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UNIVERSITY OF CALIFORNIA,
IRVINE

Depolicing a Free Society

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Criminology, Law and Society

by

Matthew Lazarus Renner

Dissertation Committee:
Professor Richard McCleary, Chair
Professor Charis Kubrin
Professor Bryan L. Sykes

2022

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ABSTRACT OF THE DISSERTATION

Depolicing a Free Society

by

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Doctor of Philosophy in Criminology, Law and Society

University of California, Irvine, 2022

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In free and democratic societies, police are a contradiction. Their authority and capacity to coerce and overpower resistance is at odds with the ideal of liberty, and their broad discretion to use this authority selectively is at odds with the ideal of equality. Nevertheless, as the primary coercive agents of the state, they are expected to protect those ideals in order to maintain the state's monopoly on legitimate violence. In the United States, this contradiction has placed police at the center of controversy of all types, torn between an array of the conflicting interests of a diverse and multicultural society. To regulate the opposing pressures and demands placed upon them, police have increasingly through history embraced a law enforcement, or crime prevention mission. This history is reviewed in the context of the United States in Chapter 1, arguing that the crime prevention mission has often, in fact, undermined police's ability to manage conflicting pressures, because it has led them to maximize the frequency by which they intervene in the lives of citizens and make use of their coercive authority. Recent crises in American policing have prompted calls for reducing police power and presence in a variety of ways. This dissertation informs the question of whether an agenda of "depolicing" should be pursued. Chapters 2 and 3 bring empirical evidence to bear upon this issue through analyses of the effects of reducing police stops on crime and police shootings. Chapter 4 concludes the

dissertation with a discussion of findings, their implications for the case for depolicing, and suggestions for future research that can deepen understanding of the issue.

INTRODUCTION

The last ten years have witnessed relentless crises involving American police. They have brought overarching social issues to the fore and placed the question of policing front and center in the *body politic*. By virtue of their monopoly on legitimate violence,¹ police represent not only themselves or their institution, but the power of the state. This imbues police actions with massive symbolic significance. For example, the recent killings of Michael Brown and George Floyd, have transcended the issue of racialized police violence; these incidents have placed a focus on inequality and violence across our entire social and economic system, challenging assumptions and prompting basic questions about the role of police in a democratic society. Two basic questions are: What kind of policing does our society need? How much policing does our society need? The first question has historically been front and center to discussions of police reform, especially at times of crisis. The second question has not received due consideration. When asked, the majority of the public typically responds with “more.” The currently dragging crisis, however, has prompted reconsideration of this position. It would seem that many are open to the argument that our society is overpoliced; and at current levels, police do more harm than good. In this dissertation I address the two basic questions posed, but focus on the second and produce analysis that can inform a third: Is there a solid argument to be made for depolicing?

The term “depolicing” was coined in Donald Black’s 1980 book *The Manners and Customs of Police*. It first appeared in a chapter, coauthored with MP Baumgartner, entitled “On Self-Help in Modern Society”². Black and Baumgartner (1980; 1987) discuss the tendency of

¹ This language comes from Weber’s (1919) essay *Politics as Vocation* (republished in Brett et al., 2017)

² The chapter from the 1980 book was adapted to appear as an article in a 1987 issue of *Dialectical Anthropology*.

modern societies to become increasingly reliant on police to manage social problems and conflicts:

With the growth of law and the police – an evolutionary process involving many variables – the citizenry becomes increasingly dependent upon the state to define and maintain order. As this happens, people increasingly cease to take responsibility for their own security and dispute settlement, for instance, or to help others with matters of this kind. Waiting for the police to arrive, they may even stand by passively as an assault or other victimization takes place. Each expansion of police and other legal protection thus results in a new and higher level of need for these very services, leading to their ever-escalating proliferation (p. 34)

They argue that law (defined as governmental social control, including policing) and self-help (defined roughly as informal social control) are inversely related; a greater reliance on formal social control undermines the capacity for informal social control; a pattern which may “exacerbate crime in the long-term”. Depolicing was thus presented as a means of counteracting this pattern; something with a positive connotation; something that societies should aspire to as a means of reducing crime and promoting self-help.

The notion that less policing could lead to less crime is intriguing but runs counter to widely held notions of common sense, as well as many of the most dominant theoretical traditions in criminology. The idea has prompted the scorn of several influential figures in policing (Kelling, 1998; Bratton and Kelling, 2012), and even personal attacks on Black himself (Hunt, 1983).³ Indeed, Black’s (and Baumgartner’s) depolicing argument never received a great deal of scholarly attention, unlike much his other work. Political pundits have also co-opted the term depolicing and redefined it as a phenomenon where police shirk their responsibilities in order to avoid scrutiny (see Oliver, 2019).⁴ It is with this negative connotation that the term is now commonly understood; as a bad and dangerous thing.

³ Hunt accuses Black of being a “reactionary” ideologue “exhibiting clear, and politically unambiguous, anti-statism” as well as a “flagrant apologetic for police racism”.

⁴ Chapter 2 of Oliver (2019) provides an account of the term’s usage in academia and popular culture that is far more comprehensive than what is provided here.

There exists reason for skepticism of Black and Baumgartner's argument. It is overly general, especially as it relates to crime. If depolicing could reduce crime in the "long-term," how long? On what scale would such a mechanism operate? Nevertheless, their point about the "ever escalating proliferation of policing" rings true, especially when they put it plainly: "an increase in the number and power of police is usually seen as the solution to problems of public order. Cutting back on the police - or depolicing - is almost never considered as a way to ameliorate these problems" (p. 34). One reason this may be the case is the pervasive belief that the police's central role in society is to fight crime. To many, the concept of depolicing is equivalent to increased crime.

To the question of what kind of policing our society needs, Herman Goldstein (1977) eloquently frames the issue. In his 1977 book *Policing a Free Society*, he describes the dilemma of the police function in the United States:

Police are invested with a great deal of authority under a system of government in which authority is reluctantly granted... their authority is awesome in the degree to which it can be disruptive to freedom, invasive of privacy, and sudden and direct in its impact upon the individual... Yet a democracy is heavily dependent on its police to maintain the degree of order that makes a free society possible. It looks to police... to protect the very rights—such as free elections, freedom of speech, and freedom of assembly—on which continuation of a free society depends. (p. 1).

In other words, the very existence of police is *in tension with*, though necessarily in opposition to, our nation's most dearly held ideals. Whereas Black and Baumgartner were concerned with the *quantity* of policing, Goldstein was concerned with the *quality* of police, that is, their appropriate function in society. He spent much of his career developing new models of policing that he hoped would bring the police function in better alignment with democratic values (Goldstein, 1979; Goldstein, 1988).

An ensuing theoretical question is how the two concepts (quantity and quality of policing) are related. Here, the work of Egon Bittner (1970) makes an important contribution. Bittner's conception of coercion—the capacity and authority to use force—as the “core” of the police function implies that the fundamental quality of policing cannot change, since, in any given situation, whether or not police use force, their capacity and authority to do so defines their involvement.

On one hand, society needs and demands certain amount of police protection. On the other, Bittner and Goldstein's theoretical contributions make plain the crude truth about police that can be difficult for many to acknowledge. They exist for the potential of necessary violence and have tremendous potential to harm and socially divide. These two interests are in opposition, suggesting that police must strike a balance. Rarely has it been considered that such a balance could be achieved by adjusting the quantity of policing in society, and reform efforts have largely focused on quality. Recently, however, in response to ongoing crises sparked by public police violence, efforts have been taken to reduce the quantity of police in various ways. The most well-known effort, the “defund the police” movement has found only moderate and short-lived success. Even so, the idea of depolicing has reemerged for public consideration. This dissertation seeks to assess the merits of the case for depolicing. First, I provide necessary context to the question by surveying the history of policing in the United States in Chapter 1. Next, I turn to evaluating the costs and benefits of depolicing, contributing empirical analyses that bear upon the assessment. In Chapter 2, I address the primary case against depolicing with an analysis of the impact of police stops on crime rates. In Chapter 3, I assess whether depolicing by reducing stops can reduce police use of deadly force. Chapter 4 concludes with an overall assessment of the case, and outlines directions for future research.

CHAPTER 1 - A HISTORY OF PREVENTIVE POLICE IN AMERICA

Here, I provide an overview of the history of police in the United States to contextualize the current policing crisis, and to determine what lessons if any this history holds for the prospect of depolicing. Focusing on how the police institution has adapted to major social change and conflict, I find that police have increasingly turned their focus toward crime prevention. The mission to prevent crime has increasingly dominated the police function over time.

Although we may think of crime prevention as a “natural” central function of police, this has not always been the case. This chapter documents the emergence and reinforcement of that focus. Furthermore, I show that this narrow focus has justified policing strategies that maximize police intervention (the quantity of policing), to small crime prevention benefits, and large costs related to the increased potential of police to violate liberty and to exacerbate social inequality.

