

From the Editor

Season's greetings! I hope everyone is enjoying the winter break.

Since August, the *Police Forum* has been blessed with an uptick in the number of submissions. Please keep them coming! The increase in submissions has permitted me to map out the next couple of issues. The uptick has also permitted me to include two pieces in the present issue.

In the first essay, Patrick Solar (University of Wisconsin - Platteville) describes the difference between law enforcement officers and professional police officers. He argues that professional police officers must have a broader outlook than one focused solely on law enforcement. Professional officers must be mindful of context, open to nuanced approaches to police work, and exercise wisdom in the field--particularly when dealing with community members of color.

In the second piece--an essay, Laura Zimmerman (Applied Research Associates, Inc.) and David Blake (Blake Consulting and Training Group) offer insight into officer decision-making during police encounters. They suggest certain training methodologies can help mitigate against poor or bias-laden decisions. Their recommendations are particularly timely given the intense public scrutiny facing officers and police departments today for the decisions in the field that officers are making.

As always, this edition of the *Police Forum* also conveys information about the upcoming ACJS meeting in Denver. I look forward to visiting with many of you at the Police Section business meeting. Draft minutes from the last business meeting, which will need to be approved in Denver, are also included.

Thank you for reading. Merry Christmas and Happy Holidays!

Jeff Bumgarner
Editor, *Police Forum*

Up-coming articles/essays in future editions of the *Police Forum*:

Elements of Decision-making in Police Organizations by Brenda Bond and Stephen Morreale

Replica Weapons: How Many Kids Have to Die? by David Blake

The Pracademic and Academic in Criminal Justice Education: A Qualitative Analysis by John Tahiliani, James McCabe, and Stephen Morreale

Law Enforcement vs. Policing What's the Difference?

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Abstract

Law Enforcement and Policing mean different things and require different skills and abilities. In today's diverse environment treating everyone equally without regard to potential outcomes will predictably result in crisis such as the arrest of Henry Louis Gates by Cambridge police in 2009 Martin. Both of these incidents provide clues to the weakness of a criminal justice system constrained by a focus on following correct procedure. If the Police are to maintain the trust and respect of a pluralistic society they need to contemplate their discretion in light of situational factors and likely outcomes, the benchmark of "wise" Policing.

The Law Enforcement Role

The terms "law enforcement" and "policing" are not interchangeable. They mean different things, imply different roles and require different kinds of people. We can train individuals to perform the law enforcement function adequately but policing is a higher level skill, one that more closely approximates a true profession. Those who excel in the policing function come to the job armed with skills, abilities and competencies that transcend those required in mere law enforcement. Given the increasingly complex nature of our American society, we would do well to recognize the difference.

"The complexity of police work has two dimensions: the complexity of the situations or problems confronting police, and the complexity of police responses to those situations."
(Kelling, 1999)

The complexity of "policing" is, perhaps, most evident in the relationship between the police and the African American community today. Consider, for example, the 2009 arrest of Henry Louis Gates by the Cambridge Massachusetts police for disorderly conduct. Gates, a black man, was observed forcing the front door of his home resulting in a 911 call from a neighbor.

Sergeant James Crowley arrived and confronted Gates, demanding proof that Gates lived in the home, the scene of a previous break-in. Gates was clearly upset and uncooperative with the officer; he was likely fatigued from a long trip and may have also held stereotypical attitudes about the police. He used the occasion to express himself and his deeply held prejudices. He called the officer a racist, a term that reinforces stereotypical views of black men often held by law enforcement officers, and continued to demean the officer even while Crowley was trying to disengage from the situation (Cambridge Police incident report #9005127).

Gates continued his tirade outside the home and Crowley finally arrested him for behavior that, in his judgment, was alarming and disturbing. This would be an expected law enforcement response to a disorderly subject. There is no indication that Crowley would have acted any differently had Gates been white. This action, however, prompted a response by the President of the United States, who initially stated that the police acted “stupidly” in arresting the prominent black scholar (McPhee, 2009). As an educated police officer, I agree. As a trained law enforcement officer I would argue that the officer merely acted “predictably.” “Stupidly” was the wrong word to describe Crowley's actions. Cops exist to, among other things, control the disorderly behavior of individuals. Crowley acted in accordance with community expectations and his training with the goal of restoring order; but perhaps, arresting Gates was not the best choice in this situation.

Those who are armed with their own views concerning the police and social injustice are welcome to voice those concerns, but when they go over-the-line and create a disturbance, the law provides relief and this case illustrates it. Sergeant Crowley acted in accordance with department policy and his training in dealing with a law violator. Law enforcement officers do not back down when faced with threatening situations or resistance to arrest. Crowley simply performed his duty properly, using the tools of the trade, to maintain order in the face of a clearly disorderly individual. This is what the community, and society, expects from our law enforcement personnel.

