

Procedural Justice and Police Legitimacy (PJ1)

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



Begin >



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!

IMAGE PLACEHOLDER



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.

IMAGE
PLACEHOLDER



Example of Procedural Justice – Video

Taser Video –
Spokane, WA

VIDEO PLACEHOLDER





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.**”

IMAGE PLACEHOLDER



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

VIDEO PLACEHOLDER



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.

IMAGE PLACEHOLDER



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.

IMAGE PLACEHOLDER



“Us” vs. “Them”

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

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





Expectations Exercise

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





Expectations Exercise – Group 1

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... • Trust

- Acceptance of our authority
- Compliance
 - With the laws
 - Orders
- Cooperation
- Information (Informant)
- Responsibility
- Respect



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:
 - Voice (listen)
 - Neutrality (be fair)
 - Respectful treatment (be respectful)
 - Trustworthiness (fair and transparent process)

IMAGE
PLACEHOLDER





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.

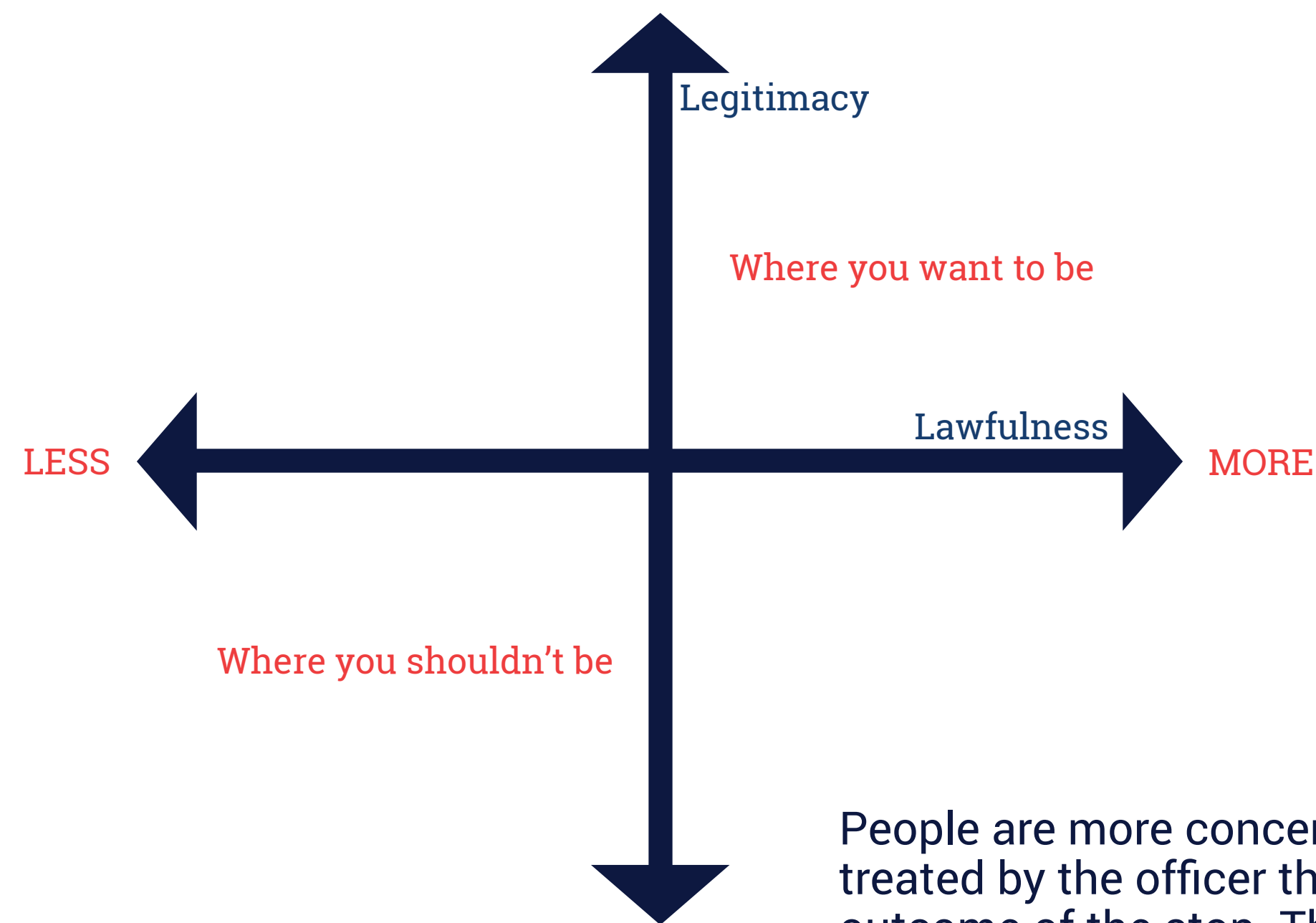
- **Legitimacy reflects:**

- 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

VIDEO PLACEHOLDER



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.

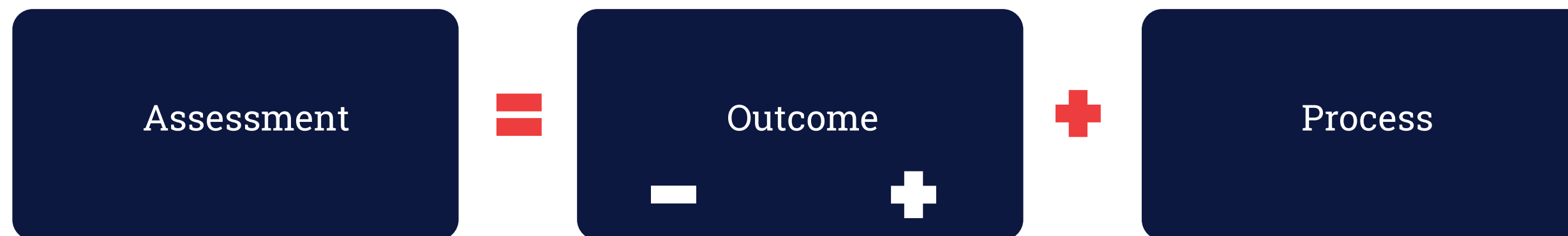
Procedural Justice: The procedures used by police officers where citizens are treated fairly and with proper respect as human beings.





