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Policing in America: Abolish or Ameliorate

Police have been a staple in American life for generations. Since the inception of the first organized American police force in 1845, law enforcement has grown and shifted significantly into the entity it has become in the present, weaving itself deeper and deeper into the lives of people across the nation. In the course of recent events, such as the killing of Eric Garner, a growth of media attention has enveloped police in America and has spawned deeper inquiry into the role and necessity of the existence of law enforcement as we know it today (Baker, Goodman, and Mueller, 2015). Propositions of police abolition and police reform have grown in the public eye through the efforts of organizations such as Critical Resistance, SNUG, and L.E.A.P., becoming increasingly established as legitimate alternatives to be considered over the present structure of police.

To establish a context through which to holistically understand modern police and the reasonings behind reform and abolition, it is important to understand the evolution of police which has brought them to this moment; it should be noted that this acts solely as an abbreviated history and is not complete by any means.

As outlined in a timeline of American policing on the Critical Resistance website, police have occupied a multifaceted presence in American life. As aforementioned, the first official police force in America was established in New York City in 1845. Prior to this, the entities closest to what are known as police forces today were national militias representing the interests

of the U.S. Colonies against the British during and around the Revolutionary War, and slave patrols used throughout the American South to act as controlling forces for African-American slaves and prevent/repress slave rebellion. These two groups, national militias and slave patrols, were known to work in tandem for the realization of their respective goals. In light of these police precursors, it becomes apparent that racial undertones have existed in the fabric of policing from its very beginnings.

Following the formal birth of American police in 1845, police played a varying number of roles throughout the years. From acting as controlling forces for freed African-Americans in the post-Civil War South, to breaking up worker strikes in cities in the late 19th century and early 20th, to becoming established security groups in schools through the 1950s and on to reduce property damage and vandalism, police presence has visibly disseminated over time into sectors of everyday life ranging from employment to education.

However, one of the most important historical shifts in the understanding of police issues today is that which began in the 1970s. From the 1970s through the 1980s, the Federal Government began funding of a drug war which would shift the makeup of modern police. Through this time, police forces across the nation were bolstered through prodigious federal funds, as well as military weaponry and equipment. This drug war acted as the genesis of militarized police entities such as SWAT teams, as well as paramilitary police units such as STRESS, Stop the Robberies Enjoy Safe Streets, which caused the death of over 30 Detroit citizens over a two year period (Critical Resistance).

The effects of the shift beginning with the 1970s has not left modern police forces today. For example, in 2015, Law Enforcement across the United States made 1,488,707 arrests for drug law violations. Of these arrests, 83.9 percent (1,249,025) were for possession of a

controlled substance, and largest category of possession charges being Marijuana at 38.6 percent of total drug charges (FBI, 2015). In a study of marijuana possession arrests from 2002-2012, the Drug Policy Alliance and the Marijuana Arrest Research Project found in New York City the average marijuana possession arrest can take anywhere from two to upwards of five hours (Levine, Siegel, and Sayegh, 2013). Averaging this to about 2.5 hours per arrest and extrapolating to nationwide marijuana possession arrests in 2015 (482,123), we see that law enforcement over the course of the year collectively spent approximately 1,205,309.125 hours--837 days-- enforcing laws against a substance which has a purported mortality risk 114 times less than that of alcohol (Lachenmeier, Rehm 2015). This is not to say marijuana is completely innocuous to human health, and availability of substance does play a role statistically, however, the stark comparison is presented to raise the question of the necessity for the enormous amount of policing on this unlawful substance for its dangers, when its legal counterpart poses a statistically greater threat.

Marijuana related police activity is not a singular war cry for police reform groups, but a single example of inefficiency and deficiency in American police forces. As previously stated, a recent wealth of media attention has illuminated police malpractice from Philando Castile to Alton Sterling, especially that which is potentially racially charged, but this is not a recent development by any means. Robert Reiner, Professor of Criminology at the London School of Economics and Political Science, delves into the true nature of police and the pitfall of simple reform in his book “The Politics of Policing.” Reiner explains that police work is “inherently a ‘dirty work’ occupation” (Reiner, p. 254). According to Reiner, police operate in the “inevitably messy and intractable [business] of regulating social conflict,” and exist to provide a very specific service, that of “the capacity for decisive action” (Reiner p. 254). The police exist, in

many cases to deal with the “underclass” of citizens, a label which falls disproportionately on minority populations in the United States (Reiner p. 254). According to the 2012 US Census, the percentage of Whites below the poverty line falls at 14.3, as compared to 25.8 for Black or African-Americans, 23.9 for American Indian or Alaska Native, and 23.2 for Hispanics. To fulfill the role of underclass controllers, police all around the world have, in many cases historically, gravitated toward misconduct; this can be seen in accounts such as Sir Robert Mark’s *In the Office of Constable*.

