weak or ineffectual to bring about sustained community safety for all.

Most of the officers we hire now were not even alive during … the civil rights struggle, [but] they are going into houses of people that were.

— *Ronald Davis*

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10. "Put simply," Robert Sampson and Dawn Bartusch argue, "there is no 'black' subculture of violence. If anything, African Americans are less tolerant of crime than their European American counterparts" (1998, 800).

Race and the millennial officer

This disconnect is further exacerbated by the fact that a significant demographic shift is occurring within the ranks, and the new generation of officers often fails to understand the history that has informed and shaped the development of these narratives. At the January 2012 executive session, Atlanta Police Chief Turner pointed out:

> There's a big factor we can't overlook in talking about law enforcement—the fact that police departments don't look like they used to. Thirty percent of my department is new to the force, having come on board in the last three years. And many of those officers are young, female, and/or members of communities of color. And many of them say, "We aren't racist! Don't tag us with that label."

Yet focusing on whether these officers consider themselves racist can miss the point; the problem, as East Palo Alto Police Chief Davis articulates, is that while "most of the officers we hire now were not even alive during … the civil rights struggle, they are going into houses of people that were."[11] According to Director Melekian of the COPS Office, the millennial officer:

- Is less likely to carry overtly racist views as expressed through intentional, individual racism (as opposed to unintentional bias or institutional racism)

- Was born significantly after the civil rights movement in the 1960s

- Does not have the same personal, contextual background that the older generation may have in understanding law enforcement's historical role in enforcing and reinforcing laws resulting in racial inequity[12]

Proper training and messaging is therefore critical, as younger officers, perhaps lacking both historical context and interpersonal racism, may not connect past wrongs and present-day unintentional bias with (1) institutional racism, (2) legitimate grievances that the African-American community may hold against policing or the criminal justice system as a whole, (3) the legitimacy of their role in navigating the complicated and challenging relationship between the police and citizens of color, and (4) why the community may maintain the incorrect but plausible belief that the police are carrying out a calculated and racist conspiracy.[13]

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11. At the same time, as a new generation of offenders comes in contact with the police, they too may be less aware of the history that has contributed to community narratives and views of the police.

12. While there is no direct research to support Director Melekian's claims, a recent study completed by the Pew Research Center (2011, 52, 78) stated that millennials—defined by the Pew Research Center as those born after 1981—are the least likely generation to see interracial marriage "as a bad thing" and most likely to agree that it is "OK for blacks and whites to date."

13. This may be supported by another report released by the Applied Research Center, which shows that "the majority of young people have difficulty defining present-day racism when initially asked and typically fall back upon generic terms of *interpersonal* racism" rather than structural or institutional racism (Apollon 2011). White participants, furthermore, were much less likely than participants of color to label entire systems as racist. Millennials in this report were defined as those being born after 1980.

Simply not viewing oneself as racist will fail to convince a skeptical community that the police are protecting their best interest. As Professor Kennedy of the National Network observed, "Director Melekian said young officers today are not racists; yet they are behaving in exactly the same way, so that people in the community think they are still part of this deliberate attack on them." This does not mean that the police are exhibiting the same racist behavior and attitudes as those from generations ago; however, law enforcement strategies, performance incentives, and tactics have not changed to keep pace with changing attitudes about race and reconciliation. Enforcement-heavy, arrest-driven policing will continue to reinforce the community's belief in police illegitimacy, regardless of whether the young officer making those arrests considers himself or herself a racist.[14]

Narcotics enforcement, arrests, and incarceration

Even though police today are not engaged in a deliberate conspiracy, and although the new generation of officers is less likely to hold the same overt racist biases as those of previous generations, certain current policing practices, criminal justice policies, and even individual attitudes and behaviors can create unintended harms that reinforce the community's belief that the police have a racist agenda.

Whenever discussions of criminal justice reform enter into the territory of race, the policies and practices of drug control eventually enter the conversation. First, the "war on drugs" was designed and written into law by legislators outside of the communities in question, rather than by the police on the ground, the latter of whom were "conscripted" by default as its primary foot soldiers. Second, the debate on drug policies and racial disparities merits a larger conversation, and many prominent scholars—criminologists, historians, and political scientists—have studied this issue at length.