Citizen Assessment Formula

Citizen's assessment of an experience with the police:





“Do Good, Be Good, Treat People Well.”

Citizen’s assessment of an experience with the police:

IMAGE
PLACEHOLDER

IMAGE
PLACEHOLDER



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.

IMAGE
PLACEHOLDER



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.

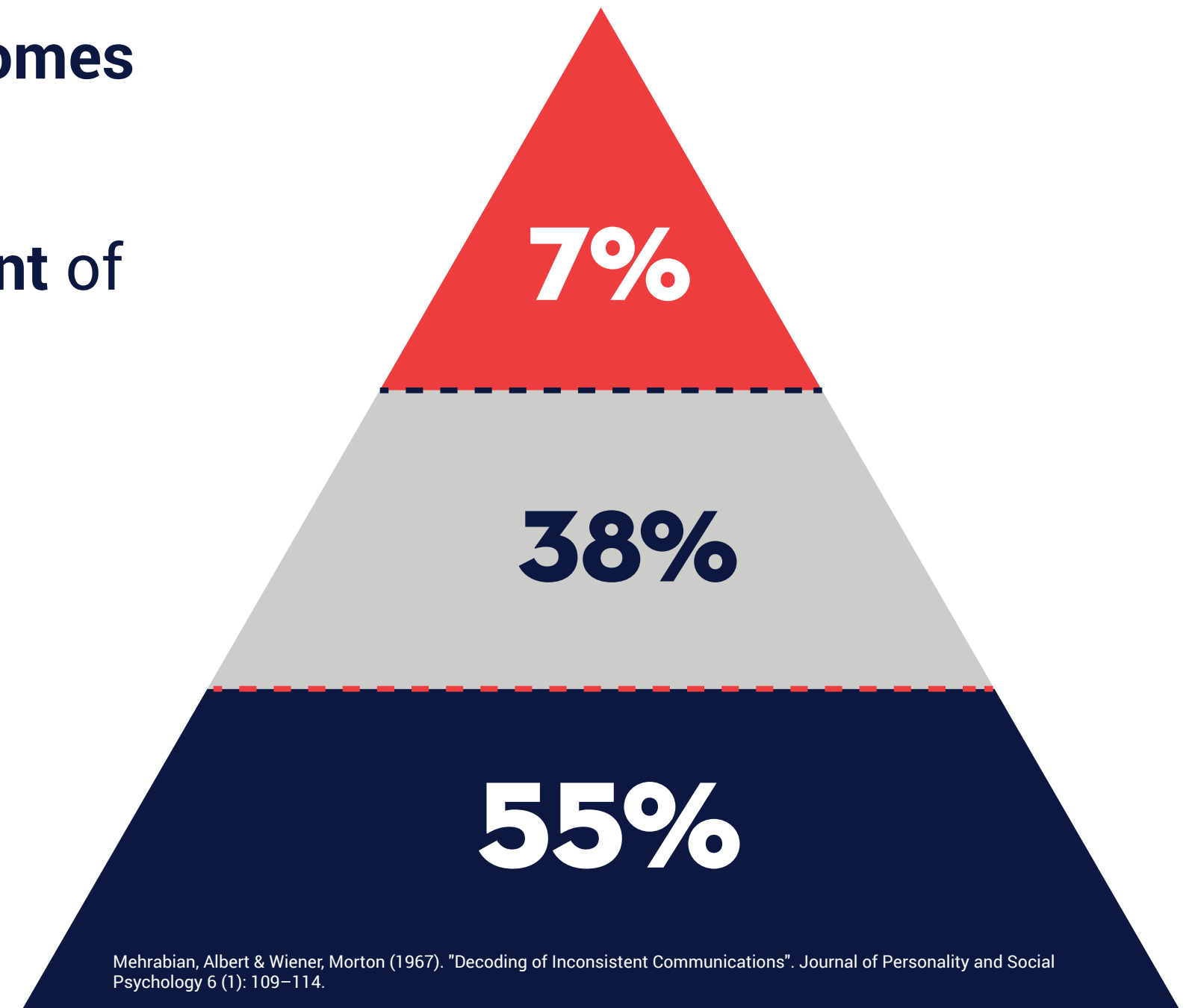
IMAGE
PLACEHOLDER



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.