In the words of a fellow law enforcement officer:

“To not make an arrest in this situation would be perceived as a weakness. When certain people see us as weak, it makes our job more difficult, and dangerous, the next time we have to deal with them.”

However, many African-Americans view the world very differently than the average police officer. In emotionally-charged situations our bias rises to the surface. Many African-Americans portray most police behavior as being motivated by racial prejudice, arguing that the police stereotype all people of color as being involved in crime. The over-representation of blacks in our prisons is offered as proof of systematic racial bias by those wishing to promote racial discord.

Absolutely no information has been offered that would indicate Sergeant Crowley's actions were in any way based on the race of Professor Gates. It is reasonable to say, therefore, that he would have done the same thing had Gates been white, making race irrelevant, in an objective sense. But what about the subjective perceptions of the African-American community?

Law enforcement officers argue that enforcement action is based solely on the reasonable belief that the person is involved in crime. Since crime is overwhelmingly present in poor communities law enforcement officers are more likely to encounter members of those communities, who just happen to be primarily black and Hispanic (Carter, 2002). This view does nothing to assuage the ongoing resentment of past injustice, often spurred on by those who have a vested interest in

keeping these wounds fresh but, of course, that is of no concern to the professional law enforcement officer whose primary goal is to enforce the law equally.

The Policing Role

Law Enforcement Officers know how to enforce the law; Police Officers know when to enforce the law, employing reasonable alternatives to arrest when they are justified.

The enormous amount of discretion we invest in our police provides a framework for understanding the difference between law enforcement and policing. Law enforcement officers react to conditions, invoking their authority as their technical training dictates. Police officers understand that invoking authority inevitably generates resentment and can undermine trust. They sometimes choose creative and innovative ways to generate voluntary compliance, relying on formal authority only as a last resort. These are the characteristics of “wise” and highly effective police officers.

“Virtually any specific behavior gains meaning by the context in which it occurs. Most police officers intuitively understand this and make their decisions about whether and how to intervene on their assessment of an act, or series of acts, within a context.”(Kelling, 1999)

In the case above, Sergeant Crowley was faced with an extremely disrespectful, irate, black man who used the situation to express a stereotype of the police as racist bigots. Crowley had a duty to respond to the home and investigate the situation based on a valid complaint, but what became clear, early on, was that Gates was not a burglar. Crowley had no legal reason to detain him after confirming that he had a right to be present in the home. He recognized this and wisely tried to extricate himself from the situation, but Gates wouldn't let it go. Emotions had taken over and bias was now driving the behavior of both actors.

People sometimes behave irrationally, letting their emotions “come-out-to-play.” This is why we sometimes need law enforcement. Unfortunately, officers also have bias and emotions. This will continue to be the case as long as we insist on recruiting law enforcement officers from the human race. Expecting officers to keep their emotions in check, especially when they are in fear, is simply not a reasonable expectation. What we can do, however, is encourage officers to develop a level of wisdom, maturity and emotional intelligence that enables them to overcome fear and emotion, keeping the primitive brain in check. Public policy should never discount or discourage police recruits and veteran officers from developing their intellectual capacity.

What, exactly, is it that we want from the police?

When we consider the role of the police officer, law enforcement is typically what comes to mind. This implies a certain style of policing behavior, that being, legalistic.

“A legalistic police department will issue traffic tickets at a high rate, detain and arrest a high proportion of juvenile offenders, act vigorously against illicit enterprises, and make a large number of misdemeanor arrests even when, as with petty larceny, the public order has not been breached.” (Wilson, 1968 p. 172)

Situations and problems that come to the attention of the police are handled as if they are law enforcement problems, as opposed to order maintenance issues. In such an agency, officers may deny service if a particular situation does not involve a violation of the law. The goal is for officers to follow the established legal process and apply the law equally as to not do so, in the face of an apparent violation, could be considered neglect of their duty.

A legalistic department is likely to be viewed as “racist” in contemporary society as the sheer number of arrests will almost certainly have a disparate impact on minority populations. In a legalistic agency, racial bias is of no concern; as long as officers follow proper legal procedure this mindset simply does not recognize that there is a problem.

Contrast this with the “Watchman” style of policing that places priority on “context,” or outcomes of potential enforcement action.

“The police are watchman-like not simply in emphasizing order over law enforcement but also in judging the seriousness of infractions less by what law says about them than by their immediate and personal consequences, which differ in importance depending on the standards of the relevant group- teenagers, Negroes, prostitutes, motorists, families, and so forth.” (Wilson, 1968 p. 141)

The watchman style places priority on order maintenance and to the extent that enforcing the law is likely to illicit anger, hardship, resentment or future disorder an officer may use his or her “discretion.” The obvious downside is that when officers are compelled to exercise formal authority those actions are likely to be viewed as “arbitrary,” inconsistent and potentially biased. The danger here is that officers overuse their “discretion,” choosing not to arrest when an arrest is called for. A contemporary example would be the choice to issue warnings to black motorists rather than run the risk of being labeled a “racist cop.”

