A discussion about how to reform policing.

Moderated by Emily Bazelon The New York Times June 15, 2020

On Memorial Day, the police in Minneapolis killed George Floyd, a 46-year-old black man. Three officers stood by or assisted as a fourth, Derek Chauvin, pressed his knee into Floyd's neck for more than eight minutes. Floyd said he could not breathe and then became unresponsive. His death has touched off the largest and most sustained round of protests the country has seen since the 1960s, as well as demonstrations around the world. The killing has also prompted renewed calls to address brutality, racial disparities and impunity in American policing — and beyond that, to change the conditions that burden black and Latino communities.

The search for transformation has a long and halting history. In 1967, the Kerner Commission, appointed by President Lyndon B. Johnson to investigate the causes of uprisings and rioting that year, recommended ways to improve the relationship between the police and black communities, but in the end it entrenched law enforcement as a means of social control. "Neighborhood police stations were installed inside public-housing projects in the very spaces vacated by community-action programs," writes the Yale historian Elizabeth Hinton, author of "From the War on Poverty to the War on Crime." In 1992, after the acquittals of three Los Angeles police officers who savagely beat Rodney King on camera, unrest erupted in the city. The police were ill prepared, and more than 50 people died. In 1994, Congress gave the Justice Department the authority to investigate a pattern or practice of policing that violated civil rights protections.

Since 2013, the Black Lives Matter movement has made police violence a pressing national and local issue and helped lead to the election of officials — including the district attorneys in several major metropolitan areas — who have tried to make the police more accountable for misconduct and sought to decrease incarceration. The killing of George Floyd in police custody shows how far the country has to go; the resulting protests have pushed the Minneapolis City Council to take the previously unthinkable step of pledging to dismantle its Police Department. But what does that mean, and what should other cities do? We brought together five experts and organizers to talk about how to change policing in America in the context of broader concerns about systemic racism and inequality.

The Participants

Alicia Garza is the principal of Black Futures Lab, the director of strategy and partnerships for the National Domestic Workers Alliance and a founder of Supermajority, a new women's activist group. Between 2013 and 2015, she helped coin the phrase #BlackLivesMatter and helped found the Black Lives Matter Global Network. Her forthcoming book, "The Purpose of Power: How We Come Together When We Fall Apart," will be published in October.

Phillip Atiba Goff is a founder and the chief executive of the Center for Policing Equity, a research-and-action think tank at the John Jay College of Criminal Justice, where he is also the Franklin A. Thomas Professor in Policing Equity.

Vanita Gupta is the president and chief executive of the Leadership Conference on Civil and Human Rights. She led the Justice Department's civil rights division from 2014 to 2017.

Sam Sinyangwe is a founder of We the Protestors, which created a database that maps police killings, and Campaign Zero, a policy platform to end police violence. He is also a host of the "Pod Save the People" podcast for Crooked Media.

J. Scott Thomson served as the police chief in Camden, N.J., from 2008 to 2019 and was the president of the Police Executive Research Forum from 2015 to 2019. He is now executive director of global security for Holtec International.

This discussion has been edited and condensed for clarity, with material added from follow-up interviews to address developing news.

The Use of Deadly Force

Emily Bazelon: The conversation about how to invest our tax dollars to keep the public safe has broadened a great deal in the last few weeks, but let's start with a relatively narrow question — what kind of change can take place within Police Departments? Phil, your Center for Policing Equity worked with the Minneapolis Police Department from 2016 to 2018. Over the past five years there, the police have used force against black people at seven times the rate it has been used against white people. Chief Medaria Arradondo, the city's first black police chief, who took over in 2017, quickly fired Derek Chauvin and the three officers who were with him. But for years, complaints of misconduct and excessive use of force rarely resulted in discipline. Chauvin had a record of at least 17 misconduct complaints over his 19 years in the department, yet he was a training officer for new recruits, including two of the officers present at Floyd's death. What do you take from your work in Minneapolis?