IMAGE
PLACEHOLDER





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

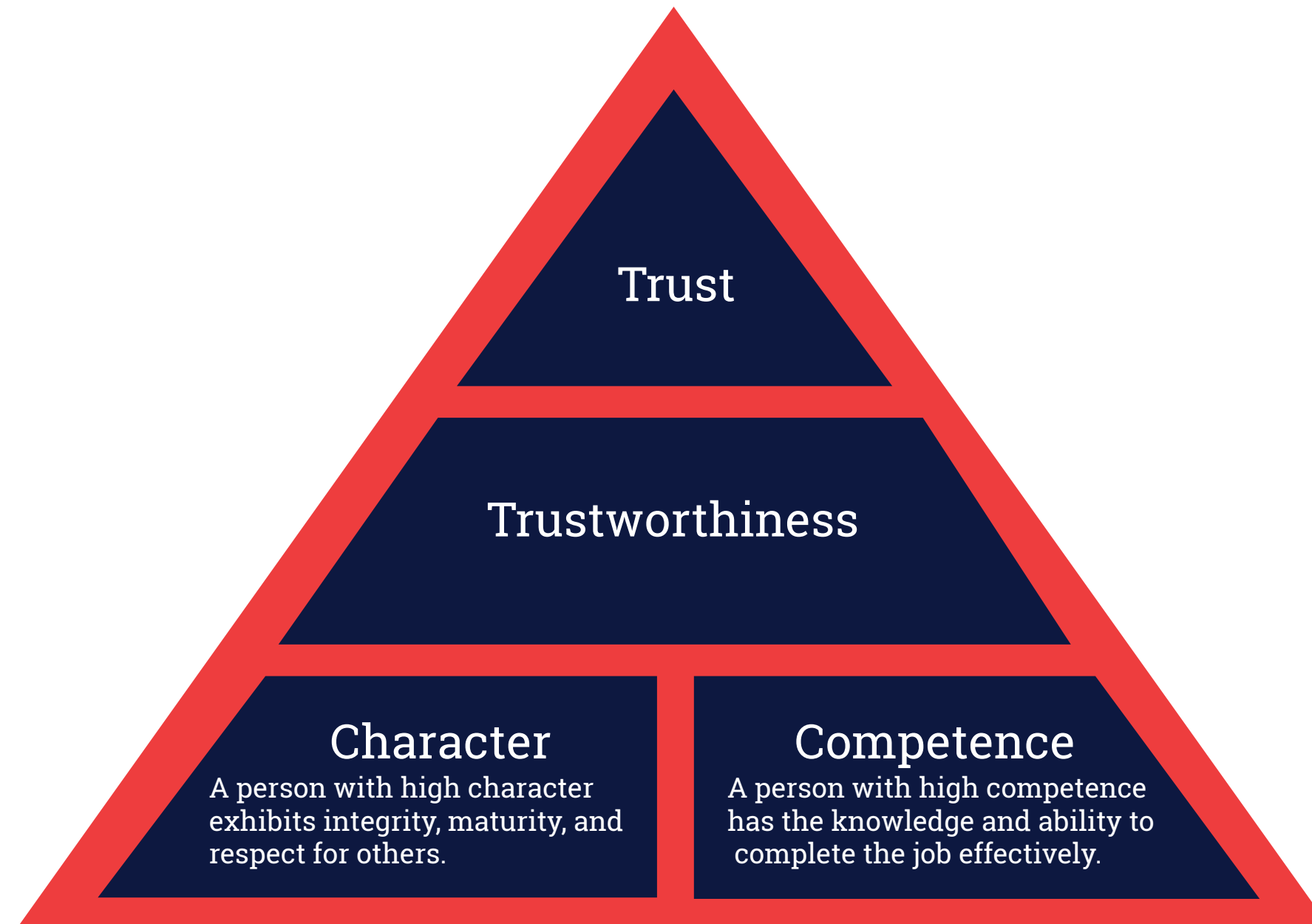
- Listen to people.
- Consider their side of the argument.
- Take their needs and concerns into account (benevolence).
- Explain the decision/action.
 - This demonstrates that you have listened to them and considered their needs and concerns.
 - In doing so, you gain legitimacy for yourself and the Department.

Doing what is right gains compliance!





Trustworthiness



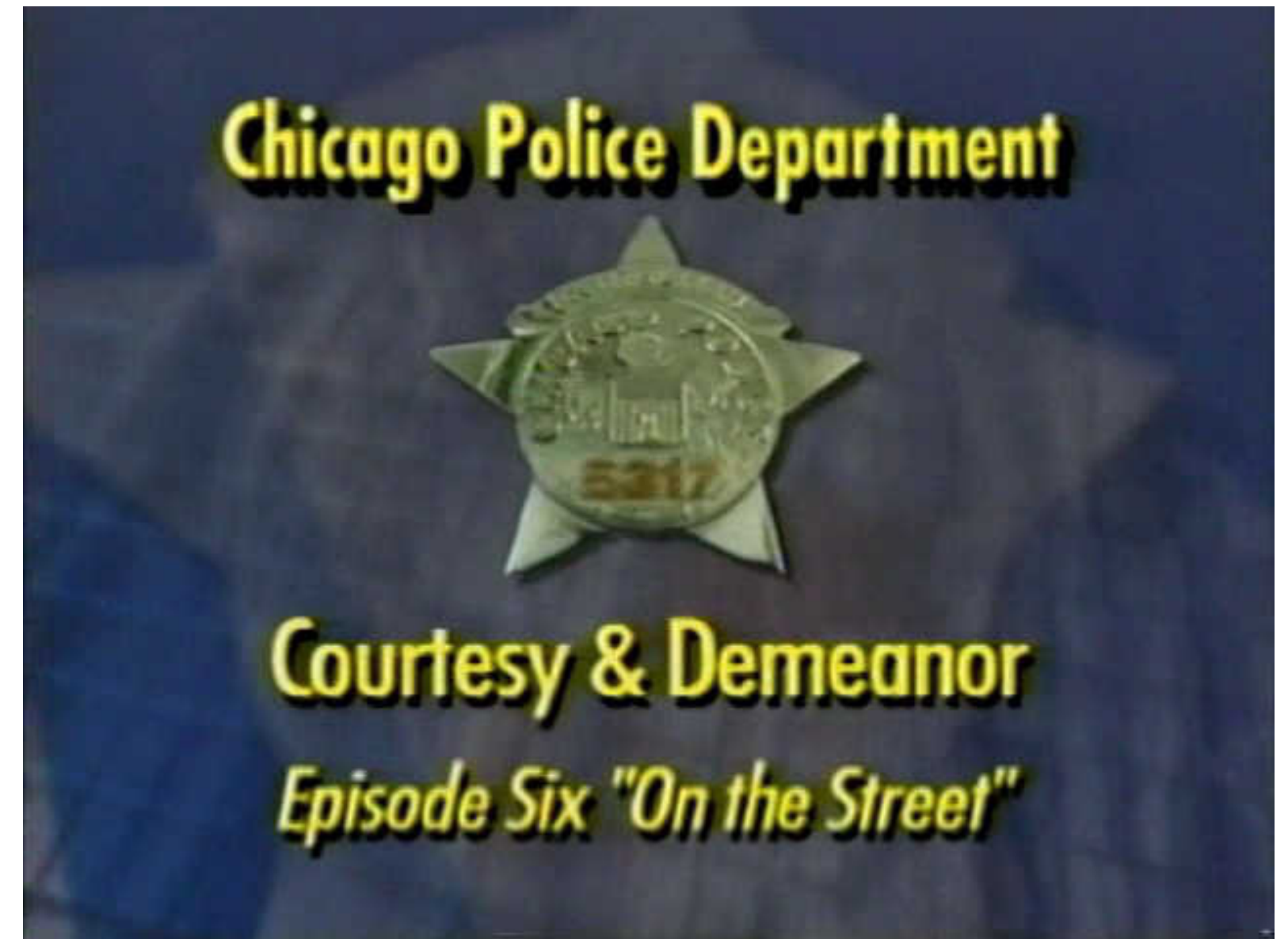
(FranklinCovey, 2005)





Ever Been Stopped?