For the purposes of this discussion, however, the question of whether the "war on drugs" was a bad, misinformed, or even racist policy must be bracketed for the moment, and the focus must turn from theory to practice: how—in terms of everyday police operations, investigations, and arrests—have drug enforcement policies resulted in local decisions that help or hinder law enforcement's ability to engage with those citizens who suffer the most from drug violence?

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14. At the same time, however, because the new generation is more open, the "rank and file," as East Palo Alto Police Chief Davis says, "will have an easier time accepting frank conversations about race than older officers."

We can arrest all the drug dealers that we want, and we can seize all the product that we want, and there's always going to be another drug dealer. There's always going to be more product.

— *Garry McCarthy*

To illustrate the inherent problems of traditional police approaches to narcotics enforcement, Superintendent Garry McCarthy of the Chicago Police Department shares this story from his time with the New York Police Department:

> One day, we were told we were going to flood Washington Heights. And I went back to the chief and asked, "What's our goal in crushing Washington Heights? What if we actually do impact the narcotics trade in Washington Heights? What are the likely outcomes? First of all, we could displace it to other communities, which we don't want to do. Second of all, if we actually impact the supply of narcotics in New York City, what happens when supply is low and demand stays the same? The price goes up? So, if the price of narcotics goes up, doesn't that mean we're going to increase competition between the narcotics dealers, which is probably going to mean more violence? And if the price of a bag of dope goes up, doesn't that mean that the guy who commits burglaries to fuel his habit has to commit more burglaries and steal more property to buy his drugs?"
>
> And the chief looked at me and said, "What, you want to legalize drugs?" My answer was of course "no," but also that we should figure out exactly what it is we want to do.
>
> [If] we want to increase quality of life and reduce crime, [h]ow do we do it? We don't do it by locking up narcotics dealers and seizing product, which has been the way we've been attacking in the war on drugs. What's the result of that? Mass incarceration. We're locking up a lot of people and doing nothing about the narcotics problem. Law enforcement will never solve the narcotics problem in this country because the narcotics problem is a criminalized social problem. We can arrest all the drug dealers that we want, and we can seize all the product that we want, and there's always going to be another drug dealer. There's always going to be more product.
>
> So, what is it that we need to do? We need to focus on eliminating narcotics markets at specific locations, so we can do our job as municipal policemen, which is to improve quality of life and reduce crime at those locations.

This story reveals the problems with traditional narcotics enforcement on multiple levels. First, it gets at the point that this type of strategy, though it may end with the chief of police and the district attorney holding a press conference in front of a table filled with seized drug product, does not address long-term solutions or root causes through real, sustained problem-solving. Second, it acknowledges that the police, too, are dissatisfied with traditional styles of enforcement and often hold the perception that these efforts are, in the end, ineffective and unsustainable.

On the one hand, the success of "flooding Washington Heights" could be measured easily and tangibly by the number of arrests made or kilos of narcotics seized. On the other, the same action could be measured much less favorably and concretely by the amount of (1) frustration felt by police who recognize the futility of this type of operation and (2) anger created in the community who come to view the police as an occupying force.

Moreover, the long-term ineffectiveness of chasing the elusive "Kilo Fairy," to use a policing colloquialism, can be directly assessed by measuring levels of continued overt drug sales, drug use, violence, and disorder in these communities. The traditional narcotics enforcement techniques that have marked the era of the war on drugs have contributed to increased incarceration rates in this country, and with that comes the unintended harm of decreased trust in those communities most likely to suffer from the effects of enforcement-heavy policing (Bobo and Thomson 2006). Professor Kennedy summarizes the damage this situation creates by acknowledging:

> We all know—we don't like it—but we all know what goes on in policing in these [poor, urban] neighborhoods. Lines get crossed; people get stopped and searched without legal justification. It happens everywhere. It is the nature of drug enforcement, especially in these places. Police do bad things for what they believe to be the right reasons.

