

Procedural Justice & Implicit Bias Training for Police Officers

**Presentation to the Connecticut Police
Training Task Force
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Conclusions

- 1) President's Task Force for 21st Century Policing final report can serve as a guide for this Task Force.
- 2) Police officers should receive training in procedural justice and implicit bias.
- 3) Good models exist for this training – Connecticut does not have to re-invent the wheel.

President's Task Force on 21st Century Policing

Can serve as a guiding document for this Task Force.

- Team of experts spanning a diverse spectrum of experience (academics, law enforcement, leaders in non-profit and educational organizations) extensively reviewing research and policies
- Seven "Listening Sessions" held across the country featuring testimony from government officials, non-governmental organizations, grassroots groups, and members of the public.

President's Task Force on 21st Century Policing

Six pillars

1: Building trust and legitimacy

2: Policy and oversight

3: Technology & Social Media

4: Community Policing and Crime Reduction

5: Training & Education

6: Officer Wellness & Safety

Pillar 1: Building Trust and Legitimacy

-Based on research demonstrating consequences for legitimacy and cooperation, Task Force recommends building community trust

“Guardian-rather than a warrior-mindset”

“Transparency and accountability”

“Proactive approach”

Tracking community trust via surveys, just as departments monitor crime

Importance of Procedural Justice throughout Pillars

Policy and Oversight (Pillar 2)

- Involve community members in policy-making to reflect community values and make policies transparent and consistent

Technology & Social Media (Pillar 3)

- Technology as tool to enhance community engagement, stop potentially dangerous individuals with non-lethal methods

Importance of Procedural Justice throughout Pillars

Community Policing and Crime Reduction (Pillar 4)

- Police and community members collaborate to work together to identify problems in community and decide how to implement policy solutions

Training & Education (Pillar 5)

- Procedural justice and ways of interacting with citizens to promote trust
- Implicit biases

Importance of Procedural Justice throughout Pillars

Officer Wellness & Safety (Pillar 6)

- Like civilians, officers also care about how authorities treat them and make decisions
- When officers feel they are treated with procedural justice, they act in more procedurally just ways to citizens

Why Focus on Procedural Justice and Implicit Bias?

Pillar One of the Task Force’s final report focused on “building trust and legitimacy,” and its very first recommendation stated:

Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. . . . [D]epartments should adopt procedural justice as the guiding principle . . . to guide their interactions with the citizens they serve.

- The quality of individuals' interactions with actors in the criminal justice system is crucial. Why?

- Quality of interactions determines peoples' sense of criminal justice system's legitimacy.
- People believe that an actor in the criminal justice system is "legitimate" when they believe that the authority enforcing the law has the right to do so.

- Legitimacy matters:
 - Perceptions of legitimacy have a greater impact on compliance with the law than do instrumental factors (e.g. sanctions imposed by authorities on individuals who commit crimes).
 - The bottom line: the more legitimate people think actors in the criminal justice system are, the more likely they are to obey the law.

Procedural Justice and Police

- Study of young men in New York City (18-26).
 - Those whose experiences with the police involved unfair procedures were **twice** as likely to be engaged in criminal behavior.
 - Effect found beyond the influence of other factors predicting likelihood of engaging in criminal conduct.

What shapes perceptions of legitimacy?

- Research suggests that individuals' perceptions of criminal justice system legitimacy are primarily shaped by evaluations about how authority is exercised by the police, the courts, correctional officers, and other authorities.
- The key is judgments about **procedural justice**.

Procedural justice is defined in terms of four issues.

- Quality of decision making.
 - Voice.
 - Neutrality and Transparency.
- Quality of treatment.
 - Respect for people and their rights.
 - Trust decision maker to take case seriously.

- People want to have an opportunity to tell their side of the story in their own words.
- Give people a reasonable chance to state their case in their own words.
- A frequent cause of complaint: The judge/police officer/attorney did not listen to me.

- Give people the chance to state their case before making decisions.
- Create forums in which they can voice their side of the story.

People want decisions based on facts and rules, not personal opinions.

- Apply rules consistently across people and over cases.

- Explain actions/decisions.
- Explain arrest procedures so that people know what is going to happen; what they are supposed to do. Legal rules are confusing.
- Clearly and comprehensively explain the basis upon which decisions are being made.
 - => Officers must be *perceived* as neutral.

- People want to be treated with respect and have their concerns taken seriously.