The Emergence and Development of Modern Police in the U.S.

Before police as we know them were invented, the official responsibility for crime prevention had traditionally rested exclusively with the courts and penal system. By the mid-19th century, however, modern police organizations were introduced in the United States. In the Northeast and Midwest regions of the country (hereafter the North), these “new police,” as they were referred to at the time, first emerged in large industrial cities. They met the definition for what remains a common definition of modern police: Organizations with members that have formal coercive authority under the law (i.e. arrest powers) and display all four of the following characteristics: (1) non-military organizations unified under a single administrative unit with a hierarchical chain of command; (2) operating with full-time salaried government employees; (3) use of uniforms while on duty; and (4) engaged in actions meant to prevent crime (e.g., patrol). Urban slave patrols that emerged even earlier in the South mostly satisfied this definition, however they had

no general crime control function; they exclusively existed to control enslaved people and protect the institution of slavery. These groups do not get their fair share of attention in the histories of American policing (see Reichel, 1992; Williams and Murphy, 1990), and I will discuss them later. However, I begin with a discussion of the “new police” in the North to emphasize that they were the first to adopt a crime prevention mission.

The “New Police” of the North

The notion of a police force that existed to *prevent* crime was a new and transformative idea. Americans adapted it from the British. Established a generation earlier, the London Metropolitan Police would serve as the model for the new police in Northern cities. Previously, a patchwork of law enforcement groups operated these cities. These proto-police included constables and city marshals — hold overs from the colonial era justice system — as well as night-watchmen, day policemen, and private detectives (e.g., “thief takers”). These groups were typically not uniformed, nor were they paid salaries but rather received fees for specific tasks (Reiss, 1992). For example, courts paid fees for the apprehension of a person due to appear; or a theft victim might agree to pay a fee for the safe return of their property. Consequently, the proto-police were strictly reactive to crime, dealing with it after the fact (Kelling and Moore, 1988; Reiss, 1992; Monkonen 1981).

There are multiple explanations for the emergence of the new police. Traditional sociological and historical arguments suggest that the modern police organization was a response to increasing crime and disorder brought on by 19th century industrialization (e.g. Lane, 1992; Johnson 1976; Powell, 1966). Specifically, as industrialization expanded the economy, the migration from rural areas and immigration from overseas rapidly diversified once homogenous urban populations. The evidence is sparse on whether industrialization also led to an increase in

crime. Nevertheless, urban disorder — specifically, the frequent riots and mob violence that plagued big cities during the mid-19th century — was undoubtedly a central motivating factor for the establishment of police departments. Indeed, talk of creating a centralized police force in New York City began after anti-abolitionist and election day riots in 1834; similarly, the formation the Boston Police Department began directly after the infamous Broad Street Riot of 1837, a brawl between Yankee firefighters and Irish immigrants that escalated into ethnic conflict across the city (Lane, 1992). In the face of similar riots between 1830 and 1860, the cities of St. Louis, Philadelphia, Baltimore, Cincinnati and Chicago recognized that constables, night-watchmen, and other proto-police were wholly unequipped and/or unwilling to confront the mobs. (Walker, 1977; Uchida 2004). Instead, city leaders often turned to state militias to quell the riots, but the process of mobilizing them was slow and cumbersome (Walker 1977). While it is difficult to demonstrate a direct causal link, it was under circumstances in which certain populations were being defined as undesirable or dangerous that cities created centralized police forces. This perspective would lay groundwork for what would later become a major surveillance and crime-prevention role.

Other scholars add that the formation of urban police departments reflected the interest of local elites hoping to neutralize potential labor revolts emerging in response to the transformation in workers' relationship to their labor (e.g., Silver, 1967/2011; Harring, 1983). Yet other analyses suggest a racial and ethnic reaction, i.e., that the largely native-born Anglo-Saxon Protestant elites were threatened by the growing populations of Blacks and of mostly Catholic immigrants from Europe (e.g., Irish, Italians, Germans).

These analyses are not competing; moreover, all of the above motives would align with development of a system of crime control based on class, ethnicity, and race. And by 1860, the

largest cities in America had all adopted a London-style police force by 1860, and smaller cities quickly followed suit (Monkonnen, 1981).

These various explanations of the intended function of the new police each have some merit, but they are rendered moot upon examination how 19th century police actually operated: that is, in a manner circumstantial to their particular social and political environment.

Political Control of Police. Unlike the London Metropolitan Police,⁵ the American police operated according to the very localized, and decentralized political system that prevailed in 19th century urban America (Miller, 1975; 1977). Political power in cities was vested in neighborhood and ward leaders who were loosely connected to each other and to the broader city government through the networks facilitated by political machines. Typically, local leaders had the privilege of hiring the officers who would work in the neighborhoods they controlled; and because police were paid relatively high wages (Walker 1977), this privilege was a valuable source of political capital. Police jobs were offered as a form of political patronage, and police officers typically paid for their appointments (Kelling and Moore 1988; Miller, 1977). Despite their high wages, however, they had poor job security. It was not uncommon that officers would lose their job if their political patrons lost power⁶. Police officers therefore directly owed their allegiance to the neighborhood political leaders who appointed them, and indirectly to the political machines to which those leaders were aligned.

The 19th century police are most commonly remembered for their involvement in corruption, which stemmed from this political arrangement. There can be no doubt that corrupt

⁵ The London Metropolitan Police was formed a generation earlier than the American forces, while London was dealing with similar circumstances related to industrialization. The London force was an elitist organization that represented the authority of the British crown. They were created by an act of parliament, essentially an extension of the national government and thus removed from the influence of local politics (Miller, 1977).

⁶ For example, after the election of 1880 where the incumbent political machine lost control of the city council, over 80% of Cincinnati's police force were fired or resigned. Six years later, a similar reshuffling occurred upon the machines return to power (Walker 1977; Uchida 2004).

practices were widespread. Most shocking perhaps was police intimidation and brutalization of rival voters as well as the commission of outright election fraud (Fogelson, 1977; Campbell, 2003).⁷ They also engaged in the more mundane forms of corruption; bribery, protection schemes and extortion of vice related businesses (Haller, 1975). Reformers around the turn of the century would become fixated on police corruption, attributing it in part to the low moral character of the police officers themselves. They would overstate their case. Save for some high-profile examples, there were few policemen who actually became rich from their involvement. The bribes and payoffs they received mostly fed back into the machine and were necessary for its operation (Davis and Haller, 1998; Haller 1975).

The machine political system served a variety of purposes, including benevolent ones. Male suffrage had created an urban political system that was in some ways responsive to needs of the poor. The police, as functionaries of this system, were involved in feeding and clothing the indigent, as well as helping them to find employment and allowing them to lodge overnight at station houses. They also searched for missing children (not a rare occurrence at the time) and returned them to their families. Police also performed a variety of other tasks deemed necessary in cities, including trash hauling, emptying public toilets, assisting firefighters, animal control, and even rudimentary contact tracing in the event of an infectious disease epidemic (Monkonn 1992; Potter, 2013). Some of these duties may be understood as constituent services provided on behalf of the police's political patrons (see Kelling and Moore 1988). Others advance the notion of police at the time as "house-keepers" of the city and its social norms. Police departments — as one the few consolidated city-wide agencies — were tasked with miscellaneous duties for which

⁷ Campbell (2003) details a particularly hectic election in Louisville where a single policeman stole 200 registration cards and distributed them to his patron's supporters.

no other organizations had the capacity (Monkonnen, 1992). They had developed a loosely defined presence as guardians and overseers of the community.

Crime and Riot Control. The new police proved to be ineffective in riot control, the role that was most salient upon their founding. Frequent urban riots continued throughout the 19th century and the new police forces were nearly as ill-equipped to deal with them as their predecessors. Larger and more serious cases of urban disorders almost always ended with intervention from militias. Well into the 20th century, undermanned police forces scarcely attempted to handle such situations themselves (Monkonnen, 1981; 1992).

In contrast, an element of the policing system that became key for the focus on crime control was the patrol. Adopted from the London model, this involved patrolmen working 12- or 18-hour shifts, divided between continuously walking a beat and serving reserve duty at a local station house. Since patrol was a solitary practice, the behavior of patrolmen was shaped by local community norms. Many patrolmen may have enjoyed strong support from their communities, helped by the fact that they frequently lived in the neighborhoods they patrolled and often shared the same ethnic and cultural background as its residents (Miller, 1977). What is known about patrol work of the 19th century suggests that there was likely huge variation in the behavior and practices of patrol across various cities, and even across the beats within a city. If any general observation can be made about the new police's crime control function it is that they largely focused their attention on minor crimes and disorders (Monkonnen 1992; 1981).