He continues by putting arrest and incarceration into the context of a continuing narrative of state-sanctioned oppression:

> So the conspiracy theory goes, "this is what the outside, what the white folks, what the cops are doing to us because we finally got rid of formal legal oppression and they needed something to do to us. So now, rather than Jim Crow, we've got everybody locked up." Let me sum this up in a statement that one of my friends made recently: "If you want to destroy a civilization, lock it up."

Many participants from the January 2012 meeting in Washington, D.C. referenced Michelle Alexander's recent book, *The New Jim Crow*, as a way of understanding how mass incarceration could be and often is interpreted as another iteration of institutionalized racism in a long history of policies that have encoded disparities into law.

> Police do bad things for what they believe to be the right reasons.
>
> — *David Kennedy*

Promoting racial reconciliation through accountability

Both the Obama Administration and the current "drug czar"— Director Gil Kerlikowske of the Office of National Drug Control Policy—have signaled their desire to move away from the term "War on Drugs" (Office of National Drug Control Policy 2011). In many cases, however, changes to local policy still need time to catch up with changes in federal rhetoric. For local law enforcement, as well as local government, this may require establishing different accountability structures to measure success in fighting crime.

While police chiefs at the January 2012 executive session came to the consensus that the profession must move away from enforcement-heavy tactics, actually operationalizing that goal remains a challenge. Glenn Martin, director of the David Rothenberg Center for Public Policy at the Fortune Society, described this problem:

> As a person who grew up in one of those [predominately African-American] communities, as a person who has been locked up many times, I really do feel that law enforcement is structured in such a way where you advance based on making a large number of arrests—very significant and high profile arrests. Is that really not true? That is something the community believes and something I still believe as a person who has been doing this work for a very long time now. I work for an agency large enough to know that you watch what you care about; you measure what you care about. People who work for you respond to that. So, until we re-incentivize what it means to be a good law enforcement officer, it's going to be hard to make this entire shift that we're talking about.

Jim Fealy, chief of the High Point (North Carolina) Police Department, confirmed that a counterproductive accountability system still exists in law enforcement: "You see it in many, many ways, including promotions based on activity and the annual reports that chiefs of police submit to city councils and mayors, touting the number of arrests they've made, even if the crime rate continues to climb; those are pretty powerful indicators of arrest being an overused tool." CompStat, he argues, unintentionally drives an arrest- and numbers-focused enforcement strategy.

Many jurisdictions, therefore, may need to modify their CompStat implementations to ensure their incentive and accountability mechanisms can produce results that both reduce crime and promote police legitimacy in communities of color.

Legality versus legitimacy

One shortcoming of CompStat, as well as many other accountability mechanisms within police departments, is that they fail to recognize the differences between police actions and policies that are legal from those that are legitimate. Professor Meares from Yale University underlines the difference as such:

> Legitimacy is not necessarily the same as legality; police behavior can be lawful without being legitimate. The kind of things that people key in on when concluding that police conduct is legitimate often is not captured by the law. Think about the Fourth Amendment, for example, which specifies that, in order for a police officer to stop someone, he or she has to have a reasonable suspicion that the person they are stopping has committed a crime or is about to commit a crime. If there is no reasonable suspicion, then a police officer is not legally authorized to stop that person. Now, there's nothing [in] the Fourth Amendment that says an officer should introduce himself or herself when [stopping] the person that he [or she] reasonably suspects. There is nothing [in] the Fourth Amendment that specifies that the officer give that person an opportunity to say what he or she is doing out there on the corner or on the median of a street in Harlem. There's nothing [in] the Fourth Amendment that requires a police officer to treat the person stopped with dignity, respect, and politeness. But it turns out that those are the things that people pay a lot of attention to when concluding whether a particular order or request by a police officer is legitimate. And that's true whether or not the cop's action in the first place was lawful.