A third style of policing offered by Wilson is perhaps most prevalent today.

“In some communities, the police take seriously all requests for either law enforcement or order maintenance (unlike police with a watchman style) but are less likely to respond by making an arrest or otherwise imposing formal sanction.” (Wilson, 1968 p. 200)

The service style of policing functions most effectively when there is a "level of agreement among citizens on the need for and definition of public order..." (Wilson, 1968). Maintaining this style of policing becomes much more complex in diverse communities.

The reality of today’s policing is that consensus on acceptable public behavior is elusive. Any man ranting and raving at the police may tend to violate community norms, the expectation being

that the police should make an arrest. Can we argue that a black man ranting about the “racist” police deserves patience and understanding as opposed to a white man engaging in similar behavior? Does this not run contrary to the goal “equal enforcement?” Or, should we be more lenient with African-American offenders because of past discrimination, their probable subjective perception of current and past racial bias and, of course, our own implicit bias?

Wilson’s *Varieties of Police Behavior* was aimed at characterizing entire police agencies as falling into one of the categories of Legalistic, Watchman or Service styles. I would argue that today individual police officers working within the larger police organization regularly adopt a given “style” depending on the situation. Law enforcement officers act “stupidly” when they insist on adhering to only one style in all cases. Police discretion should be tempered by a reasoned assessment of the situation and likely outcomes but this is a much higher level skill that is not supported by our criminal justice system and is certainly beyond the capability of our police training institutions.

The Role of the Police in our System of Justice

Police officers working the street are the essence of justice in our society. They are the gatekeepers of the criminal justice system. The other facets of the system--prosecutors, courts, and corrections--do not get an opportunity to “weigh-in” unless the police make an arrest. This places the essence of justice in our society directly into the hands of the police.

“The police are among the most important policymakers of our entire society. And they make far more discretionary determinations in individual cases than any other class of administrators; I know of no close second.” (Davis, 1969)

“In this police agency we enforce the law equally, and without prejudice or bias of any kind.”

This quote above characterizes the “Legalistic” style, but any police officer, supervisor or chief who says this is either ignorant of reality, patronizing, or blatantly dishonest. The reality is that police officers themselves choose what laws to enforce, when to enforce them and against whom to enforce them. Administrators increasingly seek to control officer discretion through policy, procedure and training but they can never exert the control necessary to achieve “equal enforcement.” Given the increasingly complex nature of the policing function, and with the exception of statutory mandates and areas of high-risk activity (those being areas where officers and agencies are most often successfully sued), I would argue that they shouldn’t even try.

So, given the implications, are we comfortable placing the responsibility for the essence of justice in the hands of the typical law enforcement officer armed with a high-school diploma, perhaps some college and a minimum amount of academy training?

Police academies are designed and structured to teach recruit officers how to enforce the law; but intellect, understanding of context and good judgment are required in deciding when to enforce the law. Justice, once we set aside all of its subjective aspects related to “fairness,” rests on

following correct procedures; when correct procedures are not followed, injustice results. The academies focus on those procedures and are well equipped to instruct officers on the basic tactics necessary to avoid making procedural mistakes. Well managed police agencies provide policy guidelines and supervision that sharpens “procedural justice” in many of the routine tasks officers will be called on to perform.

The problem is that a growing number of tasks a given police officer is called upon to deal with are not routine, such as resolving petty conflicts, assisting and protecting children, managing drunks and the emotionally disturbed (Kelling, 1991). In the era of “Community Oriented Policing” there is literally nothing that is not the business of the police. Even routine tasks done correctly can, and certainly do, invoke the indignation of an increasingly diverse population such as in the case of Professor Gates. Simply revising academy curricula or increasing the number of academy training hours does not adequately prepare law enforcement officers for this increasingly complex endeavor.

Police Discretion: How Officers View their Role

The typical “cop on the beat” views himself or herself as a law enforcer; the reality however, is that they exist to maintain order, sometimes by enforcing the law.

“Police typically envision their role as enforcers, making arrests is paramount. They tend to view other activities as unimportant and a hindrance on their crime fighting ability. They avoid tasks perceived as non-essential.” (Trojanowicz, 2002)

An example:

Based upon the perceived relationship between neighborhood decay and the prevalence of crime and disorder (Wilson & Kelling, 1982), the strategy of the law enforcement officer may amount to a “sweep” of the neighborhood. The objective is to cite nuisance violations such as inoperable vehicles, tall grass, building maintenance violations (Broken Windows) where ever they are observed. They do this under the authority of law and their justification is the perceived relationship between disorder and crime as outlined by Wilson & Kelling.

