

# **The Loss of Public Trust in Law Enforcement**

**by**

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This Command College Independent Study Project is a FUTURES study of a particular emerging issue in law enforcement. Its purpose is NOT to predict the future, but rather to project a number of possible scenarios for strategic planning consideration.

Defining the future differs from analyzing the past because the future has not yet happened. In this project, useful alternatives have been formulated systematically so that the planner can respond to a range of possible future environments.

Managing the future means influencing the future--creating it, constraining it, adapting to it. A futures study points the way.

The views and conclusions expressed in the Command College project are those of the author and are not necessarily those of the Commission on Peace Officer Standards and Training (POST).

## The Loss of Public Trust in Law Enforcement

“Sheriff’s deputies injured after crowd riots during concert” reported the Merced Sun Star.<sup>1</sup> “The crowd grew more agitated as more police arrived on scene,” notes the San Bernardino Sun.<sup>2</sup> “Rock-throwing escalated to gunfire last night as violence erupted for the second time in 24 hours, sending mobs and riot police swarming” reads the headline story in the Tennessean.<sup>3</sup> Law enforcement in the United States is often served a harsh reminder that the job of policing is a tenuous one. As recent as April 16, 2007 and dating back over 200 years, riots have been at the forefront of policing in the United States. Each riot represents, even if for a short period, law enforcement losing their ability to police. These riots, prompted by acts seen by some as misconduct by the police, were shaped by events adversely impacting the public’s willingness to trust those charged with their safety. Failure to pay attention to this trust may result in law enforcement losing the ability to police.

An article in the Cato Journal<sup>4</sup> sought to understand riots and their causes. The authors asserted that certain dramatic events, such as political assassinations or unpopular jury verdicts, form the basis for riots and their social rage. This social rage is generally attributed to racism, poverty and lack of economic opportunity, but ultimately stems from the breakdown of the family, television and a general cultural disorientation. We will explore how this “social rage” may impact the ability of law enforcement to police the public in the future. What impact could changes in “family values” have on law enforcement and its **trust** relationship with the public? How might the disappearance of these values lead to greater conflict and **mistrust**, ultimately impacting the ability to police?

### **Trust in policing**

According to popular social theory, trust indicates a depth and a sense of assurance that is based on strong but not logically-conclusive evidence, or based on the character, ability, or truth that someone or something has shown over time or across situations. Trust makes for a sense of being safe or of being free of fear, enough so that one's focus can be on other matters.<sup>5</sup> Key aspects of this definition are its reliance on the foundation of *character, ability* and a sense of being *safe*. Trust is also a public good, according to noted sociologist Giovanni Sartor.<sup>6</sup> Sartor stated if there was no trust, co-operation would end, and the whole fabric of society would collapse.

Is it necessary for law enforcement to actually have the trust of the public, or merely their tacit approval? Clearly, riots indicate a large-scale breakdown in order, and can be seen as a manifestation of societal collapse. While such public unrest may not always be focused directly on police conduct, it inevitably is the task of the police to balance the right of free speech against the reality of destruction such anger can impact. Without the approval and consent of the public, law enforcement can scarcely fulfill their mission to police. Interestingly, this necessity of public approval to police was identified over 170 years ago by Sir Robert Peel. Peel founded the London Metropolitan Police, considered

by many to be the prototype for modern policing in England and America. In 1829, he authored “Peel’s Principles” as the founding document of that agency. Amongst his writings were these tenets:

- The ability of the police to perform their duties is dependent upon public approval of police actions.
- Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.
- Police seek and preserve public favor not by catering to public opinion but by constantly demonstrating absolute impartial service to the law.
- The degree of co-operation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.<sup>7</sup>

These tenets parallel the definitions of trust or trustworthiness<sup>8</sup> in general. Merriam-Webster defines it as a “charge or duty imposed in faith or confidence or as a condition of some relationship and something committed or entrusted to one to be used or cared for in the interest of another.” Both the tenets of Peel, standing the test of time, and Webster’s declaration of a “duty imposed” or “condition” indicate it is necessary to have the trust of the public. How does law enforcement, entrusted with the responsibility, endeavor to maintain that trust? Unfortunately trust is often based upon reputation. Someone who has a good reputation is very likely trustworthy. As Kramer<sup>9</sup> reported, research on trust development has shown that “individual perceptions of others’ trustworthiness and their willingness to engage in trusting behavior when interacting with them are largely history-dependent processes. Reputation therefore is the opinion which is publicly formed and held.” The trust provided law enforcement by the public is, therefore, driven by past events.

