



Testimony of

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Co-chair Ramsey; co-chair Robinson; Members of the President's Task Force on 21st Century Policing

I am deeply honored by the invitation to speak with you this morning on the topic of "The Future of Community Policing" and to appear with the other distinguished members of this panel.

I applaud the decision of President Obama to create this Task Force at this time in our nation's history. As recent events have reminded us, there are few issues facing our country as important as the quality of the interactions between the police and the people they serve, in particular the relationships between the police and communities of color. The President's commitment has been reinforced by the leadership of Attorney General Holder and the powerful statement made recently by FBI Director James Comey. They have challenged the nation to seize this moment to move beyond individual incidents of police use of force and to rise above the passions and positions that too often divide us.

This morning I would like to highlight three topics that I respectfully commend to the attention of the Task Force. But first, I must offer my thanks to the officials of the Department of Justice for their vision in creating the National Initiative for Building Community Trust and Justice. I am honored to be associated with the team that was selected to carry out this vision – remarkable thought leaders at John Jay College (including Prof. David Kennedy, who previously testified before this panel), Yale Law School (including Task Force member Prof. Tracey Meares and her colleague Prof. Tom Tyler), UCLA (including my fellow panelist Prof. Philip Atiba Goff) and the Urban Institute (with a team led by Dr. Nancy LaVigne). We have embraced the challenge of working with five pilot sites around the country to infuse police practices and policies with the principles of procedural justice, implement training protocols based on research on implicit bias, and partner with police departments and communities to advance the processes of racial reconciliation. I know that I speak for my colleagues when I note that we are fully aware of, and humbled by, the complexity of this undertaking. We hope that these efforts will shed light on the issues under consideration by this Task Force and will, in time, develop a body of knowledge and professional practice that will promote better relationships between the police and the public, particularly in communities of color.

The Role of Higher Education in Advancing Professional Policing

Among the perspectives I bring to the issues facing this Task Force is that of a college president. So, my first recommendation is that the Task Force should seek to utilize the capabilities of the nation's universities to advance more effective policing practices. The college I am privileged to lead, John Jay College of Criminal Justice, was created 50 years ago at a time much like the present, when the nation was asking profound questions about the role of the police. Cities across America were reeling from riots and deep racial unrest. The Great Migration of blacks from our southern states to northern cities, from rural communities to highly segregated cities, still policed by largely white police departments had created a tinderbox of tensions and

resentments that erupted into race riots, often ignited by the deaths of young, unarmed African-American men at the hands of the police.

Presidential commissions were created to explore the nature of race relations, the role of the criminal justice system, and the dynamics of violent crime. Two themes ran through the recommendations of those commissions, both of which leverage the power of universities to improve policing. The first notion, revolutionary at the time, held that our country would be better served with more college-educated police officers. A college education would improve the critical thinking skills necessary to make wise use of discretion, and bring a broad understanding to the role of the police in our society. To accelerate this idea, a new federally funded scholarship program for police officers called LEAP (Law Enforcement Assistance Program) was created. A generation of police leaders now traces their understanding of the complex role of the police in our democracy to their LEAP-funded college educations. At the same time, universities around the country created criminal justice departments, designed academic programs in criminal justice, and actively recruited police officers as college students.

John Jay College proudly traces its roots to that national commitment. After its first classes for 1,000 in-service police officers in the Police Academy, John Jay has evolved into a major liberal arts college with a global reach serving 15,000 students. We offer academic programs at the doctoral, masters and baccalaureate level. We have more than 400 full time faculty, including some of the nation's preeminent scholars on issues of crime, policing, race relations and justice. Since 1965, John Jay has produced 60,000 alumni who work as scientists in crime labs, judges on the bench, scholars of crime and justice, community organizers, professionals in emergency management, corrections and fire science, human rights activists, and of course law enforcement professionals in agencies ranging from the New York City Police Department, to the federal agencies, to police services in dozens of countries.