When confronting the citizen on an observed violation the conversation may go like this:

Law Enforcement Officer: *“I’m here because your property is in violation of the city code. This is a municipal citation that you can pay either by mail or by appearance at City hall. You are hereby commanded to remove this inoperable vehicle, mow the lawn and repair the building code violations or be subject to progressive daily fines for your lack of compliance.”*

Citizen: *“Yes officer, I understand. I’ll do my best.”*

The “wise” police officer, on the other hand, recognizes the potential for generating resentment when dealing with these minor infractions and takes behavioral steps to minimize that resentment and *encourage* compliance with community standards. The conversation goes like this:

Police Officer: “Excuse me Sir, may I speak with you for a moment?”

Citizen: “Certainly officer, is there a problem?”

Police Officer: “As you may know, we are concerned about what most people consider to be minor issues related to the deterioration of our neighborhoods. This deterioration leads to crime and disorder. Are you concerned about crime and disorder in your neighborhood sir?”

Citizen: “Well yes officer, I certainly am?”

Police Officer: “The way that you can help prevent it is to remove this inoperable vehicle, mow the lawn and repair these broken windows. This sends a signal that people care about the neighborhood. Is that something that you are willing to do for us Sir?”

Citizen: “I am officer, but I just don’t have the money right now. I was planning on fixing this car next week after I get paid. I can have my son come over and mow the lawn because my mower is broken. And perhaps I can get the window repaired in a few weeks when I get my disability check. Would that be okay?”

Police Officer: “Yes Sir, what we are asking for is voluntary compliance with the law and if you are willing to bring your property into compliance I am certainly willing to forgo enforcement action that will only cost you more money. Would it be alright if I check back with you in a couple of weeks to see how things are going?”

Citizen: “Yes officer that would be fine with me. Please stop by anytime as I would also like you to know about some suspicious activity down the street.”

If you are a veteran law enforcement officer you may read this with skepticism thinking “Yeah right, you won’t get that response from the folks who live on my beat.” Believe me, I’ve been there too. I’m a trained law enforcement officer and I know how to enforce the law, but notice here that the police officer is implying that the citizen has a choice; they really do not, but the implication is that we are seeking cooperation, not dominance and control that naturally leads to resentment and the lack of cooperation.

Perhaps the importance of context can be made clearer with a use-of-force example.

Imagine a police officer is responding to a “burglary-in-progress” call at 3:00 p.m. in the afternoon. A citizen has reported seeing two black subjects attempting to gain entry into a neighbor’s home. The beat officer arrives and because a residential burglary is a forcible felony he orders the two teenage subjects to the ground at gunpoint. Rather than comply, the suspects attempt to run and due to the narrow confines of the space a struggle results in which one of the unarmed boys is shot and killed. Later it is learned that the home they were trying to gain entry into is actually the suspect’s (now victim’s), alternate after-school home and he misplaced his key. He was likely unwilling to comply with the officer’s order due to the small amount of cannabis in his backpack.

The contextual variables include the time of day (burglaries rarely occur in broad daylight in clear view of the neighbors), the apparent age of the perpetrators (teenagers with school backpacks), and the complete lack of any indication that they were armed. The law enforcement officer is free from considering context, and is entitled to demand and expect immediate compliance based upon reasonable suspicion. The “wise” police officer, on the other hand, understands what he or she is observing, considers the context and exercises “judgment” not to deploy a handgun and thus avoids a tragedy.

“What about the risk to the officer? After all, those kids could have been armed.” Yes, they could have been armed but there were no facts to support that inference. Deploying a handgun may be tactically sound but is much more likely to be situationally foolish; just try wrestling a teenager with one hand occupied. It would be equally foolish, however, to prohibit the deployment of side-arms in these situations; we leave it up to the “judgment” of the individual police officers.

Policing as a Profession: The Role of the Constable

The professional police officer accepts the fact that the primary role is no longer merely law enforcement. “Although law enforcement is important, it is recognized that it is only one part of the overall responsibility of the police.”(Trojanowicz, 1999)

Herein, lies the difference between law enforcement and policing. The law enforcement officer's role is to apprehend and gather evidence as to the guilt of violators; the police officers' role is to maintain order (Wilson, 1968). With regard to the Gates incident, perhaps a better course of action would have been to ignore the disorderly conduct violation. Conversely, in the more recent Florida case involving George Zimmerman shooting an unarmed black teenager; perhaps the better choice for the police, in light of their order-maintenance role, would have been to find *something* to charge Zimmerman with.

Let me be absolutely clear on this point. In no way am I advocating the idea that Sergeant Crowley's actions or that the decision not to charge George Zimmerman was wrong; both were consistent with proper police procedure and the law. I merely wish to offer the possibility that there may have been a better choice based on these situations (context) consistent with the order-maintenance function of the police. Rather than being wholly concerned with procedure and process, we need to consider the likely outcomes of police action, a view put forth in the concept of Problem-Oriented Policing (Goldstein, 1990).

