

## HEARING NINE

### Community Engagement

May 28–July 2, 2020

*The following summary is intended to provide an overview and highlights of the testimony and discussion during the hearings. For a full and detailed account of the hearings, please refer to the [Commission website](#) and the audio recordings and transcripts located there.*

### **Community Engagement: Interactions between Communities and Law Enforcement, July 1, 2020**

**First Panelist: Dr. Lorie Fridell, Professor, Department of Criminology, University of South Florida**

#### *Highlights:*

- In 1989, the social psychologists discovered implicit bias and learned that even well-intentioned people have biases that can impact perceptions and behavior. The purpose of implicit bias training is to bring this science to law enforcement.
- Good implicit bias training is not accusatory. Instead, the objectives of a quality training program are to share the science of implicit bias, discuss how implicit bias might manifest in the law enforcement profession, and then provide the officers and deputies with skills to produce impartial policing. Regarding the last one, the skills needed vary by whether the training participants are officers, supervisors, mid-managers, or command.
- Evidence of success for implicit bias training comes from (1) officers on report of the impact of the training and (2) social psychological research on the effectiveness of these programs for various target populations.
  - Police professionals often enter the classrooms defensive or even hostile, but overwhelmingly they rate the training as a four of five and report that the training will help them do their jobs better.
  - Research documents that people who have had implicit bias training have increased bias awareness and concern about discrimination, have increased motivation to behave in a bias-free manner, and commit to using bias management techniques.

#### *Recommendations:*

- The Commission could recommend a federal grant program that will ensure that agency leaders (1) receive impartial policing training customized for their leadership role and (2) technical assistance to help them strengthen their efforts to produce impartial policing. Producing an impartial policing agency requires more than administering implicit bias training just to line personnel.
- Chiefs and sheriffs in this program would receive the leadership-level training and have access to people or other resources to help them identify and adopt sample questions to use for hiring; identify applicants who can police in an unbiased fashion; reinforce the message of impartial policing with rollcall videos; and infuse implicit bias lessons into academy and in-service training.

**Second Panelist: *Daniel Slaughter, Chief, Clearwater (Florida) Police Department***

*Highlights:*

- The trust of police is going to be earned through the positive interactions of police officers with community members, one encounter at a time. And we believe that policing that is not bias-free reduces the community trust of the police.
- A police organization must have an awareness of and accept the presence of implicit bias and use that knowledge to look for it and address it aggressively. A police department must make it clear during the hiring process and onboarding process of the organizational commitment to fair and impartial policing.
- Questions and curriculum presented to police candidates communicate the department's values.
- New Clearwater officers are introduced to the concept of implicit bias. The training is reinforced by department policy and scenario-based training. The department conducts fair and impartial policing administrative reviews annually to review our policies and potential improvements and evaluate police activity data.

*Recommendations:*

- The Commission should promote and encourage (1) law enforcement culture to embrace their role of being a first responder with respect to being the first to defend and protect civil rights and basic human rights; (2) all agencies to provide training and implicit bias; and (3) all agencies to establish programs that promote intentional non-enforcement, face-to-face contact between officers and citizens in neighborhoods of the greatest need.
- Organizations need to continually evaluate the impact of the strategies and operations in how they can reinforce or reduce implicit bias in their workforce and in the public.

**Third Panelist: *Dr. David Klinger, Professor, Criminology and Criminal Justice, University of Missouri–St. Louis***

*Highlights:*

- When police officers practice sound field tactics, they can reduce the levels of violence between themselves and citizens—everything from minor levels of violence all the way up through and including the use of deadly force.
- The key to improving officer performance to reduce violence between themselves and citizens is figuring out ways to ensure that on a regular basis officers exhibit the highest level of sound tactical performance in the field. Agencies need to make sound tactical practice a priority.
- We need to create a reporting culture where everybody in the organization feels emboldened to notify leadership if something isn't being done correctly—not ratting out an officer necessarily—but rather saying that a situation didn't work itself out well and asking how to do things better.
- If policing shifts its gaze toward the notion of mindfulness and developing safety culture, then over time police performance will be better. Officers' effectiveness to resolve potentially violent situations with either no violence or the least amount of violence will increase, and this will increase trust between the police and the polity and ultimately save a host of lives.

*Recommendations:*

- Develop something called safety culture in American Law Enforcement via developing mindfulness in police agencies and police officers. The reason this is so important is that the flashpoint for so much of the tension between American Law Enforcement and the American polity is when police officers exercise their coercive powers.