Phillip Atiba Goff: After Michael Brown's death in Ferguson, Mo., in 2014, we, along with partners, got <u>a</u> grant from the Justice Department to address racial bias in policing. We invited Minneapolis to be one of the six cities we would work with. Our trainings were designed to help the police recognize interactions that are likely to result in discriminatory behavior, or undermine trust, and practice not to do that. And later we also used analytics to put resources back into the community. For example, in North Minneapolis, the police were giving out a lot of tickets for broken taillights, so we recommended they give out vouchers to get those lights fixed instead. But the Minneapolis police have struggled for a long time with pockets of resistance to those kinds of changes. One terrible lesson of George Floyd's death is that we don't have mechanisms to stop terrible officers from doing terrible things on a given shift.

Bazelon: The Supreme Court has given the police a lot of leeway to use force. In 1989, in the case <u>Graham v. Connor</u>, the court held that officers could use force if doing so was "objectively reasonable" from their point of view in the moment.

Sam Sinyangwe: The police in Minneapolis put George Floyd in a neck restraint. Their department's policy allowed them to do this if someone was exhibiting what's called active resistance, which really means they're trying to get up, or the police officer says they are, as he's pressing them down. We've known for a long time that these neck restraints are dangerous. There was no reason for the Minneapolis police to authorize that tactic. In early June, the city banned it, as some others have.

J. Scott Thomson: The Supreme Court standard allows for a lot of situations that should never develop. Think about the mentally ill individual who refuses to drop a knife when a police officer tells him to. The law as the Supreme Court defines it allows the officer to advance on him and then shoot him — not because someone is necessarily in danger but because the person didn't comply with the officer's verbal commands. But why advance in the first place if it's not necessary? How can any industry be considered legitimate, professional or trusted if it holds itself to only the absolute lowest permissible standard?

Bazelon: Alicia, you're a longtime activist, and you live in Oakland, Calif. In 2009, a police officer there shot and killed a 22-year-old black man, Oscar Grant, who was lying face down on a BART station platform. This was one of the first police shootings to be filmed by a bystander on a cellphone. After that, activists worked hard for civilian review of the police, with real enforcement mechanisms. How has that worked?

Alicia Garza: There's a deep sense in the black community that when the police commit harms, they're not held accountable, and of course that erodes trust. People in these communities often ask why the police fight so hard to keep investigations and complaints in the shadows. The continual push to shield the police from responsibility helps explain why a lot of people feel now that the police can't be reformed. Civilian review boards are one way to address that, but they often lack teeth. If you can't hire and fire officers, or even make a recommendation for discipline that sticks, then you don't have real power. That is a big frustration.

Bazelon: Sam, you've tracked police killings and nonfatal shootings around the country. What have researchers found?

Sinyangwe: In 2013, when the Black Lives Matter protests began, we didn't have the data to understand what policy interventions could address the problem of police violence. Now we do, and the data nationwide show that about 1,000 people were killed by the police in 2019, which is about the same number killed each year going back to 2013. The overall numbers haven't gone down. That's because in suburban and rural areas, police killings are rising.

But if you <u>look at the 30 largest cities</u>, police shootings have dropped about 30 percent, and some cities have seen larger drops. In some of these cities, like Chicago and Los Angeles, activists with Black Lives Matter and other groups have done a lot of work to push for de-escalation, <u>stricter use-of-force policies</u> and greater accountability.

Thomson: In 2019, when I was chief of the Camden police force, we adopted <u>a use-of-force policy</u> with the help of Barry Friedman, a law professor at New York University, and <u>the Policing Project he started there</u>. The policy mandates that the police de-escalate a conflict, use force only as a last resort, intervene to stop excessive force and report violations of law and policy by other officers.