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





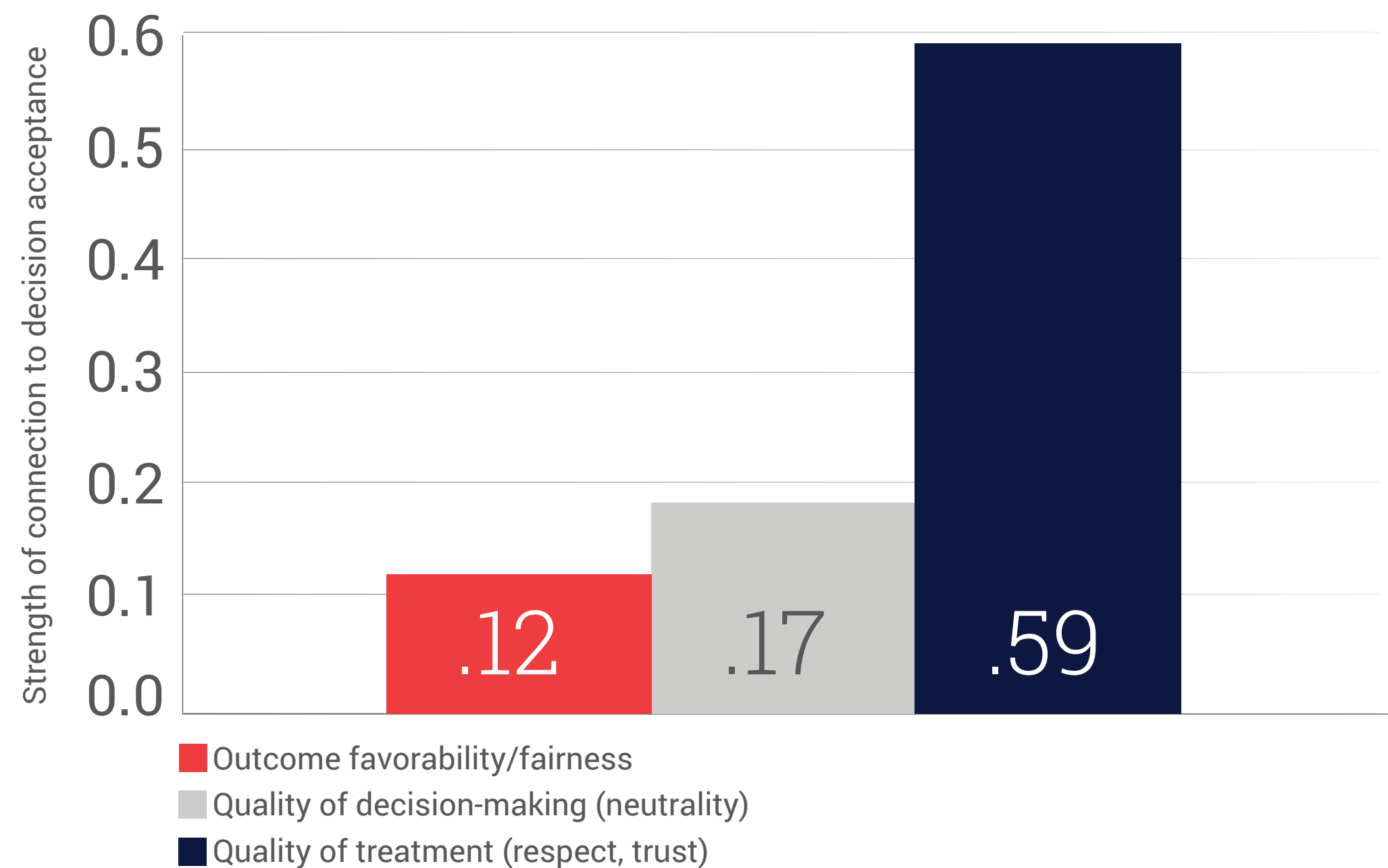
Research Supporting Procedural Justice

- 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?