If police are to be wholly transformed for the better in terms of police interactions with the public, Reiner suggests it cannot be done simply through reform of current institutions. The very nature of police work does not lend itself to interactions excluding the force and tactics seen in police forces. Thus enters the idea of police abolition.

The idea of police abolition is consistently met almost immediately with general skepticism as to a world without police. "Who's gonna protect the community if we abolish the police?" is a popular, and fair, question, as raised by Megyn Kelly when police abolition was presented by community organizer Jessica Disu during a panel discussion on Fox News in 2016. This question, and others like it, work under the assumption that police are the dominant, if not sole, vanguard against harm and criminality for average citizens.

However, as found in a 1974 study in Kansas City, no significant difference was found in reported crime, rates of victimization, levels of citizen fear, or satisfaction with police between areas of varying amount of police patrol (Kelling et al. 1974). Studies show that other forms of policing act counter-intentionally as well. Policing through more “aggressive” tactics have been shown to raise rates of crime which were originally hoped to be decreased, as well as raising department expenditure, as was the findings of a series of studies of robbery rates in twenty-three

police departments in the US in the 1970s (Jacob and Rich 1980). Conversely, tactics of “community policing,” efforts to be more collaborative between police and the communities they represent, has shown mixed effects. In some instances, these tactics have shown some positive results, but remain fully unclear as to viability due to shortcomings in organizational structures of participating police departments, particularly “lower rank hostility” (Reiner p. 157). In conclusion, as Reiner explains, policing has a “tenuous relationship” to actual crime rates, that compounding factors of “social, economic, cultural,” and “psychological pressures,” “shifting definitions of criminality,” as well as a myriad of other factors play a significant role as well. (Reiner p. 254 and p. 158).

With the immediate incredulity at least somewhat dispelled, it can now be asked, what would police abolition look like? In the eyes of abolition movement Critical Resistance (CR), founded by activist and scholar Angela Davis in 1998, it is a collection of nationwide grassroots movements. In the CR system, individual communities would work under a general framework, but employ a local specificity so as to best fit the needs of that community. The general abolition guidelines as put forth by CR are to 1. Dismantle, 2. Change, and 3. Build. However, “general” is the operative word in this description, as these guidelines are very obviously quite vague. In practice, this can emerge as a variety of programs, one such example being Operation SNUG.

Operation SNUG is a program which began in New York state in 2009. The program employs the Cure Violence Model of community health, using unarmed, trained mediators to address community violence directly in a restorative manner. The Cure Violence Model approaches violence as a disease to be healed, akin to major epidemics such as AIDS and cholera, practicing the following principles:

1. Interrupting transmission of the disease

2. Reducing the risk of the highest risk
3. Changing community norms

These principles materialize in the form of SNUG workers intervening in communities in a number of ways. Workers address and aid with deleterious factors in community member's lives such as drug abuse, unemployment, and gang affiliation on an individual treatment basis. When a shooting occurs, trained SNUG representatives step in to ensure retaliatory action does not occur within the community and exacerbate the violence; these workers act as mediators in community conflicts, maintaining nonviolence and guiding toward reparation of a conflict. Additionally, SNUG officials engage the members of their communities to establish community groups in the form of block clubs, tenant councils, and neighborhood associations and to lead these community members to publicly vocalize against instances of violence when they occur, creating societal influences which establish a clear aversion to these violent acts.

SNUG programs have shown significant successes across its 30 sites. The SNUG Brooklyn site has seen a 20 percent decrease in rate of shootings, a 29 percent decrease in the Albany site over eight months, and a 40 percent decrease in the Rochester site over six months, among achievements of other locations (Cure Violence, 2017). The influence of the program not only reconciles those involved and affected by shooting violence, but also creates alternatives to violent crime for those individual that would otherwise be prone to committing these acts, while simultaneously creating a societal atmosphere in which gun violence is a visible act against the community as a whole and its members as individuals. All of these tactics combined have proven to be an effective deterrent as a result.

This is one example of possible alternatives to police forces which has fit the needs of an individual community effectively, though it cannot be said that this method would

incontrovertibly be as effective in any and every community. As the disseminated nature of the CR framework suggests, community needs are addressed most effectively on an individual basis, thus an expanse of police alternative methods must exist. Another method that has shown degrees of success is that of Community Courts, such as in the city of Philadelphia.

Though still developing, the Philadelphia Community Court (PCC) was a community-oriented experiment focused on addressing “quality-of-life” crimes including “vandalism, prostitution, disorderly conduct, and minor thefts” (Cheesman et. al 2010). These type of minor crimes, in many cases, were generally established as a lower priority for the local police department and often ignored. When offenders were apprehended, the dominant outcomes were either missed court dates or being put directly onto probation, then putting people back onto the street with little rehabilitation just to continue the cycle of low level criminality.