Bazelon: I can see why that's a starting point, but Eric Garner was killed on Staten Island in 2014 by a police officer who used a chokehold that was <u>banned by the New York Police Department more than two decades earlier</u>. And Minneapolis had a policy in place that required officers to intervene if they saw an officer use excessive force, but the three who were with Chauvin — who were much more junior than he was — didn't step in to save George Floyd. What else does it take to prevent more of these deaths?

Thomson: Within a Police Department, culture eats policy for breakfast. You can have a perfectly worded policy, but it's meaningless if it just exists on paper. You get trained in it when you're a recruit in your three to six months at the police academy. But in too many departments, officers never receive more training on the policy or even see it again unless they get in trouble. They are then befuddled by being held to account for behaviors that regularly exist among their peers, and they feel scapegoated.

At the Police Executive Research Forum, we released a survey in 2016 that found that agencies spend a median of 58 hours on training for recruits on how to use a gun and 49 hours on defensive tactics, but they spend about only eight hours on de-escalation and crisis intervention. To change the culture around the use of force, you have to have continuous training, systems of accountability and consequences. In Camden, when an officer uses force in the field, supervisors review the body-cam footage. The following day, internal affairs and a training officer also review it and either challenge or concur with the supervisors' findings. If they see something wrong, they bring the officer in and go over the tape. If the supervisors had approved something unacceptable, they, too, are held to account.

Vanita Gupta: Let's talk about Congress. There are 18,000 law-enforcement agencies in this country, and I don't think we've seen major federal legislation for police reform pass since the 1990s, when Congress gave the

Justice Department the power to investigate departments for civil rights complaints. This is why civil rights groups are <u>pushing for several measures</u>. These include a national registry of police misconduct — for infractions like excessive use of force or falsifying a police report, as well as terminations and complaints — to stop the cycling in and out of officers who have poor disciplinary records. There also needs to be a national standard for force to be used only as a last resort, a ban on chokeholds and an end to qualified immunity, a doctrine from the Supreme Court that shields the police from being sued when they break the law.

A few weeks ago, none of this was at the forefront. For several years now, there has been a growing bipartisan consensus for addressing mass incarceration. But policing has been this untouchable area outside it, even though police stops and arrests are the front door to the rest of the system. Now, with these massive, multiracial protests across the country, <u>House Democrats have introduced a sweeping bill</u>, the Justice in Policing Act, to address police misconduct and racial discrimination, reflecting the accountability framework of the Leadership Conference, the civil rights coalition that I help lead, signed by 430 groups.

Bazelon: Mitch McConnell, the Senate Republican leader, has asked Tim Scott, the party's only black senator, to come up with a legislative response to the protesters' alarm about the police that their party can back. That's striking in itself, given how aligned Republicans have been with a conservative message about law and order.

Gupta: My fear is that Republicans will just go for mealy-mouthed, piecemeal measures. This is a real moral moment, reminiscent of the moment on the eve of the passage of major civil rights legislation in the 1960s, which Republicans ultimately joined in supporting. If they are serious this time, they should be adopting the Justice in Policing Act.

Bazelon: Some states are starting to act. California legislators have introduced a bill to ban chokeholds, for instance. After years of resistance, on June 12, New York repealed the law that kept secret the disciplinary records of police officers.

Gupta: Granted, this is about reforming the police, not reinvesting the money that is spent on them. But so long as we are going to have policing, this is a big deal

The Power of Police Unions

Bazelon: After George Floyd's death, a member of the Minneapolis City Council, Steve Fletcher, tweeted about the city's police union as an obstacle to change. "They distort hard-earned labor laws to defend indefensible behaviors," he wrote. It's a common complaint. The police began organizing in earnest to improve their working conditions in the 1910s. Today, the largest union, the Fraternal Order of Police, has more than 2,000 local chapters and nearly 350,000 members.