At the January 2012 executive session, the police chiefs and researchers present most often turned to the "stop-and-frisk" policy as a real-world policing example that illustrates the distinction between legality and legitimacy. Assuming, for the moment, that every citizen stop under a stop-and-frisk policy is legal, police departments must carefully weigh the costs and benefits of such a policy's cumulative effects in terms of crime reduction, community trust, and the legitimacy of the criminal justice system. To put this in Chicago PD Superintendent McCarthy's terms, "if we're frisking the five kids who stopped to get a soda after playing basketball and happen to be standing on the corner, versus the five kids who are always standing on the corner, the view that is taken towards what … we're doing is going to be based on that community narrative that goes back 200, 300 years in this country."

However, the debate around stop-and-frisk policies and disproportionate minority contact is complicated and requires a nuanced understanding of data. A RAND study, funded by the NYC Police Foundation, found that "Black suspects … were stopped substantially less than would be expected, 20 to 30 percent less than their representation in crime-suspect descriptions" (Ridgeway 2007, 43). Conversely, by using arrest data instead of crime-suspect descriptions, another study from the same year concluded that, "compared with the number of arrests of each group in the previous year (used as a proxy for the rate of criminal behavior), Blacks were stopped 23 percent more often than Whites" (Gelman, Fagan, and Kiss 2007, 82).

One could make arguments about the underlying cause of these discrepant conclusions.[15] Regardless of whether stop and frisk results in disproportionate contact, the perception among black communities that it is a racist policy still remains. A young, African-American student from New York City describes his personal—and paradigmatic—view of stop and frisk in the following way:

> In half the stops, police cite the vague "furtive movements" as the reason for the stop. Maybe black and brown people just look more furtive, whatever that means. . . . The police use the excuse that they're fighting crime to continue the practice, but no one has ever actually proved that it reduces crime or makes the city safer. Those of us who live in the neighborhoods where stop and frisks are a basic fact of daily life don't feel safer as a result. (Peart 2011)

For Professor Meares, "looking at the constitutionality of police stop and frisks is not enough." In other words, debating *ad infinitum* whether each stop is technically legal, or whether the policy is fair and equitable, or even whether it is an effective crime control measure, obscures the fact that stop and frisk as a whole adversely affects police legitimacy. Furthermore, police legitimacy is not only an ideal, an end for which the profession should strive; rather, it is also operationally and functionally important, a key factor in determining both public cooperation with the police and a citizen's willingness to obey the law (Tyler 2004).

Apologies, acknowledgements, and truth-telling

Controversial strategies like stop and frisk, high-profile incidents like the Henry Louis Gates arrest, and officer-involved shootings like the Oscar Grant case shape the reputation of police agencies far beyond the jurisdictional boundaries of the New York, Cambridge, or BART Police Departments. Most recently, the Trayvon Martin shooting demonstrates just how quickly the decisions of police and prosecutors in a small town like Sanford, Florida, can become an intense flashpoint for debate over the fairness of the criminal justice system at large.[16]

In an age of increased and rapid media scrutiny, no issue or controversy remains local. Yet decisions that result in incremental but fundamental changes in race relations, trust in the police, and community safety are most often going to happen at the local decision-making level. For the police chiefs present at the January 2012 executive session, these decisions often started with an acknowledgement of the long and vexed history between the police and communities of color.

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15. One could speculate, for example, that using crime-suspect descriptions, rather than arrest data, as a proxy for criminality might explain the different conclusions found by the two studies.

16. This incident has also re-raised issues of racial profiling based on appearance and dress, as evidenced by the "Million Hoodie March" that was organized through social networks in response to the shooting (See Crimesider Staff. "'Million Hoodie March' held in NYC in Memory of Trayvon Martin." 2012. CBS News, March 22. www.cbsnews.com/8301-504083_162-57402318-504083/million-hoodie-march-held-in-nyc-in-memory-of-trayvon-martin).