Toward “Wise” Policing

Exactly what can we do to arm our law enforcement officers with higher order skills and competencies? We've known the answer to this question since the late 1960's.

“It is nonsense to state or assume that the enforcement of the law is so simple that it can be done best by those unencumbered by the study of liberal arts. Police agencies need personnel in their ranks who have the characteristics which a college education seeks to foster; a capacity to relate the events of the day to the social, political, and historical

context in which they occur.” -- President’s Commission on Law Enforcement and the Administration of Justice. Task Force Report: The Police. Washington, D.C.: U.S. Government Printing Office, 1967.

Police need personnel in their ranks who have the characteristics a college education seeks to foster; intellectual curiosity, analytical ability, articulateness, and a capacity to relate the events of the day to the social, political, and historical context in which they occur.-- American Bar Association. The Urban Police Function. By Herman Goldstein and Sheldon Krantz. Chicago, 1973.

The need for police officers who are intelligent, articulate, mature, and knowledgeable about social and political conditions is apparent. [A] college education develops and imparts the requisite level of knowledge.-- Davis v. Dallas, 777 F.2d 205 (5th Cir. 1985).

There is no longer a place for those who discount the value of higher education in policing. Our modern society demands that our police exercise “situational wisdom.” The key to situational wisdom, in my view, rests in the concept of emotional intelligence.

Conclusion

We expect the police to enforce the law and maintain order but how they do that is a matter of discretion. The law enforcement officer seeks to apply the law to the behavior of individuals and exercise his or her authority equally without regard to individual characteristics and circumstances; an entirely noble goal. Enforcement action primarily consists of arrest or citation.

The professional police officer exercises judgment taking “context” into consideration. The goal is compliance. Arrest is an acceptable course of action in many situations but it is not the primary goal. Maintaining order is the desired outcome and the wise police officer may seek to employ “informal” devices or strategies to bring it about. The informal mechanisms are, after all, much more effective in controlling deviant behavior (Conklin, 2013).

Emotional intelligence can be the key to wise policing. When officers understand their own emotional responses, have the ability to read the emotions of others, have the ability to empathize with those they encounter, and possess the skill to re-direct inappropriate emotion driven behavior, highly effective policing will be the result.

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Officers Facing Criminal Charges: Faulty Decision Making?

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An increasing number of law enforcement officers face criminal charges because the decisions they made during high-stakes incidents resulted in unexpected and often tragic outcomes. The gravity of the charges, ranging from aggravated assault to murder, are concerning when applied under the Graham Standard, which allows officers to determine force reasonableness at the scene. The perspective of the officer is a key component of this standard, but the science behind the cognitive processes that make up an officer's determination of reasonableness is rarely considered within the courts or in law enforcement training.

Training and experience allow officers to develop their ability to perceive and process information during unfolding incidents. These experiences create unconscious patterns, called schema, that allow for quick assessments and generally accurate judgments. However, judgments that rely heavily on previous experience can sometimes steer officers wrong, particularly when under time pressure. When humans rely on schema without taking into account new or unusual information, they are prone to making biased decisions. Unfortunately, the quick and efficient assessments officers make using schema can also lead them to disregard atypical information in unfolding events, judge the situation as a match to their existing schema, and make inappropriate decisions. This bias can result in tragic errors.

Consider the potential for biased decision-making in the context of a criminal encounter when a suspect moves his hand toward his waistband. The threat schemas officers likely develop are based on experiencing incidents in which they have found handguns in suspects' waistbands or have been assaulted by suspects who pull a weapon from that area. This schema likely produces a similar threat assessment and response across similar incidents and often, an officer's unconscious and immediate response is necessary for self-preservation. However, in some situations, unique indicators may signal that the typical response is not appropriate. If the officer misses these schema-inconsistent indicators, they may react to a gun threat when no gun is present.

While the bias described above provides a reasonable officer perspective under Graham, officers are increasingly being disciplined or criminally charged because they relied on a schema that may also save their lives. This increasing trend toward punitive action highlights the necessity to educate officers on how schema develops and how unconscious bias can influence decision making. Included in this education should be training to identify and overcome bias when making decisions.

Schema: Your Unconscious Judgment

Schemas are mental maps people rely on to classify incoming information almost effortlessly and make quick interpretations--sometimes without conscious thought. Consider this situation: An off-duty officer and his/her significant other walk into a coffee shop. The officer's attention is immediately drawn to a heavily tattooed male wearing all red sitting at a table. After the couple exits the shop, the officer says to his/her mate, "I wouldn't expect to see a gang member in this place?" The companion replies, "What gang member?" The officer wonders why he/she is so incredibly perceptive to the surrounding environment while his/her mate seems so clueless. The difference is that the officer has an internal mental model or schemata for a gang member that allows the officer to effectively and internally match patterns of gang member physical characteristics and behaviors to what is seen while moving through one's environment. This perception allows the officer to make a rapid judgment of the individual and assessment of his threat level.