Because Police Departments are often strongly hierarchical, rank-and-file officers tend to rely on unions to give them a voice and shield them from what they see as arbitrary or punitive enforcement of the rules, in a job that relies heavily on officer discretion. But protection for the police, through collective-bargaining agreements or state laws lobbied for by unions, often "exceeds that provided to workers in other industries," the law professors Catherine Fisk and L. Song Richardson wrote in a 2017 article in The George Washington Law Review. In Minneapolis, the union president, Bob Kroll, followed a common path when he defended the officers involved in Floyd's death and lashed out at protesters as a "terrorist movement." On June 10, the police chief in Minneapolis, Medaria Arradondo, withdrew the department from contract negotiations with the union. He said he wanted to restructure the contract for "flexibility for true reform," regarding not salaries but rather the use of force and the discipline process. Phil, when you were working with the police in Minneapolis, how did you see the department's relationship with the union?

Goff: Arradondo wanted to work with us on reforms. He was one of five black officers who sued the department for racial discrimination in 2007. One person they named in that suit is the current head of the police union, Bob Kroll. When Arradondo's suit was settled in 2009, the two sides didn't get together and hold hands. So that's not a unified culture. And if you have a strong union with a union head who says, "We're not doing any of this because it's bunk," the chief of police can't change the culture.

Gupta: Here's an example: Arradondo's department doesn't do warrior-style trainings, which teach officers to see themselves as fighting an enemy who could kill them at any second. Last year, after it became clear that the officer who shot and killed Philando Castile in a suburb of St. Paul during a routine traffic stop had gone to a warrior-type seminar, the chief said officers who went to these trainings outside work would be disciplined. And then the union president, Bob Kroll, offered this training free for his members.

Sinyangwe: One thing that's important, and often overlooked, is that police unions enjoy broad bipartisan support. Republicans are generally pro-police, and the left is hesitant to criticize unions. So you see things like Scott Walker, the former Republican governor of Wisconsin, exempting most police unions from the union-busting legislation he pushed through in 2011. And last year, the A.F.L.-C.I.O. pushed Congress to pass a bill that would allow the police to unionize in states where they can't currently expand, which many Democrats supported. The whole idea that the police should be able to unionize in the first place needs to be interrogated. One study shows that when sheriffs' unions were allowed to bargain collectively in Florida in the early 2000s, based on a State Supreme Court ruling, complaints about violent misconduct rose 40 percent. The language of the contract with the union in Chicago requires misconduct records to be destroyed after five years; in Cleveland, it's two years. Louisiana has a law, which the police unions lobbied for, that says investigators have to wait 14 days to question an officer who used a weapon or seriously injured or killed someone and 30 days to question an officer accused of other misconduct. Investigations and the discipline of officers — basic on-the-job accountability — should not be within the purview of collective-bargaining agreements between police unions and cities. One big problem is that cities cannot negotiate a new union contract unless the union votes to approve it, so they're stuck with old contracts, which include concessions they've made to the unions on accountability and oversight over decades. We can't hold the police accountable for use of force or misconduct if the unions continue to have veto power over change.

Bazelon: Scott, you're known for making changes in Camden in the decade you were chief. What role did the police union play?

Thomson: I started as a police officer in Camden in 1994. Camden is a city in New Jersey, across the Delaware River from Philadelphia, that is almost entirely black and Latino, and it had extremely high rates of poverty and crime. The department I came up in was largely apathetic and struggled with corruption. Early on, the police union was almost all older white guys. They wielded power through the collective-bargaining agreement and by collecting dues, which gave them the ability to build a war chest. They thought they could outlast any politician or police leader.

When I became chief in 2008, we'd had five chiefs in five years. Camden had one of the highest murder rates in the country. The rate for solving murders was only 17 percent, and there were open-air drug markets all over the city. There was borderline hatred between the community and the police. It was very hard to make any progress. In 2011, when Camden was in a fiscal crisis, the state threatened huge layoffs to the police force unless the union made major concessions to the contract. The union refused, and nearly half of the department was laid off. Over the next two years, the Republican governor, Chris Christie, worked with Democrats in the county and city governments to disband the city Police Department and start a new county force.