Scholars, and many observers at the time, describe patrol as a "casual" and "leisurely" practice in which police availed themselves of opportunities to "take it easy" (see Walker, 1977). Such opportunities were plentiful because the technology necessary to supervise patrolmen did not exist. They typically walked their beat alone and there were few practical ways that

supervisors could observe or systematically coordinate their patrolmen (Miller, 1977). At best, some streets might have been equipped with alarm boxes that would signal police to muster during emergencies; otherwise, communication between patrolmen, their supervisors, and one another had to take place in person.

Given the variability in the patrol function and the lack of accountability within the system, it is difficult to imagine that the practice overall substantially or consistently prevented crime. Nevertheless, as I discuss later on, it seems evident that the presence of uniformed officers on patrol went a long way to instill the idea in the minds of the public that the police role was to prevent crime and protect public safety, even if there is no reliable evidence that they did so in reality. In this sense, the patrol system was a crucial source of legitimacy for the new police, further conditioning the population to expect a certain amount of intervention in the absence of a crime.

Control of the Dangerous Classes. As suggested above, historians generally agree that an important aim behind the formation of the new police was to exert control over the members of the population referred to at the time as “the dangerous classes” (Silver, 1967/2011). This group included the poor (both the unemployed and the underpaid industrial workers), who may have been threatening to revolt and upend the social order; Blacks; newly arrived European immigrants; and others at the bottom of the social hierarchy.

Indeed, control of the “dangerous classes” describes much of what the new police did in 19th century urban America. Records from the time indicate that upwards of 50 percent of arrests were for minor/ non-criminal offenses such as drunkenness and vagrancy (Monkonnen, 1981). Lacking the manpower to patrol entire cities, police concentrated patrol in the poorest and most

disadvantaged neighborhoods (Monkonnen, 1981), where to some degree, police saw themselves as those who uphold the existing social order, and often gained a reputation for brutality.⁸

However, police tended to be loyal not to the city elites so much as to their local political patrons, as illustrated by their inconsistent stance vis-à-vis organized labor disputes. While they participated in anti-worker actions in some settings,⁹ in cities controlled by pro-labor political machines, and in smaller cities that relied on tax revenue from workers, the police were more likely to side with labor (Monkonnen, 1992).

The new police also became arbiters in ethnic conflicts. In the case of the Chicago Lager Beer Riots in 1855, the Nativist mayor Levi Boone passed an ordinance banning the sale of alcohol on Sundays. This angered the growing population of German and Irish immigrant factory workers, who enjoyed drinking on Sundays, their only day off of work. Despite warnings from the leaders of the German and Irish communities, Boone and his newly organized police force decided to arrest hundreds of factory workers and tavernkeepers who defied the ordinance. A riot broke out resulting in several deaths, which was eventually quelled by the state militia (Mitrani, 2013). The incident represented outright oppression of Irish and German immigrants, executed by the Nativist government's police under the pretense of law enforcement. Ironically, thirty years later the police force in Chicago was over half foreign-born Irish and German, far exceeding share of the city population. The law banning the sale of alcohol on Sundays, long

⁸ The extent of this brutality is hard to quantify, but one indication is the famous quote of New York policeman Alexander "Clubber" Williams, who bragged that "there is more law at the end of a policeman's stick than in any decision of the Supreme Court" (see Walker, 1977). His words (and nickname) perhaps reflect how widespread brutality was.

⁹ Haring (1983) discusses several examples of the anti-labor activities of some police as well as their cozy ties with industrial interests (also see Haring & McMullin, 1975). There are also cases, such as the Tompkins Square Incident of 1877, where police viciously brutalized picketers and protected scabs in order to break strikes (see Guttman, 1965). However, municipal police forces were hardly a sure bet to side with management in the case of labor disputes. In 1892, local police sided with locked-out workers in Homestead Pennsylvania, fighting alongside them against a formidable force of 400 Pinkerton agents (Morn, 1982; Monkonnen, 1992). Guttman (1977) cites several other examples of local police supporting strikers.

repealed by the city, had been passed by the State of Illinois, but was rarely enforced. Mayoral candidates, in fact, campaigned on the promise not to enforce the state law (Haller, 1976). This illustrates that the direction of police oppression did not *always* flow from the most powerful to the least. Though that may have been the general pattern, it was dependent the political circumstances. In the case of the white European immigrants that arrived in America toward the bottom of social ladder, there is a strong case that these groups derived some benefits from the new police institution, and ultimately were overrepresented in the ranks of the city police departments, further benefiting informally from their courtesy and protection—and further consolidating the role of police as regulators of social behavior.

Not surprisingly, Black residents in the Northern cities could not rely on a pattern of benevolent support from police. Black residents were rarely allowed to take advantage of the welfare services that police provided, such as lodging at station houses (Monkonnen, 1981, pp. 97). The Black population had little political leverage to shape policing to its benefit (Williams and Murphy, 1990), and police brutally enforced the system of racial segregation. Furthermore, the police rarely offered protection to Black people whose neighborhoods were targeted by white mobs (Walker, 1977; Monkonnen, 1981). Even so, police could be called upon to protect Blacks in the rare cases when political circumstances called for it. The New York City draft riots of 1863 is a commonly cited example; the New York Metropolitan Police¹⁰ protected Blacks from white mobs protesting conscription into the union army during the Civil War; they did so at the behest of the Republican controlled state legislature (Miller, 1977; Richardson, 1974). Other examples of mutual benefit between Blacks and the police existed. A small number of Black

¹⁰ The New York “Mets”, as they were known, were chartered by the Republican controlled state legislature. The state government forced the NYPD (controlled by the Democratic Tammany Hall machine) to disband. The Mets took up policing duties in the city between 1857 and the late 1860’s (Miller, 1977).

officers were employed by big-city police departments in the North as early as 1872, having gained these jobs via the traditional system of political patronage (Dulaney, 1996).

Legacy of the New Police. The legacy and relevance of the “new police” with regard to contemporary policing is difficult to distill. Whether the intent of the modern police formation was to reduce crime, prevent disorder, or control the ‘dangerous classes,’ they served none of these functions particularly effectively. They functioned inconsistently, varying widely over time, as well as across and even within cities, in response to their local political arrangements and environments. Moreover, they served a number of functions that were not intended upon their creation.

Despite no clear evidence of their effectiveness in fighting crime, I argue that the lasting legacy of the new police was introducing the concept of crime prevention. Adopting this mission represented a conceptual shift: away from being reactive to crime and toward crime prevention, and it was hugely consequential. Serving as the pretext for other functions, it demonstrated that crime prevention and control of the dangerous classes could be one and the same.

Community members recognized the implications of a modern police force that would, among other things, monitor them in the name of crime prevention, and Monkonnén (1981) documents the popular opposition that arose to uniformed and centralized police forces. After the 1834 riots in New York City, this opposition stalled the establishment of the NYPD for a decade and the adoption of uniforms until 1853. Philadelphia passed an ordinance to unify its law enforcement into a single command structure in 1833, but it was repealed two years later, having never been acted upon. It took an additional twenty years before the Philadelphia Police Department was fully established in 1854. In Boston it also took twenty years, nineteen in St. Louis, eleven in Cincinnati.

Opposition to the adoption of London-style police forces came, in part, from local political leaders who were skeptical of any move to centralize power. But it also came from those who viewed the new police as a threat to civil liberties and feared that they would become a tool of despotism. That said, the civil libertarians paid more attention to the issue of uniforms¹¹ than to the implications of crime-prevention. Monkonnien (1981) argues that they “overlooked the conceptual shift involved in prevention, and in so doing insured that their worst fears would come true” (pg 41). The shift from reactive to preventive policing gave the government the “right of prior restraint”: license to control people *before* they had broken the law. Monkonnien goes on to argue that the shift inevitably orients police to focus on *criminals* rather than criminal *behavior* itself: “Once the notion of preventing crimes had supplanted the notion of catching offenders, the focus of police actions on a ‘dangerous class’ became assured” (pg 42).

Miller (1975) notes that when uniformed cops first hit the streets in the mid-1800s, they were frequently assaulted, but the assaults relented over time. Monkonnien (1981) shows that smaller cities were subsequently able to form police forces quickly and with little controversy. Through the end of the 19th century, the presence of preventive police became a normal part of life. Americans had ceded the right of prior restraint to their government.