This acknowledgement can take many forms. Chief Fealy—a white police chief in the mid-sized, southern city of High Point, North Carolina—took what many of his fellow police executives considered a risky move: he issued a public apology to the black community for historical wrongs perpetrated by the police. While admitting that not every chief can or would be able to do the same, Chief Fealy explains:

> I've talked to a lot of chiefs across America who are all very reluctant to make the apology, and you don't have to. I don't think that you have to apologize for doing your job. I do, however, have no problem saying, especially to these troubled communities of color, that we have let them down. My apology did not really offend the working cops in our organization because they agreed with me. Whatever we have been doing has not been satisfying or satisfactory, and the fact that it's ruining what little relationship we have with that segment of the community made them more than willing to try something different. I can very sincerely apologize for some of the past because I was a part of it. I can apologize for having policed in a callous manner; I can apologize for us not policing smarter and relying only on the tactics and tools that were so easy; I can apologize for not looking for something better. But I think every community has to address it a little bit differently; every chief has to craft their own message, and they have to be sincere and comfortable with it.

Admittedly, an apology may not be appropriate in every community and in all circumstances, and entering into a frank discussion of race and policing does not necessarily require one. East Palo Alto Police Chief Davis, for example, draws a critical distinction between acknowledging the historical wrongdoings of the police and apologizing for current police practices that may contribute to disparate incarceration rates for young men of color. He explains:

> I don't know if I personally would embrace the phrase of "apologizing for the past." I know what is meant by that, but for me it's more of an acknowledgement of the past. I can apologize for the current because that's what I have control over; to say that I can apologize for the past is to suggest that I have power that I don't have. But acknowledging that history and understanding that it now drives my agenda and influences the decisions that my organization makes today is very critical. We have to understand why there is this mistrust and give validity to the concerns that many in the community may have.

Whether an acknowledgement or apology, such a gesture can open the door to working with the community to use evidence-based strategies that avoid negative outcomes for poor, minority communities.

Furthermore, internal messaging is just as critical to secure support from the police department's rank and file. Superintendent McCarthy offers an example of how he gained acceptance for these ideas within his own organization in Chicago: "What I've said is, 'Look, this is the history, and these are the conclusions that are drawn by the community based on that history. Whether you agree with it or not, whether it's right or wrong, factual or not factual, you have to recognize that this is the opinion from which people draw their conclusions.'"

"Earning a moment of pause"

Repairing relationships may start organizationally with the chief, but the legitimacy of the department fundamentally depends on how police officers treat people on the street. As Professor Meares of Yale University explains, every police-citizen interaction matters, especially in the aggregate: "Every opportunity that an officer has to speak to someone becomes a teachable moment. When you think about each positive incident, you are building a savings account for yourself. But the flipside of course is when you have negative incidents. Those are things that draw down your account quickly." A department that has worked toward racial reconciliation and strived to achieve legitimacy in the eyes of the community it serves begins with a larger account of goodwill, in the event that a racially charged incident occurs.

Reverend Ed Copeland, a minister who has worked closely with the Rockford (Illinois) Police Department's Drug Market Intervention, explains just how this "savings account" works in a real-life situation by sharing how the police chief, Chet Epperson, originally approached him:

> The chief came to me and said, "At some point in my tenure, something major is going to happen, and you're going to have to trust me that I'm going to do the right thing. I don't know when it's going to happen, but I want to build relationships now." Well, two years ago, an unarmed African-American male was shot in the back three times by police officers in the basement of a church, in front of daycare children. That's kind of major. But the day it happened, [Chief Epperson] came to the church where it happened and was able to talk with that pastor who said, "You know what, Chief, I trust you. These cops who did it have to go, but we trust you, and we're going to wait and see what the process is, and we're going to give you time to work that process."

Proactive relationship building affords a police department, not a "free pass," but what East Palo Alto Police Chief Davis calls "a moment of pause," the period just after a high-profile, emotionally charged incident when the chief has time to "pick up the phone and call community leaders to the table." He further explains that,

> when emotions in the community are so heated against a particular police action, if you haven't earned the trust and confidence of the community, that's when incidents can ignite into civil unrest. But if you work on those relationships in advance, you earn the time and space either to acknowledge that you were wrong or explain what happened if you were not—and know that people are going to give you a fair shot.