In 2013, everyone in the city Police Department had to reapply for a new job. But about 50 hard-line union folks decided not to reapply. They encouraged people to follow them so that a county force couldn't be formed. Fortunately, most officers did not follow the union advice. Even more fortunately, these 50 folks who were the impediment to change selected themselves out of the hiring process. I was able to accomplish in three days what I couldn't in three years. That allowed me to reset the culture. Camden is not a utopia. There are still huge social inequities there, and before I left last year, we fired and prosecuted a cop for excessive force. But it's <u>far less violent</u>. Homicides have fallen by more than 50 percent, and the rate for solving them is more than 60 percent, because people are more willing to trust and talk to the police.

Goff: It's important to know how rare Scott is in having stayed in his job as chief for so long. The average tenure for a police chief in a major city department is two and a half years. So if I'm an officer who thinks that a neighborhood needs somebody to crack a couple of skulls to keep everybody in line and keep crime down, and someone like Scott Thomson comes in as chief, usually all I have to do is wait him out. My job is secure. He can't fire me for disagreeing. He can't fire me for doing almost anything, unless I get caught on camera doing the most egregious thing, and even then often not. So in many places, we haven't given reformers the tools to actually make reform happen.

Bazelon: What else helped change the culture in Camden?

Thomson: Some cops valued the secondary jobs they got, working in security for private businesses or road construction on the side, more than their primary job of police work. They could make an extra \$2,000 a week. Guys who worked many hours would use their police job to get rest. New Jersey addressed that problem and in 2013 tightened state oversight. It has been an issue in Minneapolis.

Bazelon: A city audit there last year showed that officers working outside jobs were regularly exceeding the maximum hours they were allowed for the week. In 1994, when the mayor tried to tighten the rules to increase oversight, the union sued.

Gupta: The Justice Department can help create the necessary pressure on the union to participate in reform. When I was there during the Obama administration, we went into cities like Ferguson, Chicago and Baltimore, where there was substantial evidence about a pattern or practice of unconstitutional policing, like racially discriminatory practices or excessive use of force. Over the course of several months, we talked to hundreds of residents, activists and community leaders and hundreds of police officers, digging into every document you can think of in the Police Department, to really come up with a picture of what was happening. Then the Justice Department can negotiate an agreement with that city that contains a lot of reforms around use of force, discriminatory policing, accountability, supervision and training. The agreement is filed in court with a federal judge, sometimes as a consent decree, which has more teeth for enforcement and has often run for five years. The consent decree forces the hand of the union and the rank and file. It can create the political will, over years, to actually see reforms through. That sustained focus really matters.

Bazelon: In a TV interview in June, Attorney General William Barr said, "I don't think that the law-enforcement system is systemically racist." The Justice Department will investigate George Floyd's death, but Barr said he doesn't think a larger pattern-or-practice investigation is currently warranted in Minneapolis.

Gupta: From 1994 to 2017, there were 69 investigations into patterns or practice in Police Departments, under both Republican and Democratic presidents, which resulted in 40 consent decrees or settlement agreements. But the Justice Department during the Trump administration has abandoned this work.

Where Should Funding Go?

Bazelon: In one poll this month, 74 percent of Americans supported the protests, and in another, the same number said they thought George Floyd's death was connected to a broader problem with how the police treat black people. That was a major rise from when a similar question was asked six years ago about two killings. It has taken a long time, but the numbers suggest that a majority in the country have begun to absorb the lessons of Black Lives Matter. Alicia, what do you want to see happen next?

Garza: Most immediate, we need accountability for the death of George Floyd. Increasing the charges to second-degree murder for Derek Chauvin, and also charging the other three officers involved, was really important. Most of the time, there is unrest, and then there is a quick move to convene a grand jury, and people think there is no way that they couldn't hold these officers accountable. And time and time again, as in the cases of Mike Brown and Eric Garner, grand juries have decided not to indict. So the elemental first step is to show that law and order applies equally to the police. A demand to defund policing is also sweeping the country. People in Oakland are re-evaluating its budget, and several other cities are, too. We can do that by narrowing the focus of what policing is intended to do.