- Courtesy; politeness; respect for people.
 - Make eye contact; address people by name.
 - Say hello.
- Respect for rights.
 - Give individuals information about what their rights are.
 - Emphasize that they have the right to be dealt with fairly.

- People focus on whether they think the authorities are:
 - Listening to and considering their views.
 - Taking their case seriously.
 - Trying to do what is right.
 - Acting in their interests.

- Give evidence that you are listening to people/
taking them seriously.
 - Make eye contact; not distracted, multitasking.
 - Acknowledge people's needs and concerns, even when you cannot act on them.
 - Express awareness of and empathy for the person's situation.
 - Treat the matter seriously.
- Explain your decision.
 - Demonstrate that you considered people's arguments by referring to them.

- As it stands, the average impact of being stopped by police is to lower trust and confidence in legal institutions and increase the likelihood of criminal behavior.
 - Those treated unfairly are twice as likely to be currently engaged in criminal conduct.
 - Moreover, when individuals are repeatedly stopped, they begin to experience all stops as unfair, regardless of the individual characteristics of those stops.

Interaction Can be Positive

However, it is also important to note that contact between individuals and authorities can be positive, and can actually build legitimacy and trust.

- Police efforts to demonstrate helpfulness and reassurance positively impact people's perceptions.
 - => Decreasing negative encounters and fostering these types of interactions is the goal of procedural justice training for police officers.

Implicit Bias

Even as “overt White hostility toward African-Americans has been in decline,” other indicators suggest that equality, in terms of welfare and life opportunities, remains elusive.

- Over the past two decades, social psychologists have come to understand that not all biases are explicit. Human brains make implicit associations, which can sometimes lead us to behave in ways that we would not knowingly endorse.

=> Such contemporary, implicit forms of bias may affect individuals' behavior in ways that perpetuate inequalities even though those individuals may be unaware of — and even expressly disavow — such results.

EVERYONE HAS IMPLICIT BIASES - THIS IS NOT ABOUT “BAD APPLES”!

Implicit Associations: Normal . . .

Human brains make shortcuts that, for example, allow us to drive home from work without consciously thinking through every turn on the route.

- Such shortcuts are necessary if we are to function efficiently and effectively in a complex world.

=> And without them, police officers in particular would have a difficult time doing their jobs, which require an ability to respond to fast-moving developments.

These associations can reflect stereotypes about groups that are present in the larger culture, even if we do not consciously endorse them.

- Moreover, these stereotype-based associations may influence our behavior, in some cases causing us to act in ways that run counter to our own values.

Situational factors enhance reliance on stereotypes

- Stress
- Exhaustion
- Time-pressure
- Threat
- Distraction
- Vagueness of the situation,

All factors that police face.

Goal: Interrupt the Connection from IB to Behavior

Individuals can and do hold implicit biases without acting on them.

- Consequently, goal of training is not necessarily to reduce implicit bias. It is to interrupt the role that these psychological factors may play in one's subsequent behavior.

So How do we Educate Officers About PJ and IB?

Content of the training matters (particularly fidelity to the theory), but so do:

- Preparing the organization/pre-training messaging.
- Community involvement in training design and potentially delivery
- Identifying quality trainers.
- Ongoing evaluation that is incorporated into future iterations (VOICE for officers - PJ in action!)

We do NOT Have to Re-invent the Wheel

Good models exist for both procedural justice and implicit bias training.

They demonstrate strong fidelity to the underlying theory and have proved successful in many places.

=> PJ training is the subject of evaluations published in peer-reviewed journals.

=> IB training is newer, but is the subject of rigorous, ongoing evaluation.

- And any model you choose should be reviewed by social scientists with expertise in PJ and IB to ensure fidelity to the theory. Theory is your foundation; if you get this wrong, the whole house will be unstable.

- Really good leadership training (e.g. Blue Courage) though it may be valuable in its own right, is not a substitute for PJ or IB training. Goals and content are in some cases complimentary, but ultimately distinct.

- Lots of exceptional training, like that I will describe, is available for FREE.

PJ Training

The procedural justice training was developed by YLS Profs. Tracey Meares and Tom Tyler in collaboration with now-retired Chicago police Lieutenant Bruce Lipman and officer Al Ferreira, both of the Education and Training Division of the Chicago Police Department. The four met for several days in New Haven in March 2012.

The initial meeting resulted in the creation of an outline of the training content, and Lipman and Ferreira finalized the full curriculum when they returned to Chicago.