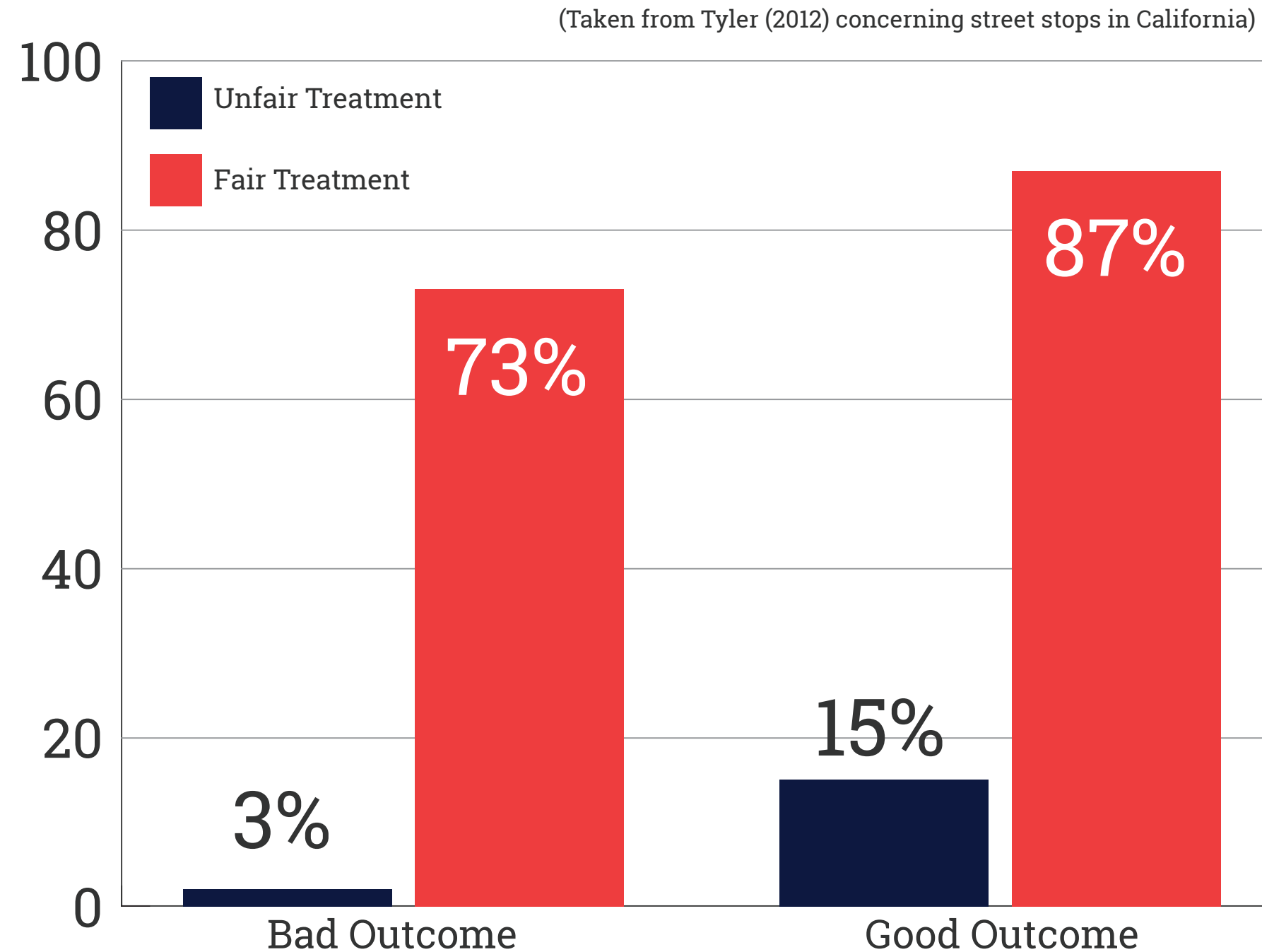


(Taken from Tyler (2012) concerning street stops in California)





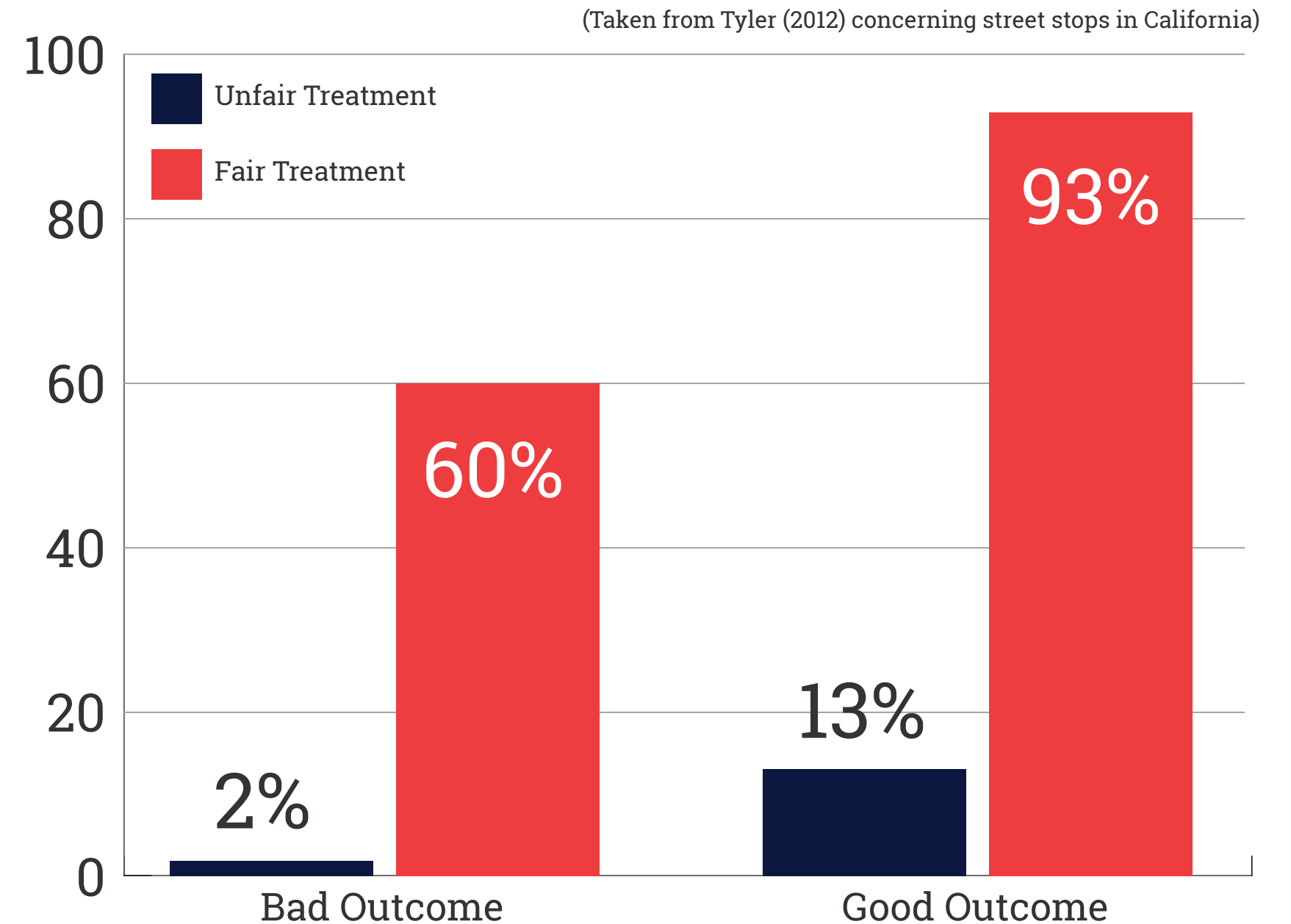
Will Citizens Voluntarily Accept Police Decisions, Despite Outcomes?