Bazelon: The United States spends more on public safety than almost all its peer countries and much less, relatively speaking, on social services. In Los Angeles this month, Black Lives Matter activists and members of the City Council succeeded in getting the mayor to propose moving \$150 million of the Police Department's nearly \$2 billion operating budget to health and job programs. (The police union said the mayor had "lost his damn mind" and warned that spending cuts would result in more crime.) In New York, more than 230 current and former members of Mayor Bill de Blasio's staff signed an open letter pointing out that the police budget has grown since he took office by almost \$1 billion (to a total of \$6 billion) and demanded that \$1 billion be reallocated to "essential social services," like housing support and health care, as a coalition of advocacy groups are urging.

Gupta: That's why this moment feels different to me than the moment after Ferguson, when Black Lives Matter changed the conversation in this country. Now we're having a conversation that's not just about how black communities are policed, and what reforms are required, but also about why we've invested exclusively in a criminalization model for public safety, instead of investing in housing, jobs, health care, education for black communities and fighting structural inequality. Budgets are moral documents, reflecting priorities and values. When I went to Baltimore to investigate policing for the Justice Department, after Freddie Gray died from injuries he got in police custody, in every community meeting that I went to, folks were not just talking to me about concerns about police abuse. They wanted the Justice Department to fix the schools, to fix public transportation so they could get to their jobs more easily. Policing problems — police violence, overpolicing — were often the tip of the spear.

Garza: In 2018 and 2019, my organization, Black Futures Lab, did what we believe is the largest survey of black communities in America. It's called the Black Census Project. We asked more than 30,000 black people across America what we experience, what we want to see happen instead and what we long for, for our futures. About 90 percent of our survey respondents said that the No.1 issue facing them, and keeping them up at night, is that their wages are too low to support a family. People want to see an investment in an increase of the minimum wage to \$15 an hour. About 80 percent of respondents said that college costs were too high. In cities like San Francisco, we have made city college free for residents. These are things people can do right now to invest in black communities, by diverting resources from some of the ways we use law enforcement.

Goff: I've been saying for years that the No.1 thing you can do to help law enforcement is to call them less often. But I'm concerned about the slogan "Defund the Police." It's so much easier, time after time, for white

people to take money out of communities than it is to put it back into communities, particularly when those communities are black.

Bazelon: In a 2016 survey by the Pew Research Center, black people were much less likely than white people to say that the police do an excellent or good job. Yet in a 2019 survey for Vox, they were almost as likely to support hiring more officers. Maybe that's partly because they don't see the government providing other resources for making their neighborhoods safe. But it seems really important to think carefully about how change should happen.

Goff: Imagine that you have a tool chest for solving social problems. It gives you options. Then you lose the tool of mental-health resources. You lose the tool of public education. They take out the tool of job placement. And then all you've got left is this one rusty hammer. That's policing. Right now, the only money flowing into some black communities is law-enforcement money. There are many black activists doing this the right way. But there are also a bunch of white people saying, "Let's defund the police," because they like the police as an enemy, but then when it comes to investing in black communities, they are silent. Simply defunding the police cannot be a legacy of this moment. I want to hear about investing in black communities more than I want to hear about defunding.

Garza: There has been such a massive disinvestment in the social safety net that should exist to give black communities an opportunity to thrive, whether it's access to health care or housing or education or jobs. It's really powerful to see the impact of the organizing that groups have been doing in Minneapolis in the City Council's promise to disband the Police Department and then rebuild a different kind of public-safety system. My understanding is that they will rehire some officers. The details matter, and we don't know what they are yet, but I think there's reason to be hopeful. I think people in this movement are more aligned in their goals than I've seen for the last seven years. I feel a deep level of responsibility not to let the moment pass and then all we get is better police training and chokehold bans. That's what keeps me up at night.