The training teaches core concepts of procedural justice. While it began as a one-day program, it has now been expanded to cover two days. This expansion permits opportunities to practice procedural justice concepts in role play scenarios.

Features of PJ Training

The training is designed to be taught by police officers—ideally those whose experience policing in the community is relatively recent, rather than long-time supervisors who are more attenuated from street work.

- => Trainers are taught through train-the-trainer approaches.
- => Helps ensure sustainability inside the police department.

We actively encourage every department that adopts it to modify the training to fit their own history and particular needs. Our goal is to achieve a balance between individual ownership and fidelity to common ideas.

Where PJ Training Has Been Implemented

- The entire Chicago Police Department has been trained, and this training is now incorporated in the Academy.
- Three jurisdictions in California, in particular, have been strong adopters of the training program: Oakland, Salinas, and Stockton. They implemented the training with the support of the California Partnership for Safe Communities, and CPSC is now working with other California jurisdictions.
- Six cities (Birmingham, AL; Fort Worth, TX; Gary, IN; Minneapolis, MN; Pittsburgh, PA; and Stockton, CA) that are part of the National Initiative for Building Community Trust and Justice have implemented the training.
- The NYPD has adapted the training to its needs and will be rolling it out soon.

Officers Like the Training

For example:

* Ninety-five percent of officers in the **Chicago** Police Department who attended the procedural justice training rated it as “Excellent,” “Very Good,” or “Good.”

* In **Stockton, CA**, 70 percent of participants described the training as “Excellent” and 25 percent described it as “Very Good.”

- One officer wrote that the training “helped open the floor for peer support and better communication.”

- Others write, “I was pleasantly surprised;” “encouraged by it;” and “this is the right direction we need to be going.”

* In **Oakland, CA**, the training is consistently rated “Excellent” (60%) or “Very Good” (27%), and a full 98% of participants rated it “Excellent,” “Very Good,” or “Good.”

- One officer wrote that the training “reminded us why we’re here.”

- Another said it “reminded me of how my attitude affects my interactions.”

The Training is Effective

Experimental evidence:

Post-training, officers more likely to endorse

Importance of giving citizens voice

Granting them dignity and respect

Demonstrating neutrality

Trusting them to do the right thing

-Strong effects

-Long term effects on all but trusting citizens

Wesley G. Skogan, Maarten Van Craen & Cari Hennessy, *Training police for procedural justice*, J. Exp. Criminol. (2014).

“Tactical Perceptions: The Science of Justice”

- 1 day, 8 hour training
- 4 modules
- Suite of mind sciences explaining how and when racial disparities arise even in absence of bigotry
- Scenarios
- Interactive exercises
- Repetition to increase proficiency

Developed by Dr. Phillip Atiba Goff and Kimberly Burke at Center for Policing Equity (CPE) with experienced trainers from Chicago and New York Police Departments

Identity Traps

The training uses the framework of “identity traps.”

Identity traps refer to situations that make people more likely to allow psychological factors (such as implicit bias and threats to one’s self-concept) facilitate behaviors that are inconsistent with one’s values. Importantly, these behaviors are **unrelated to the nature of one’s character or conscious intentions.**

Train-the-Trainers Model

Tactical Perceptions also relies on a train-the-trainers model.

Trainers attend **Traps Academy**, an iterative, hands on, online course that functions like an introductory psychology course.

Trainers move through the Tactical Perceptions Facilitator's Guide in small groups in order to find examples of identity traps in their own professional and personal lives. Through iterative and interactive engagement with the concepts of identity traps, trainers become better versed in the science and produce examples, exercises, and develop their own language to build into customized Tactical Perceptions Training Deck and Facilitator's Guide. Having trainers customize the training eliminates a common impediment to most police trainings: resistance to materials produced by outsiders.

Traps Academy culminates in a two-day Train the Trainer that brings together all of the lessons to produce a fully customized Tactical Perception training.

BUT Training Alone is NOT ENOUGH!

Police departments must incorporate a commitment to procedural justice and to eliminating the impact of implicit biases throughout their policies and practices in a comprehensive way.

- Research shows that *internal* procedural justice matters a great deal. Officers will resist treating community members with respect and giving them voice if they are routinely denied these things in their own organizations.

=> Efforts to incorporate PJ throughout policing organizations are underway but are too new to have been evaluated. Still, we think they are very promising.

- * National Initiative cities in U.S.
- * West Midlands PD in the U.K.

Conclusions

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- THANK YOU!