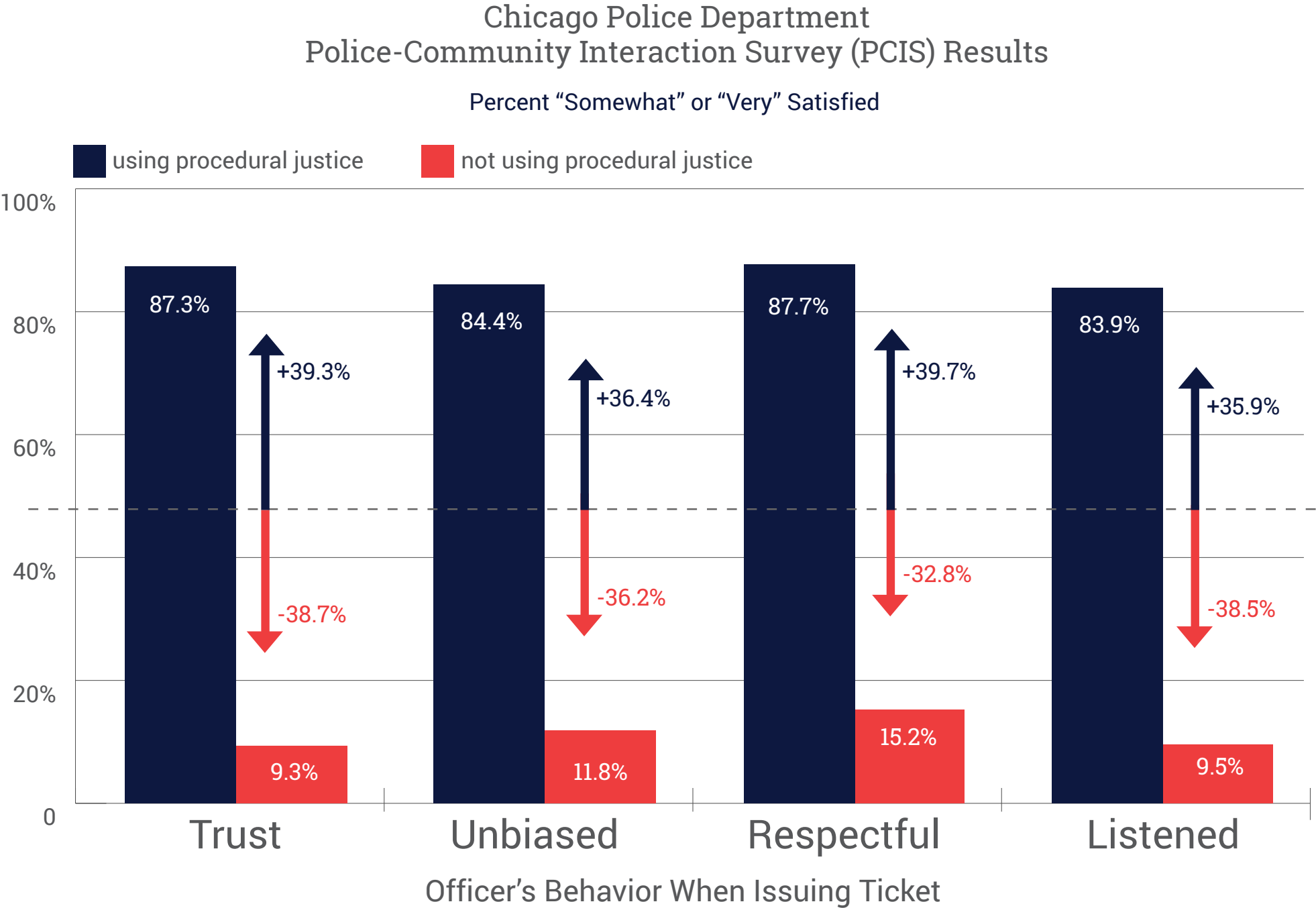
Will Citizens Be Satisfied with Police Decisions?

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





Research Supporting Procedural Justice





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

Franklin Covey (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?

VIDEO
PLACEHOLDER

IMAGE
PLACEHOLDER





How Did We Get Here?

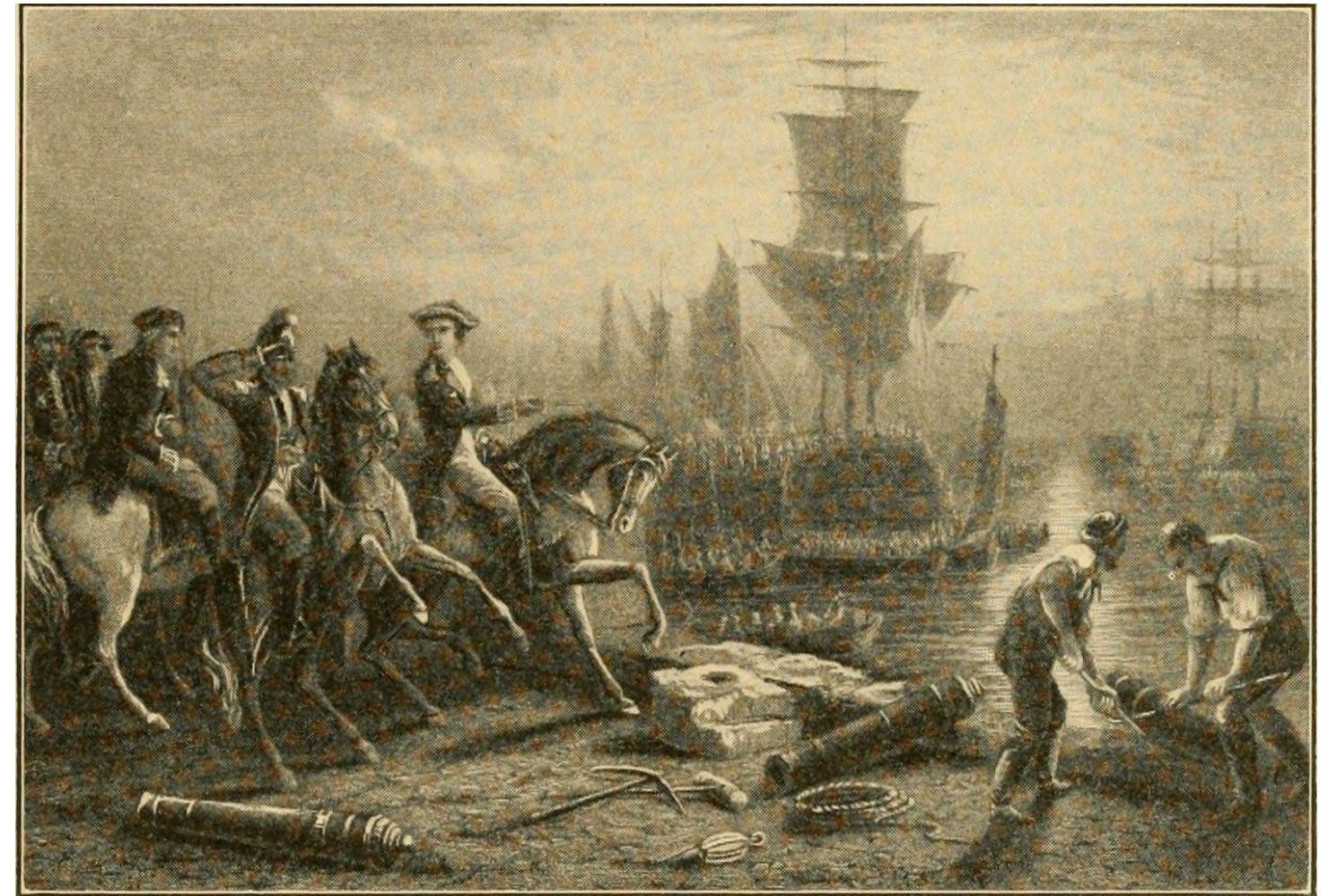
Article 4, Section 2 of the U. S. Constitution reads:

“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



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.