Reimagining 911

Bazelon: The current protests are justifiably focused on the problems of overpolicing, including black and Latino people being stopped a lot for no good reason. But I'm going to also make an obvious point: Every society needs some way to prevent lawlessness and deter and investigate violent crime. Because civilians have an estimated 400 million guns in the United States — more than one for each of us — we probably need armed responders more than other countries that we might otherwise compare ourselves to, like Canada or Britain. As people like Randall Kennedy, a professor at Harvard Law School, and Jill Leovy, the author of "Ghettoside," have argued, black communities have often been underpoliced for serious crimes, because law enforcement doesn't treat solving murders and shootings in their neighborhoods as a high-enough priority. In Baltimore, when the police got a lot of negative attention after Freddie Gray's death in April 2015, there was a "pullback" in policing, as the writer Alec MacGillis described in these pages, which some officers thought the union encouraged. Homicides surged in the rest of 2015, and 93 percent of the victims were black. Is this a danger in Minneapolis, and elsewhere, if cities fundamentally challenge their Police Departments and unions?

Gupta: I'm wary of making assumptions about depolicing. In 2015, I fielded calls from some police chiefs asserting that Department of Justice investigations and consent decrees were causing depolicing. But they had no evidence. A study by Richard Rosenfeld and Joel Wallman from 2019 found no evidence linking police killings of black people in 2014 to an ensuing homicide spike from depolicing. In New York, the big reduction in stop-and-frisk has been good, and crime has continued to decline.

Thomson: There is a prevailing sentiment in policing that "you can't get in trouble for doing nothing." But police officers take an oath and don't get to decide whether they'll follow it or not. This doesn't necessarily

mean writing tickets or making arrests, but if you are actively visible and engaging the public in your patrol area, flagrant criminal activity is far less likely to occur. A tiny percentage of people are the ones destabilizing communities. They cause others to be armed, out of fear, who shouldn't have to worry about defending themselves. So when I became chief of police, we worked with the F.B.I. and state investigators to arrest violent gang members. Then we put cops out walking the beat and on bicycles to prevent a cycle of violence over new turf. As a result, people started coming out of their homes, which is what you really need to start making a neighborhood safe.

Bazelon: I'm going to shift to other kinds of police work. In many cities, the police spend a lot of time "on traffic and motor-vehicle issues, on false burglar alarms, on noise complaints and on problems with animals," the law professor <u>Barry Friedman writes in a forthcoming article</u> in The University of Pennsylvania Law Review. When a police report leads to criminal charges — only a subset of the whole — about 80 percent of them are for misdemeanors. Friedman argues that we should hand off some of what the police do to people who are better trained for it. What if Americans retrained ourselves to expect armed officers to come only if they truly think there's a real risk of someone getting hurt? The dispatcher would route calls that aren't about crimes or a risk of harm to social workers, mediators and others.

Goff: In a sense, it's not that hard to imagine. People already know that to some extent, 911 isn't just for the police. In cities, it includes fire and emergency medical services.

Sinyangwe: There are a host of things that the police are currently responding to that they have no business responding to. If you have a car accident, why is somebody with a gun coming to the scene? Or answering a complaint about someone like George Floyd, who the store clerk said bought a pack of cigarettes with a counterfeit \$20 bill?

Thomson: Perhaps, in a different city, the police wouldn't have been sent in Floyd's case. In Camden, I had a supermarket that called the police a lot about shoplifting. People would go in — and I'm not saying it's right, but they're taking food because they're hungry or they need to feed their family. Then the security guards at the store engaged them; they would get in a fight, and now it turns into a robbery. It got to the point where I asked them to design their store to make it more difficult for people to steal and to stop calling us constantly. Because we're not going to continue to charge our entire population with robbery on these minimal offenses. Similarly, if you have a homeless man panhandling at a red light and you say to a cop, "Go fix it," he'll arrest the man. And now he has a \$250 ticket. And how does he pay that? And what does any of this accomplish?