Policing and Slavery in the South

If it is the case that Northern police underwent a shift that reoriented them from controlling behavior to controlling people, the opposite is true of the “police” that first emerged in the South. These Southern police organizations were urban slave patrols with the singular purpose of subjugating Blacks and protecting the institution of slavery. As early as 1822, cities

¹¹ Of particular objection to these civil libertarians was that the uniform conjured images of the Revolutionary War and the tyrannical rule of the British. They argued that the uniform would make a police force akin to a standing army, prohibited by the U.S. Constitution.

like Charleston, Richmond, and Savannah had formed uniformed, government-salaried urban slave patrols that by all accounts, were more organized and better equipped than any Northern police departments (Walker, 1998; Vila and Morris, 1999; Roth, 2018). While they met many of the criteria that define modern police, did not have a general mandate to prevent crime; rather, their authority was officially limited to situations involving slaves and free Blacks.¹² Generally, criminal matters that involved white victims and perpetrators were handled in the more informal Southern style of vigilante justice or through private prosecution (Roth, 2018).¹³

Slave patrols had existed in the South for over a century, initially consisting of semi-organized group of volunteers working for individual or a group of plantation owners. In the 18th century, several southern states adopted a more formal system that required young white men to serve in slave patrols for a fixed period of time. These forces coexisted with the less formal slave patrols that had existed previously (Hadden, 2001; Gardiner and Hickman, 2017). As Hadden (2001) describes, as cities grew large enough, it eventually became more efficient to hire full-time patrollers rather than rely on the volunteer or part-time forces. As in the North, industrialization also played a role in their emergence. Slaveowners began to lease slaves to work in factories that had been constructed in cities, leaving them unsupervised; this prompted fear of slave revolts among Southern whites. For example, Charleston's urban slave patrol was organized directly following a slave insurrection panic in 1822, caused by rumors of a conspiracy among free Blacks and slaves in the city (Williams and Murphy, 1990; Hadden, 2001).

¹² Reichel (1992) and many others (e.g., Vitale, 2017) have argued that these distinctions are superficial and that the Southern urban slave patrols have not received their due attention in policing history.

¹³New Orleans was the only Southern city that had formed London style police prior to the civil war. It was responsible for controlling the slave population as well as general crime prevention and criminal apprehension (Rousey, 1996).

The Civil War years would decimate the ranks of the urban slave patrols whose members had left to serve in the Confederate military. The forces that remained were disbanded upon the Union's victory. The end of the war saw a resurgence of vigilante groups that sought to terrorize the newly freed slaves and to enforce white supremacy, as well as the passage of criminal laws that would do so more formally (see Williams and Murphy, 1990).

The military occupation of the South during the Reconstruction years was a temporary check against Southern whites hoping to reassert the old racial system. During Reconstruction, several Republican-controlled cities established London-style police forces. Notably, many of these forces hired substantial numbers of Black police officers; nearly 200 in New Orleans, whose police commission was majority Black (Dulaney, 1996; Rousey, 1996). Precious little is known about how these police departments fared after the occupation of the South had ended. Many of them were apparently disbanded (Roth, 2018); and it is well documented that those that remained fired nearly all of their black officers (Dulaney, 1996; Oldfield, 2001).¹⁴ Also, in cities like Charleston and New Orleans, their funding was gutted immediately after Reconstruction (Rousey, 1996; Oldfield, 2001; Jordan, 1980). It seems that the police forces that remained ceded much of their "law enforcement" role to the vigilante groups that were in full force at the time; however, they remained part the post-Reconstruction Southern legal system that was not only hostile towards Blacks but actively sought their re-enslavement (see Blackmon, 2009).

Compared to the North, the "police" that emerged in the South were more clearly intended to serve the function of controlling a *class* of people. However, they too demonstrated that it could be done under the pretense of "enforcing the law" and preventing crime.

¹⁴ Most large cities would not again begin to hire Black officers until the 1950's (Gardiner & Hickman, 2017).

Reform of 20th Century Police

The early 20th century saw the emergence of reform movements that would dramatically transform police organizations and their role in American society. The Progressive movement and the police professionalism movement set the agenda and shaped new philosophies of policing that remain relevant to issues of police crime-prevention today.

Police and the Progressives

Movements toward professionalizing the police are rooted in the Progressive Era of American politics occurring roughly between 1890-1920. Progressives sought reforms that would root out corruption and break the power of the political machines in cities, and police were one of their main targets. Progressives wanted to centralize control of police, as a way to eliminate the influence of politics. They also wanted to improve the quality of personnel employed by departments, whom they generally regarded as being inept, unintelligent, and of low moral character. Finally, and importantly, although Progressives generally supported government provision of social welfare services, they did not believe police should be the ones to provide such services. Noted Progressive muckraker Jacob Riis (1890/2011) famously complained of the poor treatment that he and his dog had received when they boarded at a police station house. Instead, and importantly, the Progressives wanted police to specialize in fighting crime (Fogelson, 1977; Uchida 2004).¹⁵

A key strategy toward enacting these reforms was the formation of police commissions, meant to consolidate control of police to a bipartisan or non-partisan group of commissioners.¹⁶

¹⁵ For all of their high-minded talk of cleaning up government, the Progressive's police reforms were politically self-serving. Between 1890-1920, periods in which Progressives controlled city governments were nearly always punctuated with aggressive campaigns to crack down on vice, and vice-related businesses (Walker, 2016). Thus, their focus on crime-control was of the type that pleased their political base and punished their perceived political enemies.

¹⁶ Theodore Roosevelt, who served on New York's police commission from 1895-1897, was famously frustrated by the fact that the bipartisan board was frequently unable to come to consensus and was split along party lines. When

As New York City Police Commissioner, Theodore Roosevelt succeeded in enforcing of a civil service law, already on the books, that would tie hiring and promotion of officers to their performance on civil service exams, a system later adopted in many cities. However, these exams were derided because they measured abstract knowledge rather than the practical qualities necessary for police work. They were also viewed as elitist and discriminatory against the existing force of patrolmen, many of whom lacked any formal education (Uchida, 2004).

Other cities went further in centralizing control of police operations, giving wide authority to a single chief/commissioner/superintendent, who, they hoped, would be chosen based on qualifications as a policing expert rather than on political connections. Under such regimes, some progress toward professionalization was achieved. For example, in Philadelphia between 1912-1916, Superintendent James Robinson, by all accounts maintained strict discipline and control of his department. He created a central record keeping system, instituted mandatory training and an established school of instruction for officers, as well as formal disciplinary policies and procedures. Philadelphia was also the first of many departments to institute the three-platoon system of patrol in which patrolmen worked eight-hour shifts rather than the draining 18-hour shifts split between patrol and reserve duty (Walker 1977).¹⁷

Indeed, Monkonnen (1981) shows that around 1890, big-city police began to cease their social welfare functions and focus more on crime control.¹⁸ He notes that the shift was not

the board was unified, Roosevelt complained that their directives were not carried out in good faith by the police captains and patrolmen (Berman, 1987).

¹⁷ However, chiefs who maintained strong central control over their officers could easily turn into petty tyrants. Jersey City police commissioner Frank Hague used his sole authority to try officers for disciplinary infractions and to fire hundreds of officers and replace them with those completely loyal to him. He eventually used his control of police to become mayor and establish one of the most corrupt urban political machines in history (Vernon, 2011; Walker, 1977).

¹⁸ With a statistical analysis of historical data, Monkonnen shows that after 1890, station house boarding and searching for missing children dropped precipitously.

necessarily due to the success of Progressive police reforms, but rather, to the broader shift in city governments toward more specialized agencies.

Overall, police reform efforts during the Progressive era enjoyed only limited success, politics continued to rule the day. When Progressives were able to seize power and enact reforms, they often backfired and proved easy to roll back upon reversal of their political fortunes. Fogelson (1977) discusses several reasons for the failure of these reforms, not the least of which was Progressives' inability to garner support from rank-and-file police officers. Policing was a distinctly working-class institution, staffed disproportionately with first- and second-generation Catholic immigrants. These police objected to the elitism and condescension they perceived as coming from the Progressive WASPs.

The Professionalism Movement

Dovetailing with the Progressive era, another reform movement was budding. Police were beginning to build an occupational and professional identity. Professional associations like the International Association of Chiefs of Police (IACP) gained prominence. Their annual meetings became a forum for a small group of chiefs leading the police professionalization movement to set an agenda for reform. Initially, this agenda was similar to that of the Progressives, though it differed in important ways. Also, because the movement originated from within the policing profession, it would prove to be far more successful.

Two main themes animated this reform movement in its early years. First, the group of police executives naturally agreed on the importance of authoritative and independent leadership of police organizations. They, like the Progressives, believed that this was the key to removing the corrupting influence of politics and improving the public image of police. Second, they believed in *efficiency*. Many of the reformers were influenced by the emerging sciences of public

administration and industrial management (Greene, 2000; Reiss 1992). With the efficiency ideal came an emphasis on the uses of emerging technology and scientific practices for policing. For example, they believed automobiles and motorcycles could make patrols more efficient, as they would allow police to cover more ground and respond to situations more quickly. Telephonic communications could do the same and make for better supervision and coordination of patrols. Forensic sciences could make for more efficient investigations and identification of criminals. One of the most common topics at IACP meetings was administrative record-keeping, and methods for keeping efficient and uniform records were frequently discussed. Finally, the reformers wanted to improve standards of personnel in police departments; this meant standardized physical and mental testing of recruits as well as specialized training for recruits and employed officers (Walker, 2016). The themes of executive authority and efficiency went hand in hand, as the reformers believed a centralized and hierarchical organization would make for more efficient and effective policing, while also further legitimating their authority.

