

## Police Reform, Legitimacy, and Community Gun Violence

### What is police legitimacy?

Police legitimacy – the way community members trust in, and are willing to work with, the police – is a vital component in reducing community gun violence. When communities view the police force as legitimate they are more willing to work with law enforcement to identify and detain those responsible for committing acts of gun violence, and to intervene before conflicts develop into shootings. Likewise, when police legitimacy is strong, victims of violence feel safe and can rely on formal channels of justice to bring about closure, instead of resorting to retaliation.<sup>1</sup>

### Police brutality and widespread discrimination undermine police legitimacy

Police brutality and widespread discrimination undermine police legitimacy, and thereby fuel community gun violence. In many Black and Brown communities distrust in law enforcement stems from a legacy of racist policies and state-sanctioned violence, often carried out by police. Compounded upon this history is the ongoing crisis of mass incarceration and police brutality.<sup>2</sup> Research consistently highlights racial disparities at virtually every step within the criminal justice system. Black males are stopped by police, arrested, denied bail, wrongfully convicted, issued longer sentences, and shot by police at much higher rates than White Americans.<sup>3</sup>

Unsurprisingly, when individuals experience police discrimination or brutality they are less likely to trust or rely on law enforcement. Consequently, these community members are reticent to report criminal activity or act as witnesses in criminal investigations. Instead, some rely on informal channels of justice – like retaliatory violence – to resolve conflict.<sup>4</sup> A 2016 study examined the relationships between police brutality, police legitimacy, and homicide rates in Milwaukee, Wisconsin. The authors examined the highly publicized, brutal beating of an unarmed Black man, Frank Jude, by Milwaukee police officers in 2004. The authors found that in the year after the beating, calls for police services dropped dramatically in the city, particularly in underserved Black and Brown neighborhoods. In the year following the beating there were 22,200 fewer 911 calls. This decrease in 911 calls coincided with a spike in homicides. In the six months following this beating, homicides in Milwaukee increased by 32%.<sup>5</sup> The authors conclude that this one act of police brutality eroded trust in law enforcement and likely contributed to increases in gun violence. This study illustrates how police brutality is both unconscionable in its own right *and* may fuel community gun violence.

### Police departments must rebuild trust to tackle high rates of gun violence

Strong gun violence prevention laws, like firearm licensing laws that require individuals to obtain a license before purchasing a firearm, must be paired with measures to ensure police accountability. In order for police officers to enforce gun laws in an effective and equitable manner they need to be viewed by community members as legitimate. Many Black and Brown communities across America are apprehensive to trust law enforcement and often are reluctant to partner with police to act as witnesses and prevent violence. Given the long history of state sanctioned violence, racism, and mass incarceration often carried out by the criminal justice system, this reticence is understandable. Policymakers and police departments must work to mend these relationships. They can do this by building authentic relationships with communities and enacting police reforms.

### Police departments must undergo widespread reform

Policymakers should ensure that police departments immediately institute the following reforms:

- Require de-escalation before using physical force.
- Create independent processes to investigate misconduct or excessive use of force.
- Ensuring police who use excessive force are held accountable for their actions by reforming legal structures, like qualified immunity, that insulate police from facing sanctions for misconduct.
- Ban the use of chokeholds and other dangerous neck restraints.
- Require officers to intervene when excessive force is used by another officer and immediately report these incidents to superiors.
- Prohibit no-knock warrants and requiring officers to announce themselves before entering private property.
- Restrict the transfer of military equipment to police and the use of such equipment by police departments.
- Mandate that police officers use deadly force as a last resort only after they have exhausted all other measures.
- Require police departments to comprehensively report all use of force instances.
- Prohibit profiling by law enforcement based on race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, age, disability, proficiency with the English language, immigration status, and housing status.
- Vigorously enforcing the Department of Justice’s “pattern or practice” authority to investigate and sue law enforcement agencies that use unconstitutional policing practices.

### Police departments should partner with communities to collaboratively address gun violence

Police departments must work towards adopting procedurally just practices. Procedural justice requires a long-term commitment from law enforcement leaders to institute a culture in which police see the community as authentic partners and respond to the expressed needs of the community. In order for these partnerships to take root there must be a law enforcement culture of transparency and citizen oversight. Community members should have a voice in the decision-making process and decisions should be made in a fair and neutral way.<sup>6,7</sup>

When police adopt procedurally just policing techniques to build trust they can more effectively work with community members to solve gun crimes, prevent future violence, and co-produce public safety. Witnesses will be more likely to work with police to bring about justice to victims and their families and prevent retaliation. Likewise, increased trust promotes intelligence sharing with community stakeholders to identify those at risk of being involved in gun violence and connect those individuals to behavioral and community support before they perpetrate gun violence.

<sup>1</sup> Tyler TR, Goff PA, & MacCoun RJ. (2015). [The impact of psychological science on policing in the United States: Procedural justice, legitimacy, and effective law enforcement](#). *Psychological science in the public interest*.

<sup>2</sup> Tyler TR, Goff PA, & MacCoun RJ. (2015). [The impact of psychological science on policing in the United States: Procedural justice, legitimacy, and effective law enforcement](#). *Psychological science in the public interest*.

<sup>3</sup> See: Balko R. (2020). There’s overwhelming evidence that the criminal justice system is racist. Here’s the proof. *Washington Post*.

<sup>4</sup> See: Leovy J. (2015). [Ghettoside: A true story of murder in America](#). Spiegel & Grau.

<sup>5</sup> Desmond M, Papachristos AV, & Kirk DS. (2016). [Police violence and citizen crime reporting in the black community](#). *American sociological review*.

<sup>6</sup> See: Quattlebaum M, Meares TL, & Tyler T. (2018). [Principles of procedurally just policing](#). *The Justice Collaboratory at Yale Law School*.

<sup>7</sup> See: President’s Task Force on 21st Century Policing. (2015). [Final Report of the President’s Task Force on 21st Century Policing](#). Washington, DC: Office of Community Oriented Policing Services.