Bazelon: Let's talk about domestic disputes. They're the subject of 15 to more than 50 percent of calls to the police, according to Friedman's article. He points out that such conflicts can turn serious quickly and unexpectedly. "We may well want force on the scene," he writes. "But might we get further in the long run if someone with other skills — in social work or mediation — actually handled the incident?" Monica Bell, who is a Yale law professor and sociologist, interviewed 50 low-income mothers in Washington about the police <u>for a 2016 article in Law & Society Review.</u> The women were deeply wary of the police in general, but 33 of them had called them at least once, often for help with a teenager. "Calling the police on family members deepens the reach of penal control," Bell wrote. But the mothers in her study have scant options.

Garza: I lived in an apartment complex in Oakland for almost two decades. And we had incidences of harm, but we had a kind of ethos of not calling the police, not because people were organizers or activists but because of their experiences. They knew that if they called the police that real harm could come, and they didn't want that.

Gupta: When I did investigations for the Justice Department, I would hear police officers say: "I didn't sign up to the police force to be a social worker. I don't have that training." They know they're stuck handling things

because there is a complete lack of investment in other approaches and responses. The International Association of Chiefs of Police <u>put out a statement in June</u> in which it said "defunding the police" was misguided. But it also said that funding cuts in social and medical welfare often put officers in an "untenable position," because they are "often the only ones left to call to situations where a social worker or mental-health professional would have been more appropriate and safer for all involved." On that, police leaders and protesters would agree.

Bazelon: In Eugene, Ore., some 911 calls are routed to a crisis-intervention service called Cahoots, which responds to things like homelessness, substance abuse and mental illness. Houston <u>routes some mental-health</u> <u>calls to a counselor</u> if they're not emergencies. New Orleans is hiring people who are not police officers to go to traffic collisions and write reports, as long as there are no injuries or concerns about drunken driving. I'm borrowing these examples from Barry Friedman's article. The point is that some cities are beginning to reduce the traditional scope of police work.

There are alternatives for crime-fighting too. New York has had some success by funding groups that do what's called "violence interruption" in East New York and the South Bronx. They train people who live in the community, and who have often been involved with gangs in the past, to talk to younger people when there's a conflict brewing that could turn violent.

One of the most interesting studies about policing is a randomized comparison of different strategies for dealing with areas of Lowell, Mass., that were hot spots for crime. One was aggressive patrols, which included stop-and-frisk encounters and arrests on misdemeanor charges, like drug possession. A second was social-service interventions, like mental-health help or taking homeless people to shelters. A third involved physical upkeep: knocking down vacant buildings, cleaning vacant lots, putting in streetlights and video cameras. The most effective in reducing crime was the third strategy.

Thomson: I would trade 10 cops for something like a Boys and Girls Club in my city. Those types of investments are crucial to safer, more stable communities. You clean up a vacant lot and turn it into a playground, and if people feel it's a nice place, they bring their kids there. And then they are outside, looking out for one another. They are the eyes on the neighborhood. You have to have that, because the police can never be everywhere all the time.

Garza: We also shouldn't accept a zero-sum game. An overwhelming majority of people we surveyed said they strongly support increasing taxes on people who are making \$250,000 or more as a way to fund the services that are disintegrating in our communities. I think there is a danger now that when protests start to die down, which they always do, when the blue-ribbon panel is dismantled, which it always is, black communities won't necessarily be in a more powerful place than where we started. The country has to deeply invest in the ability of black communities to shape the laws that govern us. As a country, we have to redistribute our resources. It's not out of our reach. But it requires political will over the long term. Some of us have been running this race for a while now. We need you, if you're newer to this fight, for the rest of the marathon.