However, when making these assessments, it is important to consider that these quick, often unconscious, judgments could be wrong. The supposed gang member might have been a tourist who is unfamiliar with the city's gang culture, or just a guy who likes to wear red. All humans, not just officers, develop schema to reduce the effort it takes to assess their environments and navigate the countless decisions they face each day. Everyone views the world with some bias, mainly because biases are extremely difficult to recognize and mitigate. Police officers develop biases based on the amount and type of crime they see every day and who they see committing the crimes. The challenge is in not letting bias override assessment of the unique characteristics of each individual event.

Decision Making Exercises – Correcting for Bias

While difficult, it is not impossible to identify and reduce the influence of biases. To do this, officers can question assumptions and look for evidence that disconfirms their current beliefs. In practice and training, it is useful for officers to practice considering other possibilities, formulating multiple interpretations of situations, playing devil's advocate, and taking a third person perspective by imagining how bystanders viewing the scene might interpret the situation. A low-cost way to correct for bias in training is to use decision-making exercises or tabletop discussions to present short scenarios to officers and have them make decisions about how they would handle the situations. These scenarios should be typical, so officers could rely on schema to make quick decisions; however, embedded in these scenarios should be information that potentially promotes bias.

For example, departments might consider this tabletop discussion at their next briefing:

Dispatch reports a gang member who the caller “thinks might be armed with a handgun” is in the parking lot of a popular strip mall. The caller believes the reported gang member has a handgun because she saw the “gang member” keep adjusting a bulge at the front left of his shirt. He is with a group the caller describes as “boisterous.” The call comes in around noon and the lunch crowd is in full swing indicating that the parking lot will be full of cars and patrons. The male in question is wearing baggy shorts and a loose blue t-shirt and has headphones over his ears. The primary officer arrives on scene and spots the male matching the description. Additionally, the responding officer notes the, “gang-member” is heavily tattooed, has dread locks, and is wearing baggy pants. What do you do?

To open the door to bias, the scenario should present ambiguous cues, novel cues, or cues contrary to the prior information. For instance, a facilitator might add the “gang member” is carrying a skateboard (conflict?), or is in the area of an airsoft venue. Officers might assess the situation through the lens of previous experiences and existing beliefs while disregarding current incoming information. Facilitators should provide officers with only 1-2 minutes to decide how they would handle each situation and then ask officers for their decisions and their reasoning for their choices.

A critical part of these exercises is the facilitated discussion. Facilitators should ask questions that require officers to think critically about their decision processes, including the information they used to assess the situation and how they arrived at their conclusions. A key objective is to identify where biased thinking can occur and discuss ways to overcome it. Discussing the variety of officer perceptions, judgments and decisions in a given situation slows down the assessment and decision and provides all officers with alternative assessments they can access later and use to mitigate potentially biased responses.

Some critical thinking questions a facilitator might ask about the above scenario include:

- As the primary officer, how would you respond to this scene?
- Why did you choose that course of action?
- What specific indicators lead to your decision?
- How else might you interpret those indicators?
- Does this situation fit a standard situation? If not, how is it different?
- What outcome do you expect by taking your chosen action?
- What do you think might have happened if you chose a different course of action?
- What mistakes might an officer make in this situation?

Facilitators should ask questions about the specific decisions and the indicators officers focus on. After officers describe their assessments and decisions, facilitators should ask questions related to potential biases. Actively discussing potential bias in training will help officers notice unique indicators and spot biases during actual time-pressured incidents, adjust their assessments, and make unbiased decisions.

Conclusion

Law enforcement is under the lens of a microscope in ways never before experienced. The decisions officers make may very well be the difference between life and death. For these reasons, the time has come to take a look at our current training methodologies and begin considering others. Decision-making can be trained and it is now more vital than ever for a long and successful career in law enforcement.

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Or, if you have a job opportunity—particularly of interest to those teaching or researching in areas related to policing—we'd love to help you announce that position...and yes, we'll do it **for free!**

Send any announcements that you would like to have included in the next issue of the *Police Forum* to Jeff Bumgarner at...
jeffrey.bumgarner@ndsu.edu

ARE YOU AN ACJS LIFETIME MEMBER?

Please remember that you still must pay the Police Section dues annually to remain a member of the Police Section. Membership is \$37 per year and includes a subscription to *Police Quarterly*. Payment of dues is made to ACJS. Thanks!!!

Submission Guidelines for the *Police Forum*

Format Criteria

The format criteria for all submissions are as follows: reasonable length (less than 30 pages), double-spaced, and in a font similar to 12 pt Times New Roman. All submissions should be in Word format. All charts, graphs, pictures, etc. must be one page or smaller and contained within standard margins. Please attach these at the end of the submission as appendices. Due to formatting limitations all appendices must be in a Word, Excel or similar format - PDF's cannot be used.