I tell this story not just as a matter of institutional pride, but rather as a foundation for a recommendation for your consideration. To advance the profession of policing, our government should invest in the education of police officers and police leaders. This profession needs individuals who have the critical thinking skills that come from a rigorous college education. But higher education is a very expensive commodity today. As public funding for public higher education has been cut sharply in recent years, the ability of young men and women to pursue a college degree has been constrained. It is a truism to state that college education is the seed corn for our nation's future. As we invest public dollars in science and technology, we also need to invest in the future of our law enforcement professionals. As we invest in college education for our returning veterans, we also need to invest in those who will keep us safe at home.ⁱ

The Role of Research in Advancing Effective Policing

A second theme from your predecessor presidential commissions also resonates today: The work of our police departments would benefit from research, statistical analysis of crime trends, and empirical understanding of the effectiveness of efforts to prevent and respond to crime. Building on those recommendations a half century ago, our federal government created the Law Enforcement Administration (now the Office of Justice Programs), and the research and statistics agencies of the Department of Justice (now the National Institute of Justice and the Bureau of Justice Statistics).

I was privileged to serve as Director of the National Institute of Justice in the Clinton Administration, working closely with your co-chair, former Assistant Attorney General Laurie Robinson and our Attorney General Janet Reno. This was the era of the 1994 Crime Act which made possible an unprecedented investment in research, particularly research on crime and the role of the police. I should point out that the modifier “unprecedented” must be understood in relationship to the previous investment in research on these critically important topics. The NIJ budget has always been dwarfed by the budget to the other science institutes of the federal government. Yet the late 1990s were the Golden Age of investment in research on crime, violence, policing, corrections, and drug abuse. We supported ground-breaking research on hotspots policing, tracing illegal gun trafficking, domestic violence, drug courts, community policing partnerships, and police integrity. As I look at the country’s understanding of those phenomena today, and the effectiveness of our response to the crime epidemic that prompted the passage of the 1994 Crime Act, I can see the value of that investment in research.

There is an unquenchable thirst these days among practitioners and policy-makers for research, data analysis, and evidence of effectiveness. At the same time, scholars in our universities, researchers in non-profit think-tanks, and analysts in our police departments are all eager to produce that knowledge; but meeting the demand requires funding. Certainly state and local governments can contribute, but this is quintessentially a federal role. So I would hope that this Task Force will recommend a significant, sustained, and strategic investment in research on policing, crime, public trust, and racial justice.

Today’s research agenda should be broader than that funded by the 1994 Crime Act. Today, we need an empirical understanding of the interactions between the police and the public. We should explore forthrightly the intersection of policing practices and race. Specific topics should be at the top of the list. For example, we should understand whether the practices that come under the heading of “proactive policing” are effective at reducing crime and what the costs are in terms of public trust, confidence in the police, and legitimacy. We should also explore the effectiveness of different policing tactics and then turn that research into new training curricula. The research agenda for the future should also include new national statistical surveys. Just as a previous generation pioneered the use of victimization surveys to explore the “dark figure” of unreported crime, federal leadership is needed today to develop reliable national measures of

police-citizen contact, with a particular deep examination of the interactions between the police and young men and women of color.

The Importance of Legitimacy, Procedural Justice and Racial Reconciliation

The title of today's panel is *The Future of Community Policing*. In my view, the development of the concept of community policing represented a milestone in the evolution of American policing. The community policing philosophy is grounded in three important aspirations: developing partnerships with the community, emphasizing problem-solving as the principal policing methodology, and embracing crime prevention as the mission of the police. These aspirations remain as powerful today as they have ever been. Over the years, we have strengthened these pillars with new technologies and concepts, such as the management innovation of CompStat, pioneering research on focused deterrence led by Prof. David Kennedy, new technologies, new data analytic techniques, and new tools of forensic science.

Yet a critical element of community policing has not received sufficient attention – the development of public confidence in the police. In fact, I would argue that we have lost ground on this important obligation to the citizens we serve. The critical next step is to make public trust as much a measure of police effectiveness as public safety. Without this, the aspiration of community policing will remain a hollow promise.

When Bill Bratton was sworn in as Police Commissioner a year ago, for his second stint at the helm of the NYPD, he made a profound observation. He said he was troubled by the realization that, although crime had been reduced to record lows, the public, particularly in communities of color, was angry at the police. Why he asked, had the public safety successes not translated into public confidence? His goal, he said, was to restore that public trust in the police.ⁱⁱ

Tackling this question is of paramount importance to the future of community policing. In meeting this challenge, we are aided by three powerful concepts – legitimacy, procedural justice and racial reconciliation, all of which lie at the heart of the National Initiative on Building Community Trust and Justice.

The concept of legitimacy holds that the police should strive to interact with the public in a way that promotes public confidence. More than a public opinion poll asking whether people like their police, this is the bedrock notion of democratic policing: The police do their work with the consent of those they police. Adherence to the demands of the legitimacy principle requires active engagement of the public in developing safety strategies, sharing power with community leaders, and adopting a posture of a true public servant: a police agency that is not authoritarian but recognizes that its authority comes from the people.

