

Measuring Distorted Policing in From Enforcers to Guardians

From Enforcers to Guardians: University of Orange Reading Group

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Perhaps the most troubling aspect of our data on police violence is that what we have is woefully inadequate. Federal government officials from former Attorney General Eric Holder to former FBI director James Comey each voiced public critiques of the lack of surveillance data about violence directed at the civilian population by the police. Worse, there is nothing systematically collected about violence directed at the police. Ironically and tragically, the most reliable and ostensibly complete data of this sort have been collected by the United Kingdom's The Guardian and in the US, the Washington Post.

Accordingly, public health researchers examined the National Vital Statistics data for information about fatal police violence and discovered that the counts [1] dramatically undercounted by almost one half the actual number of such violent encounters and [2] that the undercount was greatest among victims of distorted policing, specifically Blacks and Latinx males. In citing findings from Feldman and colleagues' study of non-violent encounters, Cooper and Fullilove write, *"Focusing on people aged 15–34, they found that between 2001 and 2014 about 683,000 adolescents and young adults came to the emergency department seeking help for an injury inflicted by law enforcement, a figure several hundred times that for civilian deaths caused by police violence, regardless of age."*

Those who are at the margins of the law - drug users, sex workers, transgender individuals - frequently avoid the emergency room for fear that they will be turned away, treated with hostility, or ignored. Their experiences do not find their way to surveillance data. Police violence directed at these groups is often extreme. Cooper, for example, surveyed residents of a community that had experienced an extreme police action against crack cocaine use and discovered the 65% of those using drugs and 40% of non-users reported either experiencing police violence or observing it being directed at others.

The authors note the sexual violence, in which police officers use the threat of arrest to obtain "sexual favors" or engage in outright rape, is one of the more obvious manifestation of distorted policing. Psychological violence, ranging from terror threats or using degrading, racist language to communicate with individuals in their custody, is commonly reported. Exposing individuals in custody to extreme physical discomfort serves as another example – the authors cite an example of 15-18 people being held in a van prior to processing who were forced to defecate themselves because bathroom breaks were deliberately denied. And finally, stop and frisk policies and practices – particularly in New York City and Baltimore have become infamous because of the substantial number of persons stopped that result in extremely low rates of citation or actual arrest. Baltimore in 2014 was a city of 620, 000 residents recorded 412,000 stop and frisk incidents with an arrest/citation rate of 1 in 27! Residents of communities that are forced to endure such treatment not surprisingly overwhelmingly perceive such police actions

as obvious manifestation of structural violence. Cooper notes that the psychological damage of living in a community that is victimized in this fashion is extensive.

Bor and colleagues studied the mental health impacts of police violence in the states where such violence occurred. They report, *“each additional police killing of an unarmed Black American in a given state was associated with 0.14 additional poor mental health days among Black residents. Chillingly, killings of unarmed Black people was entirely unrelated to the mental health of White Americans living in that state.”*

Not surprisingly, the impact of policing on police officers is often extreme. *“On average, over the course of their career, officers in cities will see 39 dead people, about one-third of whom are in an advanced state of decay; respond to 10 children who are victims of sexual assault; see 3 of their colleagues experience significant injury; and be personally shot at once and injured at least once.”* In one study, the life expectancy of a male police officer was 21.9 years lower than expected, a finding that suggests that being a police officer poses a substantial, significant threat to good health and wellbeing.

At this point, pattern or practice investigation conducted by the Justice Department take on special significance. Using almost unlimited access to police department data that such investigations can command, findings from these efforts provide a unique glimpse into the problematic of cases of disruptive patterns of policing in key urban communities. Findings are used in the construction of consent decrees whose most important objective is to identify and remove practices that are abusive and that threaten the harmony that should be the norm in community-police relations.

Findings from Baltimore, MD, Ferguson, MO, Portland, OR, Cleveland, OH are reviewed. The wealth of data that investigators had at their disposal and the ability to ensure that all potentially relevant data sources were mined add to the impact of each investigation's findings. What emerges, the authors note, is a set of findings that, in sum, are typified by the consent decree conclusions presented for the City of Baltimore: *“In other words, BPD's law enforcement practices at times exacerbate the longstanding structural inequalities in the City by encouraging officers to have unnecessary, adversarial interactions with community members that increase exposure to the criminal justice system and fail to improve public safety.”*

The section concludes with an extensive, detailed list of the abuses of power that were routine exercises of the police force. The picture that emerges is ugly. Those outside of the circle of power that the police serve are at risk for abuses of almost every variety imaginable. The authors note that some in society are quite content with a system that keeps “the other” out of sight and out of mind. But they caution, *“it should be noted that the boundaries of the protected circle are fluid and can expand or contract as the state's interests shift.”* A police force beyond the control of the people can easily become the enemy of the people. The issue with disruptive policing is not simply that minority groups are at risk. In such a system, no one is safe, not even

the police whose poor health is often mute testimony to the social and personal price of disruptive policing....

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6/29/2020



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