The professional movement encountered internal challenges, however. For one, its leaders had given little thought to the more human aspects of managing an organization — how to instill certain virtues and culture among the rank and file.¹⁹ Meanwhile, rank and file officers were forming an occupational culture and self-awareness of their own, in the form of fraternal and police benevolence associations, a development about which the reformers were initially ambivalent (Walker, 1977). Additionally, there were somewhat competing visions of the societal role of police. It was agreed that controlling and preventing crime would be the primary mission. Some reformers, however, were keener than others about embracing a gentle disposition toward low-level criminal offenders and vice enforcement. The principal leader of the

¹⁹ Fosdick (1920) advances this idea in his book *American Police Systems*, which was hugely influential to the professional reformers at the time.

movement, August Vollmer, for example, despite being well known as a crime-fighter (Oliver, 2017), believed that police officers also had a social-work role (Vollmer, 1919). He believed, especially in his early career, that rehabilitation of offenders might in some cases may be more effective in fighting crime. Walker (1977) suggests that this belief stemmed from the fact that Vollmer was deeply influenced by the emerging field of criminology, which suggested that the causes of crime were deeply rooted, deeper than the traditional methods of policing could penetrate.²⁰

Between 1917-1919, as the professional movement was grappling with these questions, a series of “race riots” erupted, stemmed, in part, from reactions to the Great Migration, the large-scale movement of Black Americans from the South to Northern cities. In Chicago in 1919, for example, the police response was perceived to have worsened the situation, resulting in 38 deaths and hundreds of serious injuries, as well as the destruction of homes and businesses. Accounts of the incident suggest that police incited²¹ and participated in the violence toward Blacks and made few arrests of Whites (Coit, 2012; Tuttle, 1970; Chicago Commission on Race Relations, 1923). The business interests, meanwhile, criticized the police not for their racist actions so much as for the fact that concentrating their forces in a few Black areas of the city at the height of the violence left the rest of the city vulnerable to more violence and looting (Walker, 1977).

Business interests pushed for the formation of the Chicago Crime Commission to serve as a

²⁰ Fred Kohler, the police chief of Cleveland, was another reformer who favored a gentler approach to policing minor offenders. His “golden rule” policy, implemented in 1908 prohibited juveniles from being imprisoned in his jails and established a practice in which men arrested for drunkenness only be held overnight, given coffee in the morning, and released in time to get to work on time without any formal charge. He encouraged his officers to mostly ignore drunks and other petty violators, arguing that it gave them more time to focus their energy on serious crime (Monkonn, 1981; Walker, 1977).

²¹ The violence began at a segregated beach. A 25-year-old white man had pelted a Black teenager with rocks when his raft had floated to the white side of the beach, causing the teenager to drown. Beachgoers summoned a Black and a white police officer. The white officer refused to make an arrest and prevented the Black officer from doing so (Coit, 2012; Tuttle 1970).

watchdog of the local police. Several other cities established similar commissions in the 1920s (Conser et al., 2011). The reformers were concerned with the specter of political meddling that could result from their officers reflecting poorly on the profession. But they failed to recognize or grapple with the important question of race as it interfaced with policing.

The debacle of the Boston police strike further tarnished the reputation of police. At the time, police salaries had not kept pace with major inflation resulting from the United States' involvement in WWI. This gave rise to a short-lived movement for police unionism (Walker, 1977). In 1919, the Boston Police voted to go on strike after the city government refused to recognize their union's right to collectively bargain. Three-quarters of the city's patrolmen actually went on strike, prompting panic and violence in the city and prompting Governor Calvin Coolidge to deploy the state militia and to order the firing of all the strikers. The strikers were replaced by new recruits who would earn a higher salary than what the strikers were demanding. The failure of the strike would effectively end any hope police unionization for nearly fifty years.

The reaction to the strike was one of general outrage, but also public affirmation of the law enforcement and crime-fighting role for police: Coolidge famously proclaimed that the strikers "cannot justify the wrong of leaving the city unguarded. That furnished the opportunity, the criminal element furnished the action. There is no right to strike against the public safety by anybody, anywhere" (Coolidge, 1919).

To the police executives leading the reform movement, the message received from these episodes could not have been clearer. They had to control their ranks or risk political meddling that could result from bad police behavior. Other aspects of reform agenda might have also taken on new meaning. For example, the needs for record-keeping systems and communications technology was no longer just a matter of efficiency and good administrative practice, they were

the means by which a supervisor could observe, evaluate, and control the behavior of his underlings. Likewise, training of officers would not only make them more effective at their jobs but also become a forum for indoctrinating them with norms of loyalty and subordination (see Reiss, 1992). Perhaps from then on, the primary mission of the professionalism movement would be “to subordinate street officer discretion to bureaucratic due process” (Sykes, 1985) and the will of the chief.

Alcohol prohibition during the 1920s did not greatly affect municipal police departments, as its enforcement was mostly the responsibility of federal agencies. However, it coincided with a wave of violence in the 1920s that fed public concerns about the crime problem. Also, the Prohibition era saw an apparent rise in the prominence of organized crime groups, which brought scrutiny of police for their alleged ties to those groups. At the end of Prohibition in 1931, President Hoover convened the Wickersham Commission to make recommendations on various aspects of the American criminal justice system. Vollmer himself would be an author of the report on police (Vollmer, 1931), and he made suggestions along the lines of the ideals of the professionalism movement’s agenda. He advocated for civil service tenure protections for chiefs as well as uniform record keeping, officer training and standards, and technology (autos, call boxes, telephones etc.). For the most part, the report affirmed the crime-fighting role for police. Indeed, Vollmer (1931) recommended that special crime-prevention units be established within police departments. Within that, he couched his vision of the social-work role for police. One of the duties of these units, according to his vision, was to keep tabs on juvenile and female offenders to rehabilitate them before they become “hardened criminals” (Vollmer, 1931). Thus, even as late as 1931, reformers did not envision the hyperfocus on crime and suppressive crime prevention that would come to characterize professional police.

Progress Toward Professionalism

The Wickersham Commission was a triumph for the police professionalism movement. It was an opportunity for the reformers to share their ideas on a national stage and evangelize an important role for police in American society. Many of the reformers would live to see significant changes to policing consistent with their vision in the years following. The professional model would become the dominant reform model for at least the next sixty years, and it arguably remains so. Below I discuss changes to American policing occurring between 1931 and the 1960s, when the philosophy of professionalism would face its most serious challenge.

The reform movement achieved its greatest wish rather quickly. By the end of the 1930s the position of chief in virtually every large city in the country, enjoyed civil service tenure and protections (Vila and Morris, 1999). The 1930s also began the proliferation of police training academies; academy training became a requirement for all big city police recruits by 1959 (Stanislas, 2013). By the 1990s, virtually every law enforcement officer in the was required to undergo some type of formal training prior to employment. Universities also began to offer police administration degrees in the '30s, and the idea of requiring a post-secondary degree for police began to gain popularity, though this would not become a major focus of police reform efforts until the 1970s.

Reformers also saw many of their ideas regarding administrative efficiency come to fruition. The Uniform Crime Reporting (UCR) system was implemented on a national scale in 1930. That year saw the participation of only 400 police agencies, whose jurisdictions represented roughly one quarter of the U.S population.²² By the mid-1960s as much as

²² See “About the Uniform Crime Reporting (UCR) Program” on FBI website here: <https://ucr.fbi.gov/leoka/leoka-2010/aboutucrmain>.

97percent of urban police departments, and three-quarters of rural ones, participated (Robison, 1966). By the late 1990s, about 17,000 police departments participated representing roughly 95 percent of the population (Maguire and Uchida, 2000). Official crime and arrest statistics became the main measure of police efficiency and effectiveness, which served to justify a narrow focus on crime control. Beyond crime and arrests, records and written documents of all types became the lifeblood of police organizations. Records and formal rules were needed to evaluate officer/departmental performance and to make street officer behavior administratively reviewable.

The police profession fully embraced technological advancement. City police had begun to motorize their patrols as early as the turn of the century, but the process accelerated in the 1930s. One of the recommendations in the Wickersham report was the establishment of State Police forces in the half of U.S. States that had not already done so. According to Vollmer (1931), motorized state forces were necessary because “professional criminals know no political boundaries and are not disturbed by their existence. In fact, they frequently take advantage of them for their own security” (pp. 723).