Earning this "moment of pause" is not the only advantage gained from engaging in the process of racial reconciliation and police legitimacy, and doing this work is more than just a community relations add-on, outside the scope of core police work. Actively and sincerely tackling (admittedly sensitive) issues of race and policing is critical across all levels—strategic, operational, and tactical. Though not easy, it ultimately produces results: a safer community not only for citizens but also for the cops sworn to protect them.

Racial reconciliation and community violence prevention

The point of offering an apology or acknowledgement of the past is not only to admit that "law enforcement had a role in this history" but also, and more importantly, to affirm that "we also have a role in the solution," says Director Melekian. The end goal of racial reconciliation is to enter a process that will yield tangible benefits: reducing violence and mass incarceration in the long term and, thus, making policing easier and more productive.

Michael McBride, a Bay Area, California, pastor affiliated with the PICO National Network of faith-based organizations, acknowledges that, just like the average patrol officer, the average community organizer understands that "whatever we're doing is not getting us the result that we want. That realization is a doorway … for people who are solution-oriented."

While this publication has discussed the role of the police in addressing the issues of race and public safety, the communities in question also must acknowledge that they too could be embracing a different and better approach to reducing violence. An admission, such as "we have not been enforcing right and wrong within our own communities," can be enough to begin productive conversations with law enforcement, which already knows it cannot solve these problems alone. Such an admission also signals to police, who often feel accused of being unilaterally culpable for sustained levels of violence and mass incarceration, that the community is willing to concede its own past mistakes, move forward, and work collaboratively.

If you haven't earned the trust and confidence of the community, that's when incidents can ignite into civil unrest. But if you work on those relationships in advance…people are going to give you a fair shot.

— Ronald Davis

The point is not to say that blame must be shared equally, or even that assigning blame or guilt is a goal. Rather, the ultimate objective of entering into the process of racial reconciliation is to be able to shift the burden of public safety off the shoulders of law enforcement alone and share that responsibility with internal community norms, which may have always been present but not fully articulated. Both the police and the community are obligated, as Pastor McBride explains,

> to hit the reset button around the singularly most important issue in our communities, and that's the killing of our young people. If we can just enter into that space together, then it allows us to have a different kind of conversation, and our history—though present with us in the room—does not become the thing that dictates how we move forward together.

Furthermore, just as the police chiefs highlighted in this publication have put their own reputations at stake and risked criticism from both their peers and rank and file, so too must law enforcement recognize that community leaders who engage with the police around these issues are expending a significant amount of social capital to do so. Neither the responsibilities nor the risks are borne by one side alone.

All of the police chiefs, faith-based leaders, academics, and policymakers present for this discussion on racial reconciliation and police legitimacy have been intimately involved with one possible solution to addressing systemic violence. The "Boston Ceasefire" Group Violence Reduction Strategy and "High Point" Drug Market Intervention models offer concrete strategies for eliminating gang- and drug market-related violence. In cities across the country, these models have helped communities transform themselves from within, an achievement only attainable through sustained public cooperation with the police. No external force of will, expressed primarily through police enforcement actions, is able to address the systemic root causes of violence, one of which is the cyclical and destructive disconnect between the police and the minority communities they serve.

This summary is intended to give police executives the chance to hear from their own colleagues why engaging in the process of racial reconciliation is not only morally but also functionally and operationally critical. The concepts of police legitimacy, legal cynicism, and informal social control briefly introduced here provide the theoretical underpinning that helps to explain, in practical terms, how police who actively and sincerely engage with their communities of color will find they can do their job better and more effectively. Citizens are more likely to obey the law, cooperate with the police, believe in the legitimacy of the formal justice system, and set internal community norms that reinforce lawful behavior. This collectively results in achieving the primary goals of municipal police: reducing violence, decreasing fear of crime, and increasing quality of life.