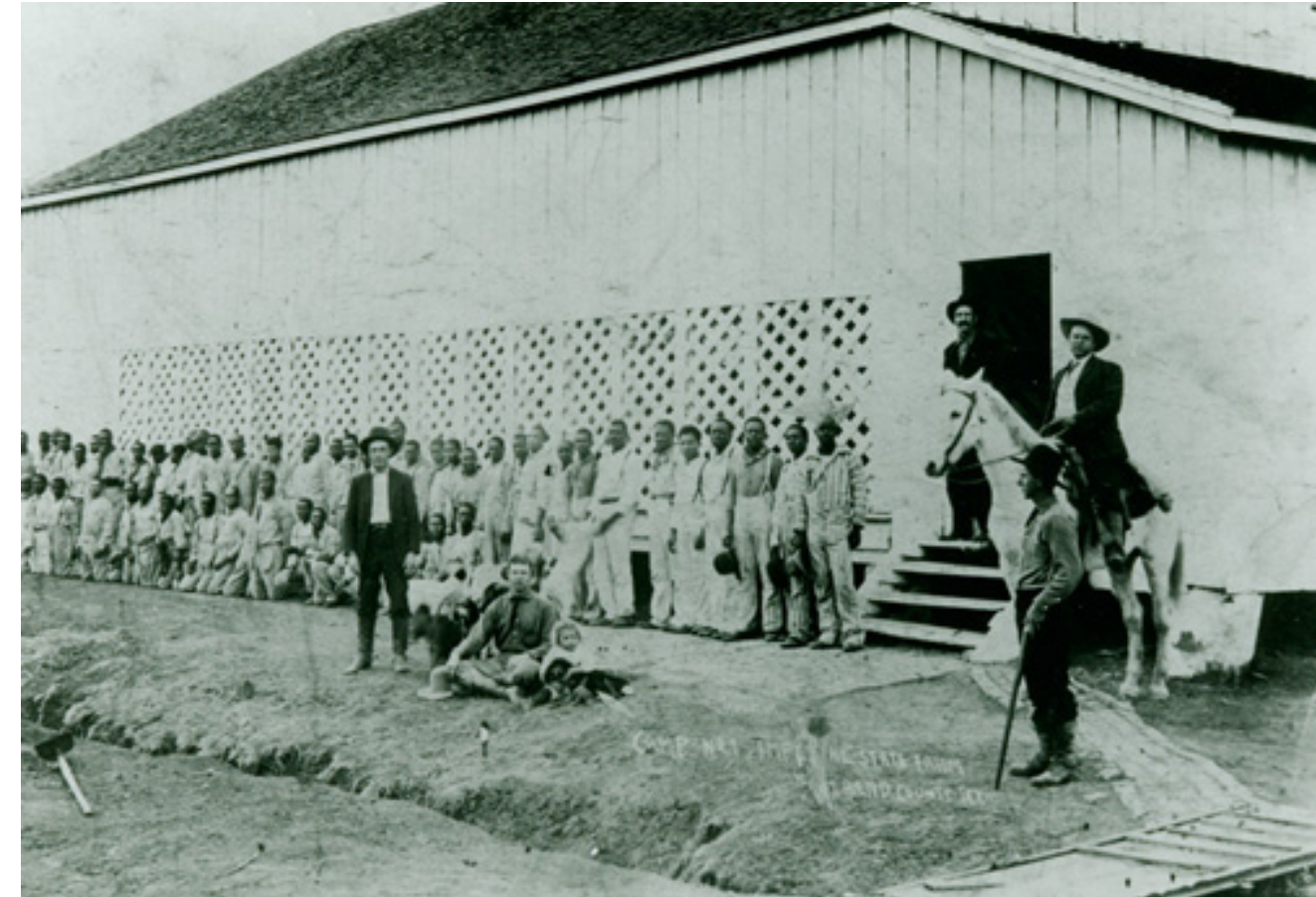
The Fugitive Slave Act of 1850

- 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 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