By the late 1960s, the traditional practice of foot patrol was mostly a thing of the past (Gardiner and Hickman, 2017). It meant that policing, along with crime, was more mobile. Vollmer’s protégé O.W. Wilson took the concept further in an effort to maximize the crime-prevention capacity of police. He advocated for one-person motor patrols, reasoning that police could cover wider areas and happen upon more crime. Additionally, he reasoned that motorized patrol would isolate patrolmen from their communities and fellow officers, which was seen as a benefit because it limited opportunities for corruption (Wilson, 1950). He advocated for the

practice nationwide with some success, though it was not popular among patrol officers who believed it jeopardized their safety (Conser et al., 2008).

By the 1930s, the old system of one-way alarm boxes had given way to call boxes that allowed both citizens and patrol officers to call headquarters, request assistance, and receive orders. By the end of the 1950s, two-way radios had been installed in most patrol vehicles, allowing for constant communication and supervision of patrol officers. (Gardiner and Hickman, 2017). Beginning in the 1950s, cities began to implement central dispatching systems (e.g., 911) for their emergency services that could be contacted by telephone (Neusteter et al., 2019). Police leaders theorized that these systems might allow them to catch more criminals at the scene of the crime (Reiss, 1992). They devised ways of minimizing response times to emergency calls, which became another important measure by which organizational efficiency and effectiveness were measured (Crank and Langworthy, 1992).

The changes and reforms described above transformed the nature and structure of police organizations. Compared to the casual and shambolic departments of the 19th century, 20th century police organizations were formalized (governed by written rules) and highly organized. They came to resemble classic Weberian bureaucracies, as was reflected in their organizational structure. For example, professionalized police organizations became highly differentiated. Going beyond Vollmer's suggestion for a specialized "crime prevention" unit, police came to have specialized divisions for different categories of crime (e.g. homicide, robbery, vice, narcotics, gangs, auto theft) and for different tasks (e.g., traffic-enforcement, internal affairs). Professionalization also meant the growth of middle management and civilianization of police organizations. Smaller proportions of the force worked on the street, and more became supervisors, administrators, and technicians. Organizations required more sergeants to supervise

patrolmen, lieutenants to supervise sergeants, and so forth; civilians were hired for administrative work and the operation of technology (see Reiss, 1992).

By the mid-1960s, August Vollmer and the other leaders of the police professionalism movement might have looked back with pride on their accomplishments. Thanks to their efforts, police in America were better managed and organized, likely less corrupt, and perhaps better at fighting crime. However, Vollmer's vision of cops as social workers and rehabilitators was never realized. Several explanations have emerged for this. Some have credited it in large measure to the efforts of longtime FBI director and masterful propagandist J. Edgar Hoover. Hoover was instrumental in crafting a public image of law enforcement officers as crime fighting warriors such that a rehabilitative focus may not have been consistent with public expectations (Powers, 1978). For that matter, the American public was not necessarily enthusiastic about the idea of rehabilitative police. The 1930s, for instance, was known as the "law and order" decade, reflecting popular enthusiasm for a more punitive criminal justice system (Roth, 2018). More than anything, what prevented Vollmer's vision from taking hold was, according to Walker (1977), a kind of "bureaucratic ossification." Bureaucratization was the defining feature of era of professional policing and would be its lasting legacy.

The Downfall of Professionalism

The philosophy of professionalism dominated mainstream thinking about policing for several decades. Professionalism staked police legitimacy to the legitimacy of the law itself: police maintained their legitimacy based on the reality or perception that they effectively enforced the law (prevented crime) and that they were accountable to the law (as effectuated by the bureaucracy), which constrained police from violating rights, liberties, and democratic interests. This paradigm, however, faced a fundamental threat in the late 1960s, at the height of

the civil rights movement. This was a movement that, among other things, challenged the basic premise that the law did indeed safeguard the interests of rights, liberties, and democracy.

The years 1965-1967 saw a wave of racially charged protest, violence, and rioting; the most well-known incidents occurred in Watts (Los Angeles), Newark, Detroit, and Philadelphia, but few large cities avoided major civil disorders during the period. The violence in Newark and Detroit alone resulted in 47 deaths, and the large majority of the deceased were Black people killed by police (Bergeson, 1982). In-depth investigations of the incidents concluded that in most cases, police sparked the violence via overly aggressive enforcement of minor offenses in Black neighborhoods. They also concluded that police escalated the violence once it was underway (see Stark, 1972; National Advisory Commission on Civil Disorders, 1968). Less deadly, but perhaps more damaging to the reputation of the police profession was the police brutality of protesters at the 1968 Democratic National Convention in Chicago. In a richly symbolic moment, police at one point covered their badges before they wailed on people in the crowd; the moment was televised and widely seen (Johnson, 2008).

Once again, mass protest, rioting, and violence catalyzed new ideas about police reform, this time challenging the assumptions of professionalism. In response, President Johnson convened the Kerner Commission to investigate the incidents.²³ The Commission report laid much blame on police and outlined several suggestions for police reform. Many of the recommendations were well within the framework of the professional model (e.g., post-secondary education for police recruits, training, promotion and screening standards, higher salaries for officers, internal affairs units). Some, however, were directly contradictory to the

²³ Police behaved brutally not only to Blacks protesting for civil rights, but also anti-war protestors, students, and the members of a variety of other social movements that were swinging during the 60's and early 70's. Thus, some suggest that this era was different because it brought a broader, cross-racial political coalition in opposition to the police institution (see Greene, 2000).

principles of professionalism. These included the suggestion to establish “community-relations units” and designate “community-service officers,” as well as processes for investigating citizen complaints and what the report termed “neighborhood citizen advisory boards” (National Advisory Commission on Civil Disorders, 1968). These suggestions were seeking to give citizens more input in police operations and to bring police into a closer (friendlier) relationship with communities, both of which were antithetical to professionalism. They also de-emphasized the crime prevention mission of police in favor of community relations. The Kerner Commission’s recommendations would serve as a roadmap leading to a new paradigm of reform which eventually came to be labeled “community policing” (see Greene, 2000).

America, however, was not ready for community policing. Police strongly resisted the reforms suggested in the Kerner report on the grounds that they would open the door to political meddling and corruption, as well as make police less effective crime-fighters (see Rumbaut and Bittner, 1979). For their part, members of the public (voters at least) were not particularly inclined to reward such an agenda, instead opting to support tough-on-crime policies and politicians. Indeed, following the civil rights era, American criminal justice took a punitive turn that has been exhaustively documented (e.g. Alexander, 2010; Garland, 2002; Murukawa, 2014). The consequence was that recommendations to de-emphasize crime prevention in favor of “community policing” moved along very slowly during the 1970s and much of the 1980s. Perhaps the most notable developments during the 1970s was the limited resurgence of foot patrol, and the apparently failed experiment of team policing (see Walker, 1997).²⁴

²⁴ Both of these were associated with the “community relations” concept that was propagated by the Kerner report, and in many cases funded with federal dollars allocated in the crime bill which was passed directly after Kerner (the “Safe Streets Act”).

While the actual pace of police reform was slow, the late 1960s and the 1970s were a renaissance of policing scholarship. The work produced during that period arguably forged the path to a new paradigm of police reform, but more than that, they revealed the flaws of the professional model. Firstly, influential research undermined the crime-fighting image of the professional police and questioned the efficacy of its practices. Most notably, the Kansas City Preventive Patrol Experiment (Kelling et al., 1974) suggested that the traditional method of motorized patrol had little or no impact on crime; nor did other practices touted by the professional model, such as rapid response to emergency calls (Ferrara et al., 1976; Bertram and Vargo, 1976) and high-tech forensic investigation techniques (see Kelling, 1978). Also, qualitative research produced during the period revealed that police spent very little of their time dealing with criminal matters on a day-to-day basis (i.e., Wilson, 1968; Skolnick, 1966; Bittner, 1967; 1970; Reiss, 1971).

Scholarship also brought attention to the aspects of the professional model that led to poor police-community relations, for example, its tendency to foster a police subculture. Indeed, it is implied in the notion of a *profession* that police should be set apart from the public and hold a different set of values. Early reformers might have envisioned police belonging to a subculture committed to abstract ideals of public service and strict code of ethics. But the subculture among police is often characterized by a focus on danger and authority; distrust and antipathy toward the public; secrecy, cynicism, suspicion of outsiders; and hostility to external accountability (Skolnick, 1966; Westley, 1970; Van Maanen, 1973).

Post-civil rights era policing research recognized that some organizational characteristics of professional departments were actually counterproductive to the goals of professionalism. The functional differentiation in bureaucratized police organizations may breed corruption as well as

hinder an organization's ability to hold officers accountable, and nearly every large police department during the professional era experienced one or multiple major corruption scandals (Punch, 2009; Dombrink, 1988; Sherman, 1976).²⁵ Similarly, police scholars have argued that specialized internal affairs units serve mainly to protect organizations from scandal and resist external meddling, but by doing so prevent any organizational changes that might actually address the root causes of corruption/misconduct (see Reiss, 1992; Crank and Langworthy, 1992).