Enforcement actions will always have a place, a necessary place, in upholding the law and securing public safety through fair and equitable practices. At the same time, the entire criminal justice system is undergoing a fundamental shift in response to how the public views traditional law enforcement strategies. To quote East Palo Alto Police Chief Davis, "You have to be a chief that believes in redemption. You have to give people second chances. Incarceration is a last resort tool, not a major strategy."

A historical opportunity now stands before the policing profession, one in which law enforcement can reassert its place as the first-line defender of the citizen's right to equal protection under the law. To be sure, racial divisions extend far beyond the issues of policing and minority communities; but the police are uniquely positioned to take this first step toward healing, forgiveness, and reconciliation.

> You have to give people second chances. Incarceration is a last resort tool, not a major strategy.
>
> — *Ronald Davis*

References

Apollon, Dominque. 2011. "Don't Call Them 'Post-Racial': Millennials' Attitudes on Race, Racism, and Key Systems in our Society." New York: Applied Research Center. Accessed April 18, 2012. http://arc.org/millennials/report

Bobo, Lawrence D., and Victor Thomson. 2006. "Unfair by Design: The War on Drugs, Race, and the Legitimacy of the Criminal Justice System." *Social Research* 73 (2): 445–472. Accessed April 18, 2012. www.econ.brown.edu/fac/glenn_Loury/louryhomepage/teaching/Ec%20222/Bobo_Thompson_2006.pdf.

Braga, Anthony A., and David L. Weisburd. 2011. "The Effects of Focused Deterrence Strategies on Crime: A Systematic Review and Meta-Analysis of the Empirical Evidence." *Journal of Research in Crime and Delinquency* (September): 1–32. Accessed April 18, 2012. http://jrc.sagepub.com/content/early/2011/09/08/0022427811419368.full.pdf.

Gelman, Andrew, Jeffrey Fagan, and Alex Kiss. 2007. "An Analysis of the New York City Police Department's 'Stop-and-Frisk' Policy in the Context of Claims of Racial Bias." *Journal of the American Statistical Association* 102 (479). Accessed April 18, 2012. www.stat.columbia.edu/~gelman/research/published/frisk9.pdf.

Kennedy, David. 2009. "Drugs, Race, and Common Ground: Reflections on the High Point Intervention." *NIJ Journal* 262 (March): 12–17. Accessed April 18, 2012. www.ncjrs.gov/pdffiles1/nij/225758.pdf.

Kirk, David S., and Mauri Matsuda. 2011. "Legal Cynicism, Collective Efficacy, and the Ecology of Arrest." *Criminology* 49 (2): 443–472.

Lemaitre, Rafael. 2011. "Alternatives to the 'War on Drugs:' Obama Drug Policy and Reforming the Criminal Justice System." Office of National Drug Control Policy, November 21. Accessed April 18, 2012. www.whitehouse.gov/blog/2011/11/21/alternatives-war-drugs-obama-drug-policy-and-reforming-criminal-justice-system.

Mitchell, Ojmarrh, and Michael J. Lynch. 2011. "Criminal Justice, Race, and the War on Drugs." In *Disproportionate Minority Contact: Current Issues and Policies,* edited by Nicolle Parsons-Pollard, 139–155. Durham: Carolina Academic Press.

Peart, Nicholas K. 2011. "Why is the N.Y.P.D. After Me?" The New York Times, December 27. Accessed April 18, 2012. www.nytimes.com/2011/12/18/opinion/sunday/young-black-and-frisked-by-the-nypd.html?pagewanted=all.

Pew Research Center. 2010. "Millennials—A Portrait of Generation Next: Confident. Connected. Open to Change." Washington, D.C.: Pew Research Center. Accessed April 18, 2012. http://pewsocialtrends.org/files/2010/10/millennials-confident-connected-open-to-change.pdf.

Reaves, Brian A. 2010. "Local Police Departments, 2007." Washington, D.C.: Bureau of Justice Statistics. Accessed April 18, 2012. www.bjs.gov/content/pub/pdf/lpd07.pdf.