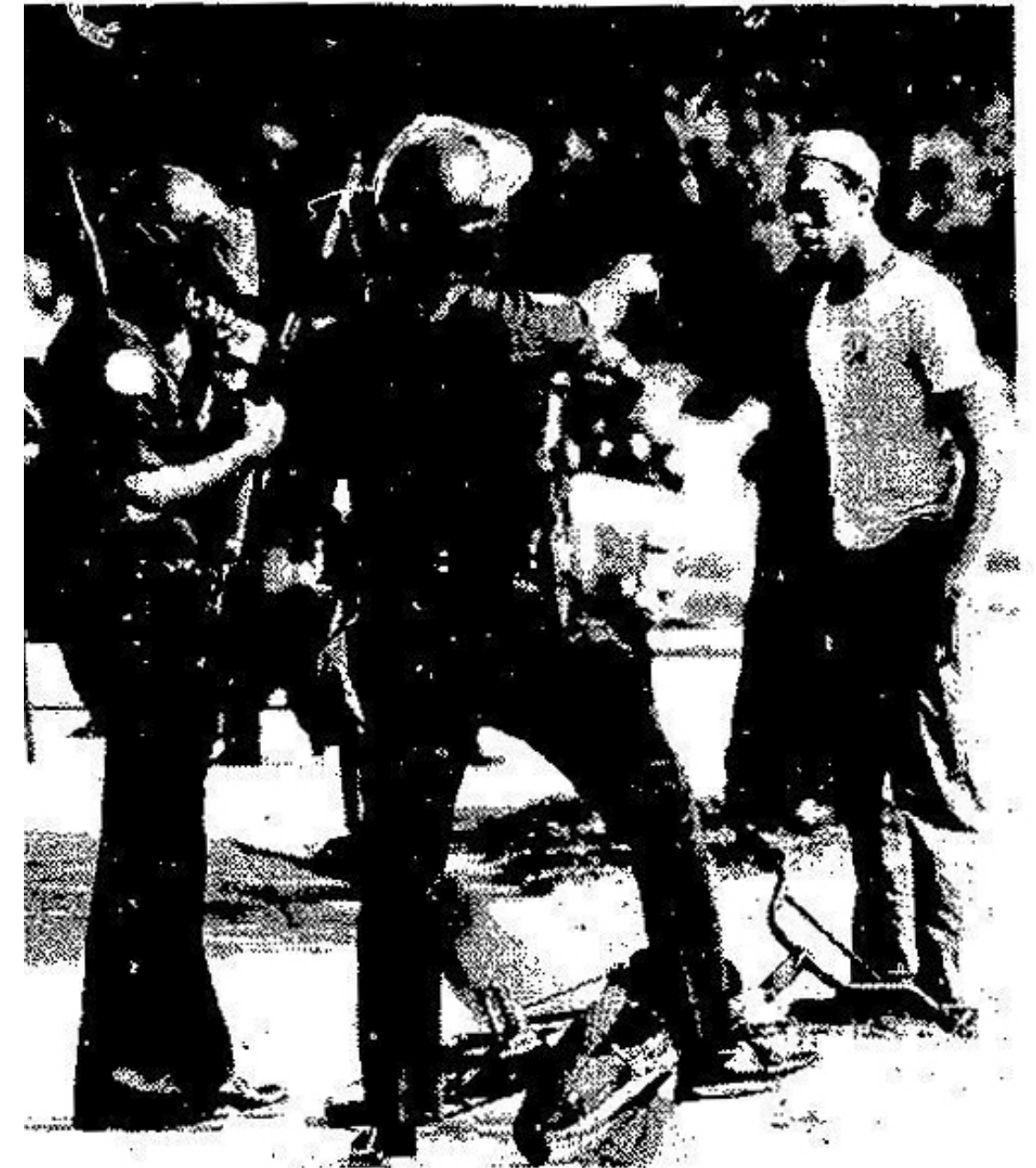




Civil Rights Movement: 1954–1968

IMAGE
PLACEHOLDER

IMAGE
PLACEHOLDER





Civil Rights Movement: 1954-1968

Chicago 1963

IMAGE PLACEHOLDER



Civil Rights Movement: 1954-1968

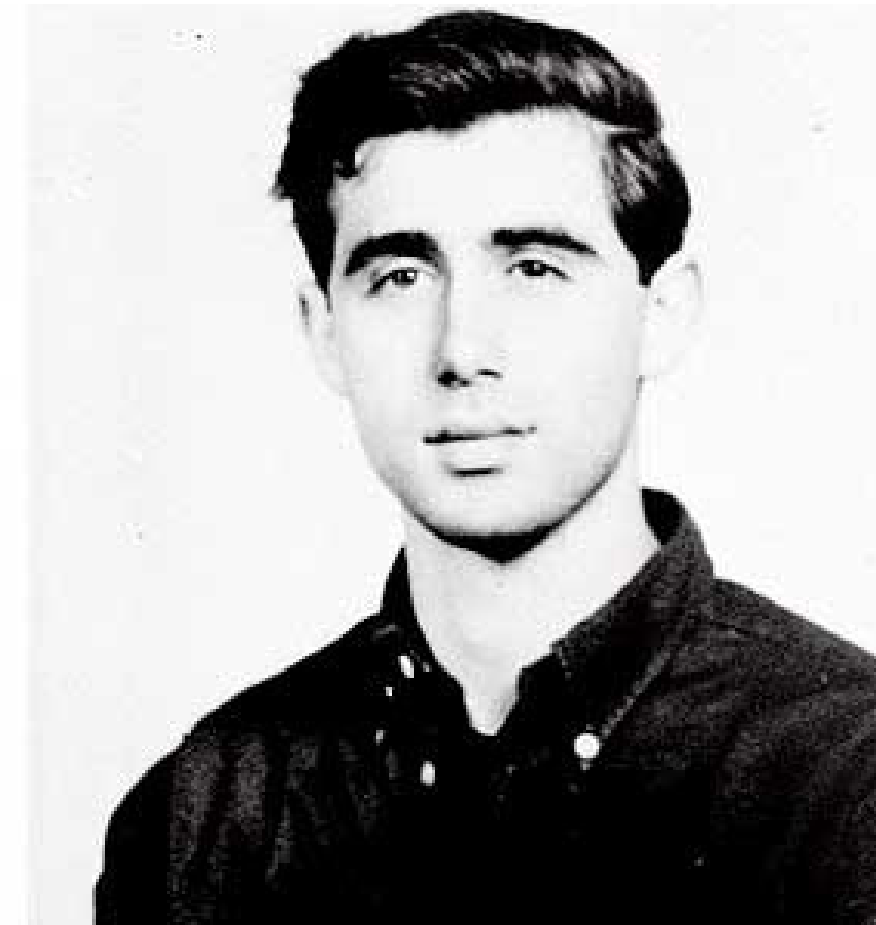
Angelo Albano and
Castenge Ficarrotta still
handcuffed together, on the
morning after they were
lynched in 1910.

IMAGE PLACEHOLDER



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

IMAGE PLACEHOLDER



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)

VIDEO
PLACEHOLDER



Deposit or Withdrawal? – Video

Traffic stop video (part 2)

VIDEO
PLACEHOLDER



Module 5

Procedural Justice at Its Finest

IMAGE PLACEHOLDER



COPS Atlanta Drug Bust - Video

VIDEO
PLACEHOLDER



Images Are Powerful

- Review the following images.
- Discuss how you perceive the images.
- *Do the images display procedural justice leading to legitimacy?*

Play Slideshow ►







IMAGE PLACEHOLDER



IMAGE PLACEHOLDER



IMAGE
PLACEHOLDER



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

IMAGE
PLACEHOLDER