**Question-and-Answer Session, July 1, 2020**

**Q:** [Regina Lombardo for Dr. Fridell]: What has been your feedback so far on the training that you have provided to, I think, some of the bigger police departments like NYPD and others on the results and some of the effects?

**A:** [Dr. Fridell]: We just finished a 2-year project to implement implicit bias training to all 36,000 NYPD sworn personnel. Because it came on the heels of the stop-and-frisk controversy, we expected a little bit of defensiveness or skeptical when we go into the classroom. But we made the sale. Even in that environment, over 90 percent gave the training fours or fives. Over 95 percent rated the trainers well. And 80 percent of the participants, from top to bottom, said this training was going to help them do their work, and 80 percent said this training will help them personally.

**Q:** [Phil Keith for all panelists]: A previous panelist had discussed the absence of empirical research to support implicit bias. Can you advise us of your knowledge experience with empirical research that would show implicit bias training does in fact have an impact?

**A:** [Dr. Klinger]: The lack of sound information about implicit bias in terms of its effectiveness in field operations is mirrored by a lack of information about a lot of things, including the ultimate police action—use of deadly force.

**A:** [Dr. Fridell]: We do have information on the effectiveness of implicit bias training although not yet with the police population. People who have had the training are more motivated to be unbiased. They have the intention to reduce discrimination and manage their skills. Most important, there are studies that show that implicit bias training can reduce bias behavior.

Again, we don't have this information for police populations. We actually expect a couple of evaluations to come out during the summer and fall, but the ability to detect changes in bias behavior in police in the field is an incredibly tough social science aspiration. So even in those evaluations, it would be very difficult for an evaluation to detect that.

**A:** [Chief Slaughter]: The value that I receive as an organization from the implicit bias training is the expanded ability to evaluate and to have valuable discussions not only with the public but internally as an organization about the presence of bias. It's allowed us from the management perspective to look at our practices and make sure that we don't make certain scenarios or situations worse in the eyes of our community and be very prudent and diligent in making sure we demonstrate our commitment to the advisory.

**Q:** [Phil Keith to Dr. Klinger]: You mentioned the learning culture. Could you cite some examples of agencies that you feel like have a learning culture?

**A:** [Dr. Klinger]: I would drive that down not to a particular agency but rather to units within agencies. For example, after good special weapons and tactics teams have a situation—e.g., a generic barricaded lone gunman and they utilize their negotiation skills and put a little bit of pressure on the suspect and he surrenders—they sit down as a group and talk about exactly what happened. The teams make sure that,

for example, the long-rifle person and the observer with them understands what the entry team was thinking about, understands what the negotiators were doing, etc. Then the teams try to identify points where maybe next time they could do something better. That would be one example of sub-organizational learning cultures.

As for any particular law enforcement agency [as a whole], up and down the entire chain, [where that learning culture] goes on, I'm not aware of it. There are police departments around the country that are committed to developing learning cultures in terms of their review processes when officers use deadly force, but that's a fairly narrow band.

For example, the City of Tucson, Arizona and both the LAPD and the Los Angeles County Sheriff's Department have a group that does a tactical review when an officer-involved shooting occurs to try to find points of learning that they can then pass on. However, there's a whole slew of situations where officers are involved in either lesser uses of force or situations where they were able to resolve a situation short of using deadly force that go by the wayside in terms of having an opportunity to learn from them.

And one of the points I make in my written testimony is the importance of crafting a constant review within the organization about all sorts of things so that you could get true learning culture as opposed to a learning culture that is focused on a narrow slice of the actions of your officers.

**A:** [Chief Slaughter]: I wouldn't mind adding a couple of items to this topic. Through the LEO NearMiss website, officers are able to share contacts and incidences from various levels of police action, from a simple citizen contact to use of force, and the website allows for lessons to be learned in a similar format to how the airline industry and the medical industry share stories.

Many organizations have internal groups that look at a variety of levels or actions of officers. In our organization, we have an Officer Safety Committee where we look at police action, from a traffic stop to use of force, to evaluate them, to share those experiences, and to keep the organization improving and the individual employee improving so that he or she can get that critique and hone their skills and learn from the experience.

The Camden County (New Jersey) Police Department uses body cameras. Their strategy to keep the organization learning and moving forward is to evaluate those videos like a professional sports team looks at the game videos or the game tapes. There are some really good examples of organizations that [have a culture of learning], and I think it's going to become more prevalent in the future.