Feature Articles

Feature Articles can be quantitative or qualitative. Tables, figures and charts should be kept to a minimum and should be inserted at the end of the document with an appropriate reference to placement location within the text. The page limits are flexible, however the editors reserve the right to edit excessively long manuscripts.

Practitioners Corner

Articles written from the perspective of persons currently or formerly working in the field, expressing personal observations or experiences concerning a particular area or issue. Page limits are flexible, however long articles may be edited for length.

Academic Pontification

Articles for this area should focus on making an argument, presenting a line of thought, or formulating a new conceptual idea in policing.

Point/Counterpoint

Authors are encouraged to work with another person to develop a point/counterpoint piece. The initial argument should be between 2 and 5 pages. The initial argument should contain roughly 3 to 5 main points. Following exchange of

Submission Guidelines – cont.

articles between debating authors, a 1 to 3-page rejoinder/ rebuttal will be submitted.

Research Notes

Research notes should describe a work in progress, a thumbnail outline of a research project, a conceptual methodological piece, or any other article relating to research methods or research findings in policing.

Reviews

Book reviews on any work relating to policing. Reviews of Internet sites or subjects concerning policing on the Internet are also welcome.

Policing in the News

News items of interest to the police section are welcomed in any form.

Legal News in Policing

Reviews of court cases, legal issues, lawsuits, and legal liability in policing are welcomed submissions.

Letters to the Editor

Questions, comments or suggestions pertaining to a given Criminal Justice topic, article or research.

This Date in History

Submissions on prior hot topics, research or research methods in Criminal Justice from the past.

Submission Guidelines – cont.

Good News

Submissions relating to professional and personal good news for our members - promotions, new jobs, marriages, etc.

How to Submit

Submissions may be made electronically by sending copy in a Word format to jeffrey.bumgarner@ndsu.edu or by sending a copy on CD or memory stick to Jeff Bumgarner, Editor, Police Forum, Dept of Criminal Justice and Political Science, NDSU Dept 2315, PO Box 6050, Fargo ND 58108. CDs or sticks can be returned if requested.

Disclaimer

The editor(s) of this publication reserve the right to edit any submissions for length, clarity or other issues.

ACJS 53rd Annual Meeting
“Advancing Justice on All Fronts”
March 29-April 2, 2016

Pre-Registration Deadline: January 15, 2016

After January 15, 2016, all registrations will be conducted onsite.

<https://www.acjs.org/onlineRegistration.cfm>

2016 Hotel Accommodations

Sheraton Denver Downtown Hotel

1550 Court Place
Denver, CO 80202
303-893-3333

The hotel group rate for the ACJS Annual Meeting will be:

Single Occupancy	\$165.00
Double Occupancy	\$165.00
Triple Occupancy	\$165.00
Quadruple Occupancy	\$195.00
Club Level	\$195.00
Executive Suite	\$215.00

The above occupancy rates are available only until March 9, 2016, subject to available space in the ACJS room block. The room fees and taxes total approximately 14.85% in addition to the rates listed above.

It is preferred that you reserve your hotel accommodations through the online reservation system, which also provides more detailed information about the hotel. If you choose to call the hotel for reservations, be sure to mention that you re with the ACJS Annual Meeting group.

To reserve your guest room, go to: <https://www.starwoodmeeting.com/Book/acjs>

Business Meeting Minutes

NOTE: The minutes below are to be considered and approved, with corrections, at the Police Section Business meeting in Denver, CO during the 2016 ACJS Annual Meeting.

**DRAFT MINUTES
ACJS Police Section General Business Meeting
Orlando, FL
March 6, 2015**

Meeting called to order at 1702. Approximately 19 in attendance.

Executive board gave introductions.

There are about 300 members in the section. There is a need to increase the section and increase “active” members of the section. Chair wants to be more active and establish an agenda of scholarship for the section throughout the year, even though there is more practitioner involvement than the ASC section of policing. We still want to increase involvement of practitioner/academics in the section.

Agenda for business meeting:

1. Awards

O.W. Wilson Award (last recipient Ed McGarel. This has historically been given out. We will be forming awards/nominations committee for it. We need 5 members for this committee and we need this sooner rather than later.

Founders Award—This is the service within section award. We would like to change name to Founder’s Award. This is mainly an award for service for the section.

Innovation and Leadership Award—Section would like to establish a new award, and would like to select someone who is a practitioner who is able to come to the meeting and be a keynote speaker and give award to them. This would help to attract some good speakers with the advent of the award. This would also increase involvement of section and ACJS. Some possible speakers/award winners could be Charles Ramsey, George Kelling. However, other sections might want a speaker also. To be more cohesive, this should be an ACJS-wide speaker.

