Procedural Justice and Police Legitimacy (PJ1)
Housekeeping

- Please silence your cell phones...there will be plenty of time to check your messages!
- Restrooms
- Agenda – Breaks & Lunch
- Everyone has something to offer, so be respectful of the opinions of others
- Have an open mind!
Welcome

VIDEO PLACEHOLDER
Objectives

- Define legitimacy and state how to increase police legitimacy.
- Define procedural justice and discuss its benefits.
- Review the relationship between the police and the community.
- Understand the role history has played in hindering legitimacy in some communities.
Module 1

The Interactive Nature between Legitimacy, Procedural Justice, and Goals in Policing
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.
Example of Procedural Justice – Video

Taser Video –
Spokane, WA
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.
Why Are We Here?

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

- Increased safety
- Lowered stress levels
- Fewer complainants
- 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.
Chicago Police Department Mission Statement

“The Chicago Police Department, as part of and empowered by the community, is committed to protect the lives, property, and rights of all people, to maintain order, and to enforce the law impartially. We will provide quality police service in partnership with other members of the community. To fulfill our mission, we will strive to attain the highest degree of ethical behavior and professional conduct at all times.”
Module 2
Expectations and Legitimacy
Sir Robert Peel

It is important to point out that one of Peel’s principles states that:

“The police should always have a relationship with the public that gives reality to the tradition that the police are the public and the public are the police.”

1788-1850
Legitimacy-Video

“This is what a mustache looks like!”

NATO protest 20 MAY 12
The Golden Rule

• Asking the question, “How would I like to be treated in this situation?” is an integrity guideline for any situation.

• The Golden Rule divides cultural and religious boundaries, and is accepted by most people throughout the world.

• It can be used to create common ground with any reasonable person.
Cynicism

• Modern cynicism, as a product of mass society, is a distrust toward professed ethical and social values, especially when there are high expectations concerning society, institutions and authorities which are unfulfilled. Cynicism can manifest itself as a result of frustration, disillusionment, and distrust. It is perceived to be a result of the behaviors of organizations, authorities, and other aspects of society.

• A cynic expects nothing but the worst in human behavior. Cynicism is the antithesis of idealism, truth, and justice - which are the virtues that police officers swear to uphold.
“Us” vs. “Them”

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

‘Real World’ for police = 3-6% of the population
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

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

Police officers expect...

- Acceptance of our authority
- Compliance
  - With the laws
  - Orders
- Cooperation
- Information (Informant)
- 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 to gain it?

• The four principles of procedural justice:
  º Voice (listen)
  º Neutrality (be fair)
  º Respectful treatment (be respectful)
  º Trustworthiness (fair and transparent process)
Legitimacy

• What is 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.

• Legitimacy reflects:
  ° Trust and confidence in the police.
  ° Acceptance of police authority (less confrontation).
  ° Police actions are morally correct and appropriate (fairness).
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.
Teachable Moment?

Skateboard Video --

Baltimore PD
Module 3

Procedural Justice
Procedural Justice is Rooted in Justice

**Justice:** The use of authority and power to uphold what is right, fair, or lawful.

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

Citizen’s assessment of an experience with the police:

Assessment = Outcome + Process
“Do Good, Be Good, Treat People Well.”

Citizen’s assessment of an experience with the police:
Procedural Justice in Action – Video

One Good Cop
Illinois State Trooper

ONE GOOD COP VIDEO PLACEHOLDER
Procedural Justice as a Priority

• Primary issue in how a community views police legitimacy:
  ° Are police exercising their authority in a fair, just way?
  • Procedural justice
• Procedural justice
  ° Research shows that procedural justice is more important than the outcome of the encounter.

° For the most part, a positive or negative outcome does not have an impact on legitimacy.
Elements of Procedural Justice

• Quality of decision-making
  ◦ Voice
  ◦ Neutrality (fair process)

• Quality of treatment
  ◦ Respect for people and their rights
  ◦ Trustworthiness (transparent process)
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.

Non-Verbal Components of Communication

• Stance
• Gestures (movements of the body and face)
• Eye movements
• Personal attire
• Motor movements
• Facial expressions
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).
Labeling

Table Exercise

Part I
Write one word that the police use to describe the people in the areas they work.

Part II
Write one word that area residents use to describe police.
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!
Trustworthiness

Trust

Character
A person with high character exhibits integrity, maturity, and respect for others.

Competence
A person with high competence has the knowledge and ability to complete the job effectively.

(Ref. FranklinCovey, 2005)
Ever Been Stopped?

- Who has been stopped by the police?
- Who has a personal story about a family member being stopped by an officer?
Research Supporting Procedural Justice

• Study of California street stops
  ° Conducted in Oakland and Los Angeles.
  ° Interviewed 1,656 people who had recent personal experiences with legal authorities.
Will Citizens Voluntarily Accept Police Decisions?