The most biting critiques of professionalism from the time period describe the pernicious effects of bureaucratization on the police institution. Rumbaut and Bittner (1979) describe professional police organizations as “legalistic and technocratic bureaucracies” that aim reduce the complex social problems of policing to problems of engineering. Technocratic values, they argue, led police reform to be increasingly defined in terms of finding more “efficient” and “effective” means of policing, with no vision of the aims of policing, and “at the expense of democratic values and interests” (pp. 284). Manning (1977; 1979) describes the feedback loop that reinforces these technocratic values and the crime prevention mission with the concept of “reflexivity”; a process whereby organizations define their efforts (to prevent crime) produces their own metrics for success²⁶ (i.e. official crime and arrest statistics), then declares itself successful based on its own definition of success. Thus, police organizations become

²⁵ Many of them, perhaps most, involved specialized vice or narcotics units. This may be expected given that line of work involves officers coming into contact with large amounts of cash and valuable contraband (i.e. opportunity). However, Reiss (1992) argues that this may result from the fact that vice and narcotics investigations often require secretiveness, and organizational structures are put in place to wall off the details of such investigations from the view of the rest of the organization and even superiors. He also notes that the end result of such scandals tends to be the resignation of the chief, who is not implicated in any misconduct: “The maxim seems to be that a corrupt department needs an honest chief who can be held responsible and dismissed” (76). Specialization, meant to allow for police executives to keep stricter control over their subordinates, does the opposite.

²⁶ See Kitsuse & Coucerel (1963), and McCleary et al. (1982) for discussions of official crime reports as “organizational outcomes.”

increasingly insular and closed off from any outside influence. Goldstein (1977) frames the issue plainly, stating that police organizations measured and rewarded “effort” rather than “results.”

Both scholars, among the most influential in the policing field, were critical of the professionalism for the unrealistic notions and expectations of police that the philosophy promoted. They suggested that many of the core premises of professional model — especially the premise that street officer discretion could be limited or subordinated to law/formal rules — are irredeemably flawed. Goldstein (1977) argues that police are expected to “uniform[ly] and objective[ly] appl[y] their authority. But the incredible array of circumstances that they deal with demands all kinds of flexibility in their operations” (9); in short, the working environment of police officers is too complex for their behavior to be effectively governed by formal rules. Goldstein also argues that “statutes usually require — and much of the public, in theory, expects — the police to enforce all law all of the time. Yet the public will not tolerate full enforcement of many laws, and the police would be held up to ridicule were they to attempt full enforcement” (pg. 9). The logical conclusion or ideal of professionalism is full enforcement and maximal crime prevention, which is not only impossible but antithetical to a free society. Manning (1977) comes to a similar conclusion, arguing that the crime-fighting image of police is a symbolic “myth” that serves to manage conflicting expectations: the “contradictory mandate” of police.

In perhaps the most important theoretical work on policing, Bittner (1970) demonstrates that fighting crime and enforcing the law is not an apt description of what police do in most situations. His observations of police on Skid Row in Los Angeles (also see Bittner, 1967) show that when they intervene, they usually can be best described as peacekeepers. He also argues that to assert that the central role of police is (or should be) *preventing* crime is illogical. Instead, he argues that all functions of police are secondary to their capacity to use force, to coerce:

Whatever the substance of the task at hand, whether it involves protection against an undesired imposition, caring for those who cannot care for themselves, attempting to solve a crime, helping save a life, abating a nuisance or settling an explosive dispute, police intervention means above all making use of the capacity and authority to overpower resistance to an attempted solution in the native habitat of the problem. There can be no doubt that this feature of police work is uppermost in the minds of people who solicit police aid or direct the attention of the police to problems, that persons against whom the police proceed have this feature in mind and conduct themselves accordingly, and that every conceivable police intervention projects the message that force may be, and may have to be, used to achieve a desired objective. It does not matter whether the persons who seek police help are private citizens or other government officials, nor does it matter whether the problem at hand involves some aspect of law enforcement or is totally unconnected with it . . . *What matters is that police procedure is defined by the feature that it may not be opposed in its course, and that force can be used if it is opposed* (Bittner, 1970, pp. 40-41, italics added).

While the scholarship produced during and after the civil rights era revealed the limited ability of police to prevent crime and that professionalism's emphasis on crime prevention was actually undermining police legitimacy, the solution was not a simple one. Any effort to offer a new narrative or to project a different image of police would have to contend with the fact that the singular focus on crime prevention was now institutionalized (see Crank and Langworthy, 1992).

Second, the central goal of professionalism, to control officers on the street and limit their discretion, had been unsuccessful. Scholarship had revealed police discretion was absolutely fundamental to police work and could scarcely be controlled. This realization also undermined police legitimacy. These and other problems with the professional model had led to severe deterioration in police-community relations.

The Era of Community Policing

Eventually the tensions internal to the professional policing model were bad enough that it was replaced with community policing as the mainstream philosophy of police reform, beginning in the 1980s (e.g., Kelling and Moore, 1988). The term "community policing" or

“community-oriented policing” has a variety of different meanings. Here I refer to an era of community policing to broadly identify the period of time in which new ideas and innovations became influential within the policing field that, in some respects, contradicted the philosophy or modified the common practices of the professional model. I discuss several of these new ideas below.

Community Policing

Community (oriented) policing is generally understood to refer to practices that promote friendlier police-community relations and encourage collaboration between police and the public in order to solve problems. Specifically, it intends for police to be involved in solving a wider range of problems beyond crime. These include disorder, fear of crime and according to Goldstein (1987), who provided an early elaboration of the concept, “anything that may affect the public’s sense of well-being” (pp. 9). Moreover, community policing often emphasizes decentralized decision making. It offers the very optimistic view that greater independence from top-down organizational control can foster creative solutions to community problems. In rhetoric, community policing deemphasizes the crime prevention mission, embraces police discretion and represents a massive shift in the mission of police.

By the mid-1990s community policing was orthodoxy in big-city departments. Yet again protest and rioting (specifically in Los Angeles following the Rodney King incident) had placed further pressure on police leaders to adopt the community policing paradigm. They were also incentivized to do so via federal funding marked in the 1994 violent crime bill for community policing programs, and the plan to hire an additional 100,000 community policing officers nationwide (Gardiner and Hickman, 2017; Evans and Owens, 2007). By the mid-2000s, nearly

every large police department, and a large majority of medium sized departments had adopted community policing into their organization in some way (Reaves, 2011).²⁷

Of course, critics have charged that community policing is more rhetorical than real. Before it was widely accepted, Klockars (1988) called community policing a “circumlocution ...designed to conceal, mystify, and legitimate police distribution of nonnegotiable coercive force” (pp. 240). Manning (1988) argued that the philosophy of community policing holds mutually exclusive or conflicting goals, thus it is yet another symbolic myth, or “dramatic device” that functions to create the perception of change without the substance. Moreover, qualitative research on police community meetings—the practice most commonly associated with community policing—lend credence to these critiques. Cheng (2020) observes that citizen complaints raised at community meetings in Chicago are most often responded with silence, or a simple thank you for your comments. Moreover, police spokespersons in these meetings rely on “scripts” to essentially deflect them without taking substantive action.

The goals of community policing are vague, illustrated by the seemingly conflicting styles and tactics of policing, discussed below, that have fallen under the label. The indeterminacy of the concept may prevent police devoted to community policing from realizing improvements to police services, and public relations. The ambiguous meaning of this reform model, however, is a powerful device for police to employ to manage conflicting pressures.

Broken Windows

One thrust of the changes to policing beginning in the 1980’s was a greater emphasis on the order-maintenance role which had been highlighted in one of the most influential texts of the

²⁷ Measured in surveys of police organizations by whether they use the phrase “community policing” in their mission statement, or have officially titled community policing officers, or a community policing division/unit within the department.

police scholarship renaissance, James Q. Wilson's *Varieties of Police Behavior* (1968). Order maintenance policing became very popular, especially after Wilson and Kelling published their famous magazine article *Broken Windows* (1982). In the article, the authors were genuinely skeptical of the ability of police to suppress crime by detecting more criminals, solving more crimes, and making more arrests. They were also critical of the legalistic focus of policing, arguing that "police activity (should), in important ways, be shaped by the standards of the community rather than rules of the state" (pp. 7). Though skeptical of the police's ability to prevent crime, *Broken Windows* argues that their best chance at doing so is by being attentive to disorder and "untended" behavior (e.g. broken windows, litter, graffiti, etc.). By doing so they would reduce fear among neighborhood residents and "reinforce the informal control mechanisms of the community itself" (pp. 7). By any fair evaluation, this vision was a rejection of the professional model. In addition, it perhaps reinforced what rank and file officers had been feeling for years, especially that the law enforcement focus of professionalism had "brought them increasingly under the influence of legal restrictions, provoked by media complaints and enforced by court decisions and departmental orders...governed by rules developed to control police relations with suspected criminals" (pp. 7).