Awards/Nominations Committee: Phil Kopp, Charles Lieberman, Mike Wingginton, Veronyka, Connie Koski

2. Discussion of *Police Quarterly* and *Police Forum*:

Police Quarterly: John Worrall has signed on for 4 more years as editor. Opinions on journals of policing are more on business as aimed at those going for tenure, without applicability to practice, nothing for those in the field.

Police Forum: Jeff has a lack of submissions for *The Forum*, and gave a suggestion of turning it into a hybrid like publication, for a newsletter and mast headed peer review articles. Those interested in becoming a part of the process should speak with Jeff Bumgarner. It allow for items that are applicable to practice (e.g., case study, ethnography), and include qualitative items to *The Forum*.

Section would love to have information about publishing book or article relative to policing and talk to Jeff B. and put in *The Forum*. We would want it to be a voice for the section and be a different forum than PQ.

Would this be open access journal on the internet, and then one with peer-reviewed articles, will be open access with archive, must be some peer-reviewed. Idea posed it that it would be “half and half”—some peer-reviewed, and some not for those that don’t “need/want” peer-review. There does need to be more looking into issue of changing *The Forum* and this will not happen immediately. We do need to increase submissions to *The Forum*. Should it only be policy related? There does need to be an outlet for longer pieces (ethnographies) that cannot fit in PQ. But this can offer the peer-reviewed component to attract those that are looking for that outlet that are not as “strong” for PQ. There have been research articles published in *The Forum* and this might increase submissions. Section Facebook page might help this a lot, since the membership may not be familiar with information being presented.

There was further discussion of counting articles, and changing *The Forum*.

Does *The Forum* need an editorial board for being peer-reviewed? With a publisher yes, if not maybe need only ad-hoc reviewers. It would only have a peer-reviewed component, and these articles would be mastheaded.

We need contributions from both practitioners and scholars, could be collaboration with both. It could be publishing anything on a historical basis, but we need to know the history to go forward. This could open journals to wider section of scholarship (e.g., history, etc.). We need more diversified scholarship that would be interesting and beneficial; historical items provide context and foundation.

3. Liaison to regional sections: Steve Morreale will be reaching out and establishing 5 regional awards. He will serve as liaison to regional sections and inquire about establishing regional awards.
4. Section needs to form committees: program committee, nomination and elections committee, constitution and by-laws (Jeff Smith and Pat Nelson)

Program committee: Chair would like this committee to be formed within the next month for the thematic panels, for a possible superpanel (or similar) to work together and to formulate that and other panels. We could have a superpanel where “old heads” speak to new heads, and see what was done with the last report on policing and compare that with the new report. We need to help practice through understanding police aspects and what they need. We would like section to be part of a sounding board about the media, and interpret things in the media, with the release of the interim report on 21st century policing, and Ferguson report by DOJ, section can explore thematic panels for next conference. Chair wants 5-6 panels and to solicit papers from membership and focus on these issues from the interim report as part of the program.

Ken Peak suggested a paper competition to increase publicity of section. Maybe the possibility of a “superpanel”. We could have a police section sponsored super panel with Larry Sherman, Peter Manning, etc., even with scheduling conflicts, we could still have about 75 people coming and going to listen to the state of policing research, visibility, and this could increase interest in the section; this would be sponsored by the section.

Nomination and elections committee: We need an emergency election for vice-chair and executive counselor, and then “normal” election for other position(s). We need a nominations and elections committee for positions (5 people) of vice chair and executive counselor. Those interested on being on the Nomination and Elections committee should email chair (jdecarlo@newhaven.edu) and he will form the committee in order to fill the positions.

5. Other Business

Chair will be sending out Blast email to membership.

There are officers that do not know there is a police section within ACJS, there is nothing really for undergraduates. Section could possibly look into funding a small scholarship to increase interest and publicity of the section.

We are looking for new faces for the section, professors and practitioners. Policing has a bright future, and we are in the position to make policing better than it has ever been. Incumbent upon the section to really become the leaders that we once were and activate the membership.

We are the oldest and still (barely) the largest section.

Facebook page: Connie is currently running the page. ACJS Police section, what should be there? Should there be publications? Links to report, stories? Reports on there currently only reach about 25 people. We could post general blast or newsletter, pictures. Direct press there for questions? We should add information on Facebook page with links to submit to PQ or Forum, etc. Facebook would tell what it does (e.g., what *The Forum* is) and what to do to if you want to be published. There would be a links page. ACJS gives web space, but not content. Section needs to provide the content.

Motion to adjourn, and seconded. Adjourned at 1753.

Academy of Criminal Justice Sciences

Police Section

Executive Board

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Immediate Past Chair

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http://www.acjs.org/police_section.cfm

Membership: Join online at www.acjs.org

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