The PCC created opportunities for more investment in these quality-of-life offenders, with court time increasing and amount of resources per individual growing to address these people’s needs. In most cases the PCC saw, community service initiatives and treatment opportunities to address underlying issues such as alcohol and drug abuse and mental health needs were instituted by the court as alternatives to fines and jail time. Though it is noted the program is still developing and improving, the experiment in its rudimentary form showed a reduction in recidivism rates in misdemeanants convicted outside of the PCC vs within the PCC from 17 percent to 9 percent, respectively (Cheesman et. al 2010).

There are any number of possible alternatives that a community may employ for a police alternative, with infinite degrees of success. However, the fundamental part of any successful community program is exactly that: the community. With community alternatives, and especially in the cases of community policing/patrols, the intent and manner of participation of the

community can be the triumph or ruin of the program as a whole. An encouragement of community members to become involved in the safety and prosperity of their home can be prosperous, but as noted on the Critical Resistance website, “in practice certain populations generally get counted among the problems to be solved rather than the community to be involved.” George Zimmerman was a representative of a community patrol.

As noted in Reiner’s work, police reform cannot ultimately solve the fundamental issues at play in policing, reform can provide pragmatic steps forward in the march toward idyll. Programs such as L.E.A.P., the Law Enforcement Action Partnership, advocate police reform as a solution to the current police state.

L.E.A.P. calls for a return to “the fundamental principles of modern policing and maximize public safety by increasing police-community trust” (L.E.A.P.). Based around Sir Robert Peel’s 1829 Policing Principles, L.E.A.P. emphasizes bolstering community trust through a number of practices including expanded police training, increasing community-driven policing, and the cessation of the War on Drugs as well as other ineffective police tactics that harm community relationships such as Stop and Frisk, Civil Asset Forfeiture, and volume-based performance measures.

As in the case of PCC program, L.E.A.P. attempts to end the cycle of recurring criminal charges on individuals suffering from problems related to drugs, homelessness, and mental health issues. L.E.A.P. advocates programs that expand police officer training to be able to more effectively handle a variety of potential scenarios, programs such as the Miami-Dade Criminal Mental Health Project (CMHP). CMHP uses trained police personnel to channel those with mental health issues away from jails and courts to facilities which provide counseling, medication, and treatment. Since CMHP’s inception in 2000, recidivism rates for misdemeanants

have dropped from 75 percent to 20 percent annually, and average incarceration rates dropping from approximately 7,000 individuals in 2008 to approximately 4,700 in 2014 (Chang 2016).

To enhance community-police trust, L.E.A.P. endorses for a police force to reflect its community. Recruiting practices to employ new officers directly from communities, enlisting community members to aid with recruit training at police academies, as well as opening policy making decisions to the voices of community leaders are all proposed tactics to avoid situations such as the 50:3 white to black officer ratio in the city of Ferguson, a community that is 67 percent African American (Sanders 2014).

Finally, decriminalization and legalization of unnecessarily illicit drugs which were stigmatized and vilified during the War on Drugs. L.E.A.P. argues that an approach oriented through the public health system would ultimately increase public safety surrounding drugs, reduce use of force by police thereby increasing community trust, as well as being a more effective allocation of police resources than examples such as 837 days worth of annual low level drug arrests. In addition to ending unnecessary drug-related arrests, ending inefficient tactics are suggested to improve potential for community relations.

For instance, in New York City in 2012, Stop and Frisk strategies was shown to succeed in ascertaining weapons an average of 0.1 percent of times, but succeed instead in creating hostility and suspicion toward police officers (Libresco 2015). Civil Asset Forfeiture has been shown to incentivize police forces to accrue civilian property as a means of budgetary supplement (Bernick 2014). As opposed to Volume-Based Performance Measures, programs like L.E.A.P. advocate other success oriented funding, such as monetary incentives for percent of violent crime arrests that lead to convictions, increased community feelings of safety, or increased number of mental health screenings of arrestees (Fortier and Chettiar, 2014). Like

volume-based performance measures, there can be setbacks involved with any incentivizing system, such as the possibility of courts convicting a higher rate of innocent individuals for violent crimes to inflate that statistic. However, if this, as well as any other incentive structures, are performed to the original intention-- in this example, reducing violent crime-- and maintained through accountability measures, positive results could come from moving away from current formal or informal volume-based systems.

L.E.A.P., like Critical Resistance, is an expansive program which more establishes a framework to be applied in individual bases than acting as an actual transformative program within a community. Through proposals like that of L.E.A.P.'s, and those of others, reform movements can take the steps toward addressing the number of police related problems alive in America.

L.E.A.P., Critical Resistance, and SNUG serve here simply as case studies of programs among a sea of similar and different initiatives. There is a significant amount of crossover, as well, in reform movements, abolition movements, and across reform and abolition causes. The principles of these programs, and those like them, establish a realm of possibilities in working toward improvements for the police problem in America. Though there may not be one encompassing solution, whether it be abolition or amelioration, there are opportunities rising around the nation to improve upon the conditions we currently know.