### **Law enforcement’s reputation**

Unfortunately, incidents in law enforcement have chipped away at the profession. For instance, the City of Cincinnati experienced a series of riots after the fatal shooting of a 19-year-old black male by a white police officer, on April 7, 2001.<sup>10</sup> CNN reported in March 1991,<sup>11</sup> that “Rodney King became a reluctant symbol of police brutality when amateur photographer George Holliday provided evidence that was hard to ignore. The videotape Holliday shot showed several white Los Angeles police officers using their batons to beat King.” For many, the King riots were just echoes of riots past in Los Angeles and elsewhere. At their core in many instances was the loss of confidence communities had in their police departments. Headline incidents, especially those involving perceived abuse against persons of color, have undermined the trust endowed to law enforcement. These incidents not only harmed the reputation of law enforcement, but led to social unrest and a breakdown in the rule of law. The net result of these actions is a loss of the ability to police. Once public confidence wanes, suspicion on any aspect of police performance becomes the norm.

Officers and departments increasingly find themselves on the receiving end of misconduct complaints, which furthers the mistrust issue regardless of the substantiation of the misconduct. Both the New York City Civilian Complaint Review Board<sup>12</sup> and

District of Columbia Office of Police Complaints<sup>13</sup> have experienced a 12% and 27% increase respectively in complaints over the previous year. The availability of instantaneous mass media compounds the misconduct issue, placing such incidents more prominently in the public eye.

In the Politics of Force, Regina G. Lawrence conducted a study regarding the frequency with which police uses of force appear in the print media. The study revealed such incidents rose from virtually zero in the national press in 1985-1989 to many hundreds in 1991-94<sup>14</sup>. Today, a simple query of “police misconduct” on Google news, results in 4 out of the top ten articles discussing some form of police misconduct: “Two police officers charged with official misconduct;” “Reprimand for police in sex attack case;” “Patrolman may lose job over alleged misconduct;” “Ex-officer at South Bend Juvenile Correctional Facility charged”<sup>15</sup> were all prominent for the casual viewer on April 17, 2007. Simply Googling “police misconduct” returned about 1,400,000 hits on a recent date. Twenty-four hours later, the same query returned more than 1,510,000. From the small town to the metropolis, the Web offers mass media at the fingertips. The Web also allows advocacy groups to impact police/public trust nationally. The presence of groups to monitor police conduct, such as Copwatch (policeabuse.org), has achieved greater prominence as a result of available mass media. These organizations may be well-intentioned; they may also further fuel the mistrust some have in their police force.

### **Trust in society**

The issue of trust is a societal trait largely passed on by the family. Generations of parents teaching their children to respect their elders, authority (police) and to follow the Golden Rule, creates norms of treating others as one desires to be treated. Robert Klassen<sup>16</sup> describes the golden rule as the most elementary observation of human social behavior. This observation of the golden rule was first described in the Mahabharata in India circa 3000 BC<sup>17</sup> and is a cornerstone to the religious and social beliefs of Christian, Jewish, Islam, Buddhist and Hindu faiths. The golden rule, though, having survived for millennia, may be under attack.

### **Changing Perspectives**

The norms of society in America are constantly bombarded by changing perspectives. Over the last 50 years, our society has undergone huge demographic shifts with regards to the family. In the year 2000, nearly half of all Americans lived in a home where the head of household was unmarried. This is a significant change from the 1950s, where 78 percent<sup>18</sup> lived with a married, head of household. Family size has also decreased. As families increasingly choose to have fewer children or parents choose to go it alone, without another adult. Lacking the parental guidance of a second parent, studies indicate the development of societal issues as indicated in the work of Paul Vitz of the Catholic Research Center.<sup>19</sup> This research has found that the absence of the father’s participation in upbringing of sons may produce a number of significant norms. Amongst them are: high aggressive behavior, strong preference for immediate gratification, lack of social responsibility, and intellectual deficits. There is no doubt that the “traditional” organization of family around a nuclear unit has changed. A 2005 “Faith and Family in America” study of today’s “family” identified the following key findings:<sup>20</sup>

- Non-traditional families are disproportionately female, minority, and low income
- Nearly half of non-traditional parents make less than \$30,000 a year
- As mothers typically are the primary caretakers of children, it is not unexpected that non-traditional parents would be disproportionately female. But it does mean that many fathers are living in separate households away from these families and must work harder to have involvement in their children's lives
- Parents, regardless of their own family arrangement, hold a fairly conservative set of family values. Americans believe children prosper in two-parent households.