Ridgeway, Greg. 2007. "Analysis of Racial Disparities in the New York Police Department's Stop, Question, and Frisk Practices." Santa Monica, CA: RAND Corporation. Accessed April 18, 2011. www.rand.org/pubs/technical_reports/2007/RAND_TR534.pdf.

Rose, Dina R., and Todd R. Clear. 1998. "Incarceration, Social Capital, and Crime: Implications for Social Disorganization Theory." *Criminology* 36 (3): 441–479.

Sampson, Robert J. 1986. "Crime in Cities: The Effects of Formal and Informal Social Control." *Crime and Justice* 8:271–311. Accessed April 18, 2012. www.wjh.harvard.edu/soc/faculty/sampson/articles/1986_C&J.pdf.

Sampson, Robert J., and Dawn Jeglum Bartusch. 1998. "Legal Cynicism and (Subcultural?) Tolerance of Deviance: The Neighborhood Context of Racial Differences." *Law and Society Review* 32 (4): 777–804.

Sampson, Robert J., and John L. Laub. 1990. "Crime and Deviance over the Life Course: The Salience of Adult Social Bonds." *American Sociological Review* 55 (5): 609–627.

Travis, Jeremy. 1999. "Attitudes Toward Crime, Police, and the Law: Individual and Neighborhood Differences." *National Institute of Justice Research Preview* (June): 1–2. Accessed April 18, 2012. www.ncjrs.gov/pdffiles1/fs000240.pdf.

Tyler, Tom R. 2004. "Enhancing Police Legitimacy." *The Annals of the American Academy of Political and Social Science* 593(84): 84–99.

Appendix: January 2012 Executive Session Participants

Executive Session on Racial Reconciliation and Police Legitimacy
January 11, 2012 | Washington, D.C.

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Discussion Questions

Written to encourage thoughtful discussion, *Racial Reconciliation, Truth-Telling, and Police Legitimacy* can help law enforcement leaders engage with their peers, officers, and community members on what can be a sensitive and difficult topic. Framing a balanced, contextual, and nuanced understanding of why racial tensions persist between the police and certain communities of color is no easy task. The following questions can help readers enter into a frank and honest dialogue, one that can open the door to reconciliation between two groups who ultimately want to achieve the same goal—to eliminate violence and improve quality of life for citizens living in troubled, crime-affected neighborhoods:

- What is the difference between "legitimacy" and "legality," and why does this distinction matter when considering what police actions to deploy in disadvantaged, minority communities?

- Research has suggested that members of minority communities with high rates of crime and incarceration are actually less tolerant of deviant behavior than people from more affluent neighborhoods. How does "apathy" differ from "legal cynicism"? How can understanding the latter concept explain resistance to or reluctance toward cooperating with the police?

- The police often feel demonized in discussions of race, but they too are often operating in an environment of competing local and political pressures. What are the constraints that law enforcement itself faces (from the community, elected officials, municipal government, etc.) when trying simultaneously to address crime problems and produce good outcomes for communities of color with high levels of violence?

- As discussed in this publication, two competing narratives are told on the street versus in the stationhouse. These narratives perpetuate false and mutually exclusive views of both the police and disadvantaged communities of color. What are these narratives? Why are they false and yet seemingly plausible when viewed from a certain context? How do they self-perpetuate? What can be done to correct them?

Racial Reconciliation, Truth-Telling, and Police Legitimacy discusses issues raised at the executive session hosted by the COPS Office and the National Network for Safe Communities in Washington, D.C. on January 11, 2012. This publication gives police executives the chance to hear from their own colleagues why engaging in the process of racial reconciliation is not only morally but also functionally and operationally critical. The concepts of police legitimacy, legal cynicism, and informal social control introduced here provide the theoretical underpinning that helps to explain in practical terms how police who actively and sincerely engage with their communities of color will find they can do their job better and more effectively. Citizens are more likely to obey the law, cooperate with the police, believe in the legitimacy of the formal justice system, and set internal community norms that reinforce lawful behavior. This collectively results in achieving the primary goals of law enforcement: reducing violence, decreasing fear of crime, and increasing quality of life.