(Taken from Tyler (2012) concerning street stops in California)
Will Citizens Voluntarily Accept Police Decisions, Despite Outcomes?

(Taken from Tyler (2012) concerning street stops in California)

- **Unfair Treatment**
  - Bad Outcome: 3%
  - Good Outcome: 15%

- **Fair Treatment**
  - Bad Outcome: 73%
  - Good Outcome: 87%
Will Citizens Be Satisfied with Police Decisions?

Percentage of citizens expressing satisfaction with police service when calling for help

(Taken from Tyler (2012) concerning street stops in California)
Research Supporting Procedural Justice

Chicago Police Department
Police-Community Interaction Survey (PCIS) Results

Percent "Somewhat" or "Very" Satisfied

- Trust: 87.3% using procedural justice, 9.3% not using procedural justice
- Unbiased: 84.4% using procedural justice, 11.8% not using procedural justice
- Respectful: 87.7% using procedural justice, 15.2% not using procedural justice
- Listened: 83.9% using procedural justice, 9.5% not using procedural justice

Officer's Behavior When Issuing Ticket
Research Supporting Procedural Justice

• **Power of Control**: Using coercion, threats, force, or the perception of power to gain compliance.

• **Power of Influence**: Using ethical principles to earn people’s respect and make a positive difference in their lives. Also, the power to work effectively with others to get a better result.

Procedural justice leads to legitimacy...

**THE POWER OF INFLUENCE**  
*FranklinCovey (2009)*
Module 4

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?

**Article 4, Section 2 of the U.S. Constitution reads:**

“No Person held to Service or Labor in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labor, but shall be delivered up on Claim of the Party to whom such Service or Labor may be due.”
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.
The Fugitive Slave Act of 1850

• The act was a part of the Compromise of 1850 between the South and the North.
• It declared that all runaway slaves were, upon capture, to be returned to their owners.
• It is nicknamed it the “Bloodhound Law” because of the dogs that were used by police and bounty hunters to track down runaway slaves.
Convict Lease Program: 1865–1928
Jim Crow: 1876–1965
Civil Rights Movement: 1954–1968
Civil Rights Movement: 1954-1968

Chicago 1963

IMAGE PLACEHOLDER
Civil Rights Movement: 1954-1968

Angelo Albano and Castenge Ficarrotta still handcuffed together, on the morning after they were lynched in 1910.
Mississippi Burning

Michael Schwerner, James Chaney, and Andrew Goodman
How Did We Get Here?

IMAGE PLACEHOLDER

IMAGE PLACEHOLDER
How Did We Get Here?

Throughout the world and even in modern times, police are sometimes seen as the enemy of the people.

• Not to be trusted
• Part of the establishment
• Goal to maintain power
• Or worse?
Building Trust – Video

Chicago Police building trust (legitimacy)
Historical Effects – Civil Rights
Community Bank Account

• 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?

• Every encounter is either a deposit or a withdrawal.
  ° Every contact is an opportunity to increase our legitimacy.
  ° Are you making a deposit or withdrawal with the way you police?
• How many deposits does it take to make up for a withdrawal?
• Does one encounter affect how future generations view the police?
Deposit or Withdrawal? – Video

Traffic stop video (part 1)
Deposit or Withdrawal? – Video

Traffic stop video (part 2)
Module 5

Procedural Justice at Its Finest
COPS Atlanta Drug Bust - Video
Images Are Powerful

• Review the following images.
• Discuss how you perceive the images.
• Do the images display procedural justice leading to legitimacy?
IMAGE PLACEHOLDER
Take Away Message

What can you take away from this class that may benefit you in becoming a more effective police officer and/or person?
Wrapping Up

• Does this make sense?
• Legitimacy – The perceptions that the public has about the police.
  o The public evaluates our behaviors and practices, which shape their views and behaviors.
  o Our actions – good and bad – affect legitimacy.
• Procedural justice – How we treat people has many effects on how we are viewed by the public.
• Every encounter is a deposit or withdrawal to the Departments’ legitimacy.
• Don’t let your environment define who you are!
• Procedural justice leads to legitimacy.
The Chicago Police Department Core Values

**Professionalism:** Our on and off duty conduct reflects both the highest standards of police service and personal responsibility.

**Obligation:** We serve all citizens equally with fairness, dignity and respect.

**Leadership:** Our leadership examples inspire respect for ourselves and admiration for our department.

**Integrity:** We are committed to the highest standards of honesty and ethical conduct.

**Courage:** We uphold and follow the law in the face of fear, danger and temptation.

**Excellence:** We proudly wear the Chicago Police Department star with excellence as our standard.
Good Deeds = Great Results