The key findings, based on a random-digit-dial telephone survey of 11,130 adults in July and August, 2005, present issues for the future that may significantly impact issues of concern to law enforcement.

The nuclear family has been the established norm, yet society is changing. Statistically, a single parent has to work harder and longer hours to make ends meet; therefore the parent is not available for their children. The result of this absence of family is evident in gang recruitments and children's exposure to media violence. According to the Clearinghouse on Elementary and Early Childhood Education Studies<sup>21</sup> the effects of media violence on youth are conclusive: viewing violent television programming has negative consequences for children. The research suggests three areas in which watching violent television programs can impact young viewers:

1. Media violence can encourage children to learn aggressive behavior and attitudes.
2. Media violence can cultivate fearful or pessimistic attitudes in children about the non-television world.
3. Media violence can desensitize children to real-world and fantasy violence.

So what does this departure from the "nuclear family" mean to law enforcement? Greater conflict! This transition in values, one can surmise, may produce an individual who is more apt to challenge the status quo and trigger the beginning of the loss of the ability to police. Toynbee<sup>22</sup> summed up the sentiments of many historians when he wrote "that many great civilizations have disintegrated from within rather than been destroyed from without. Critical examination of these civilizations reveals that the decline began when "values" began to erode." Is law enforcement on the verge of losing the ability to police? Episodically, and more frequently, yes! Where this may lead, only time will tell? Society is wary of law enforcement; barring a significant event in which law enforcement can demonstrate "trust" society will tend to remain wary.

### **Where do we go from here?**

It is exceedingly important that law enforcement have a proper trust relationship with the public. A National Institute of Justice<sup>23</sup> study on "Factors That Influence Public Opinion of The Police" found that *interactions* with police are the factors that most influence public opinion. Interactions were defined as "person to person" contact, getting to know the public. If law enforcement does not foster a proper relationship with the public, they can expect difficulty in their efforts to work cooperatively, to root out crime and maintain

public order. These lessons are not new; they hearken back to Peel in his admonition that the ability of the police to perform their duties is dependent upon public approval.

Law enforcement must endeavor to keep programs such as citizens' academies, town hall meetings and philosophies such as community oriented policing. Why? Because they maintain the pipeline to the public and they keep law enforcement in touch with the community. For the police to maintain the public's trust in the face of negative incidents and changing demographics, the manner in which they convey their trustworthiness may have to change. Anne Seibold Drapeau<sup>24</sup> is Chief People Officer at Digitas and co-author of *The Trusted Leader*. She describes five key building blocks to organizational trust; noted as the five "A's" of trust. Although not written with a police-specific focus, her words ring true for those in public safety concerned with trust and their community. They are:

- **Aspirations** - what does your organization believe in and stand for? This includes its identity within the market place, and also what the organization stands for in the way it treats people.
- **Ability** - does your organization invest in the right things to be able to achieve its aspirations?
- **Actions** - You can have great goals, you can have all the resources, but you have to get things done. You have to follow through and show you are serious about what you say.
- **Alignment** – this has two perspectives. First, your aspirations, abilities and actions must all be aligned. Second, you also want to ensure that there is consistency over time. People need to recognize that the aspirations and goals of the organization are stable.
- **Articulation** - It is great to have wonderful goals, invest in the right resources and have a strong penchant for action but if nobody knows about it you are going to have a difficult time building trust. You need to effectively communicate what the organization stands for, what it is investing in, and what it is doing.

Some agencies may already have similar sentiments noted in their mission or values statements. They may even have some articulation of community partnership presented in their policy manuals or similar plans. These documents, though, are typically not based on trust as the cornerstone for action. Perhaps it is taken for granted; maybe it is just assumed the police will be trusted to do their jobs. For those that don't clearly state the need for trust, now is the opportunity to do so.

Law enforcement acting as a change agent for trust! This would certainly be a different role and Drapeau's five "A's" of trust encompass the values of inclusiveness law enforcement has strived for in its communities. Will implementation of the five "A's" eliminate our trust issues? No, but they will impact the community in a positive manner moving towards the productive trust relationship needed to continue policing.

Two futures are possible. One depicting riots and disobedience to law based upon crumbling social ethics, and a past focused solely on negative incidents in law enforcement. Or, the future defined by law enforcement asserting a trust relationship in

our respective communities. In this future, the police would influence families by demonstrating high values and authentic accountability created through a sense of assurance, based on strong character and an ability to create a sense of being safe. With our defined future, perhaps we can impact the crumbling norms and values of society. Certainly, we can help to erase the negative past.

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