The concept of procedural justice is a close corollary of legitimacy. This concept, based on strong research, demonstrates the power of respectful policing. If the police explain the reasons for their actions, treat the citizen respectfully, and provide an opportunity for the citizen to ask

questions, two results follow: the respect for the law increases, even if the law enforcement action is negative; and the citizen is more likely to obey the law in the future.

The third concept that must be embraced to promote the promise of community policing is racial reconciliation. This is perhaps the most difficult, but I believe it is the most important. The nation's history is deeply intertwined with the legacy of slavery. Throughout that history, the law has been a weapon of oppression. We need only cite the Fugitive Slave Act, the black codes of the Jim Crow era, the practice of convict labor, the widespread practice of lynching as a substitute for adjudication recently documented by Task Force member Bryan Stevenson and the Equal Justice Initiative, and the judicial enforcement of restrictive covenants. Today, we live in an era of mass incarceration, when the law is once again an instrument of racial injustice. Let me illustrate with this simple statistic. For an African-American male high school dropout who was born between 1945 and 1949, the probability of serving at least a year in prison was 14.7 percent. A generation later, after the nation embarked on a four-fold increase in incarceration rates, that probability skyrocketed to 68 percent. Our criminal justice policies have done enormous harm to communities of color, particularly young male high school dropouts.

Why does this history matter today? My colleague David Kennedy recently made the following observation: when the country reacts to the death of an unarmed African-American man at the hands of the police, white Americans talk about the incident – black Americans talk about history. Our country needs to focus on history in order to rise above the incident. Fortunately, we are now blessed with a new generation of police leaders, many of whom have testified before this Task Force, who understand the power of history. Our President, Attorney General, and FBI Director are speaking forthrightly about the power of the reality that law enforcement has too often, and for too long, been on the wrong side of the pursuit of racial justice. These leaders are willing to invoke that history as a necessary starting point in the effort to rebuild trust in our law enforcement institutions. This pursuit of racial understanding is an essential ingredient if we wish to bridge the divide between police and communities of color. The greatest legacy of this Task Force would be the explicit embrace of the historical imperative of a national process of racial reconciliation. It has already begun in communities around the country, often with law enforcement in the lead.

We can imagine a new form of community policing that takes seriously the creation of a new level of understanding between the police and communities of color. This will only happen, in my view, if we find ways to operationalize the concepts of legitimacy and procedural justice and start down the road of racial reconciliation.

Thank you for this opportunity to share these thoughts with the Task Force.

ⁱ In this regard, I commend New York City Mayor Bill de Blasio for his recent decision to invest \$10 million in expanding the Police Cadet Corps, a program that provides financial assistance and paid internship opportunities to young people who, upon completion of their baccalaureate degree, go to the head of the line for admission into the Police Academy. Since its creation thirty years ago, the Cadet Corps has established an exemplary track record by bringing hundreds of young people, a majority of whom come from minority groups, into the ranks of the NYPD. Years ago, Congress provided funding for a national version of this program. New funding today would leverage the power of the nation's universities to raise the quality of our police professionals.

ⁱⁱ The narrative of New York City illustrates the complexity of this challenge. Violent crime and property crime have dropped to record low levels. The rate of felony arrests has plummeted. Yet the experience of being policed has also changed dramatically. As felony arrests dropped, misdemeanor arrests increased by a factor of four over thirty years. During the past decade, the number of times the police stopped, questioned and sometimes frisked New Yorkers also increased dramatically, from 160,851 in 2003 to a peak of 685,724 in 2011. At the same time, during the past decade, the police issued approximately 540,000 summonses a year for minor offenses. These trends are undergoing important changes. The number of misdemeanor arrests fell by 9.5 percent between 2010 and 2013. Police stops plummeted in recent years and amounted to just 38,456 stops for the first three quarters of 2014. Summons activity has fallen off. Our city is engaged in a lively debate about these practices. A federal district judge held that the stop, question and frisk policies were unconstitutional. Our Mayor and Police Commissioner are taking steps to reduce misdemeanor arrests and summonses. Yet two questions hang in the air: Are these practices necessary to reduce crime? And do these interactions promote or undermine the confidence of the public, particularly young people, in the police? These are research questions that can be explored with appropriate federal funding.