The broken windows idea resonated among police who believed their ability to help communities had been restricted under the rigidness of the professional model. Contrary to its spirit, however, broken windows policing became institutionalized in a way characteristic of the professional era. It would become more oriented toward crime prevention, as reflected by the most famous practitioner of broken windows policing, William Bratton:

Reduce disorder and you WILL reduce crime. The strategy is sending a strong message to those who commit minor crimes that they will be held responsible for their acts. The message goes like this: behave in public spaces, or the police will take action. Police will also check you out to make sure that you are not creating chronic problems or

wanted for some other more serious offense. Police will also question you about what you know about other neighborhood crime. (quoted in Greene, 2000)

Bratton's interpretation of Broken windows does not de-emphasize crime prevention, nor does it embrace discretion. His vision is more along the lines of full enforcement and maximal crime prevention. Critiques of this style of policing are well known. Many contend that it leads to more racially biased policing, especially because perceptions of disorder are shaped by racial contexts (Sampson and Raudenbush, 2004). Many supporters of community policing have distanced themselves from the broken windows (also known as zero-tolerance) policing style, arguing that it does not allow community input regarding which problems police focus on (Skolnick, 1999); others suggest that broken windows applies the principals of community policing in full (see Greene, 2000, pp. 316). *and* an expansion of the types of behavior that warrant police intervention.

Hot-Spots

Hot-spots policing stands out among the policing styles and tactics that became popular during the community era because its basic premise is more in the vein of the professional model of reform. Hot-spots policing refers to a tactic in which small areas with high incidence of crime are identified for concentrated surveillance and enforcement. The strategy owes its legacy to the Kansas City experiment, which indicated that random patrol had little or no crime prevention benefit. Later research found that crimes were highly concentrated within cities (e.g. Sherman, Gartin and Buerger, 1989). The tactic has been shown to have crime control benefits under experimental conditions (see review by Braga et al., 2014). These benefits are modest, especially for how resource intensive it is. The strategy gained popularity during the community era. Hot spots and related innovations like COMPSTAT, however, reflect the technocratic focus on

efficiency characteristic of the professional model. It suggests that professionalism was alive and well, but perhaps rebranded.

Procedural Justice

One of the ideas to recently become influential in American policing is procedural justice. It is commonly associated with community policing due to an emphasis on improving police-community relationships. The theory of procedural justice (see Tyler, 1990) explains why individuals view police as legitimate; and hold the attitude that they are “entitled to be deferred to or obeyed” (Sunshine and Tyler, 2003). The theory posits that legitimacy is based on the perception that the *process* by which police exercise their authority is fair; and that perception of the process is more important for legitimacy than the result. Those who believe the process to be fair will be more likely to comply with police and generally obey the law. From this perspective, people form perceptions of legitimacy and obey/disobey the law for normative reasons rather than just instrumental ones (Sunshine and Tyler, 2003). Indeed, there is an impressive body of research that supports the theory (see review by Mazerolle et al. 2013); essentially showing that legitimacy and trust in police are strengthened if police act in ways that convey that they are fairly applying their authority during police-citizen interactions. Police departments claiming to apply this theory in practice encourage officers to be polite during their interactions with citizens; to clearly explain the reasons for a stop, citation or arrest; and to give people an opportunity for their voice to be heard (Kunard and Moe, 2015). Critics of the theory hold that, in fact, the outcome of a police citizen encounter is more determinative of people’s attitudes toward police than the process. Those who distrust the police in the first place are unlikely to have a better impression based on a superficially pleasant interaction (e.g. Epp et al., 2014). In that case, the degree to which the application of the theory can enhance police legitimacy overall

is quite limited. Nevertheless, few would argue that officers acting polite and courteously during citizen encounters is a bad thing.

What is more problematic is how procedural justice is applied on a larger scale, beyond individual encounters. Some police departments have interpreted the theory as justification to maximize police-citizen interactions. A recent report (Kunard and Moe, 2015) published by U.S. Department of Justice's COPS (Community Oriented Policing Services) office commended one particular department for their strategy of full enforcement that exemplified the ideals of procedural justice:

Sioux Falls, South Dakota...experienced an uptick in bicycle accidents— two resulting in fatalities. The SFPD's approach to addressing that problem exemplifies impartiality and unbiased decision making...the SFPD rolled out the saturation patrols, first with a focus only on giving warnings and educating the public about local ordinances. The officers on patrol stopped everyone in the downtown area in equal measure: cyclists failing to stop at stop signs, pedestrians jaywalking, and drivers who failed to yield to pedestrians. (Kunard and Moe, 2015)

It would seem that procedural justice is yet another example of a reform model that was interpreted as justification for maximal police intervention. In this case, it apparently justified a "full enforcement" strategy, which as Goldstein (1977) suggests, put police in a "no-win" situation.

The new ideas, tactics and practices that emerged during the community policing era varied widely in style and substance; perhaps reflecting the vague and indeterminate conception of community policing itself. Some of these ideas reflected the philosophy of the professional model. Others rejected it; however, they may have done so in rhetoric only. What unifies most of these ideas is the notion that police should be involved in solving a wider variety of problems than officially recorded crime; and the assumption that more interactions, more collaboration, and more services provided to the community would build good-will. However, it is unclear that

it did so, and if not, these changes to policing represented an expansion of police power to no good ends, and potentially disastrous ones.

Crises of the 21st Century

For a decade, American police have been persistently embroiled in controversies, most involving police killings of Black men. Public attention to racialized police violence began ramping up in 2012 with the killing of Trayvon Martin. Though he was killed by private security guard rather than a sworn officer; it was at the point when Martin's killer George Zimmerman was acquitted for the offense that the official Black Lives Matter organization marks its founding. The movement, and public attention to the issue grew tremendously especially after the summer of 2014 with the killings of Michael Brown and Eric Garner. Narratives have framed both incidents as being the result of police confrontation over very minor offenses; Brown allegedly lifted a box of cigars from a convenience store, and Garner was selling loose cigarettes. In any case, the killings touched off major protests around the country that won both support and considerable backlash.

As the protests were ongoing, President Obama took the familiar step of convening a panel of experts to make suggestions on police reform. The President's Task Force on 21st Policing's final report (2015) was sorely lacking in *new* ideas for police reform. Mostly, the recommendations doubled down on community policing (part 4 of the report) and procedural justice (part 1). As such, the Task Force placed a major emphasis on *increasing* police-citizen interactions under the assumption that such interactions would be positive, thus enhancing police-community relations in the long term. Specifically, they encouraged more interactions in

communities that “typically have high rates of investigative and enforcement involvement.”²⁸ In other words, communities that have the lowest regard for police.

Indeed, the Task Force’s recommendations came nowhere close to meeting the moment; and especially in hindsight, they appear to be shockingly out of touch. Their proposed response to the disastrous— and ground-breaking—police-citizen encounters (i.e., police killings) in communities that mistrusted police, was to encourage more frequent police intervention in those very same communities. Their long-term proposal to improve police-community relation rested on the doubtful premise that such could be achieved by a greater frequency of contact. They relied on community policing and procedural justice ideas that have not been demonstrated to improve community trust, legitimacy, or confidence in police on a broad scale. Putting this aside, however, the Task Force had focused its attentions on community-relations at the expense of the more salient issue; the racialized police killings that had rocked the country.

The Task Force’s principal guidance on this issue was to propose that police departments across the country adopt body worn cameras; a recommendation that has been widely accepted. Many billions of public dollars have been spent to equip these cameras since 2015, and it is likely that a majority of American police departments use them today (Lawshe, Zimmerman and Stowell, 2022). Their proliferation has led to hundreds of research evaluations of their impacts. They have mostly been shown to have no discernible impact on police use of force (Ariel et al., 2016a; Ariel et al., 2016b); and there is little evidence supporting that they improve attitudes toward police (Lum et al., 2019). As with several other examples throughout policing history, this technocratic solution to a complex social problem has not been sufficient.

²⁸ See recommendation 1.5, page 14 of the report.

What is unique about the past decade, relative to other periods when the police institution has come under scrutiny, is the consistency of scandal. This may be the result of widespread smart-phone ownership, which makes images of police violence easier to capture and disseminate (see Sherman 2018). Following the summer of 2014, police killings have made major news on a weekly or monthly basis. Another climactic moment came in the summer of 2020, when the killing of George Floyd would provoke the biggest response to police violence yet seen. By some definitions, the protests that followed were the largest in American history (Buchanan et al., 2020).

Unlike 2014, the summer of 2020 saw new and radical ideas for police reform gain popularity, and for a brief moment, political support. “Defund the police” entered the public’s vocabulary during the summer 2020 protests. Though it is largely understood to be a political slogan encompassing a variety of ideas, protestors were successful in convincing the city councils of several cities to cut their police budgets (Lum et al., 2020). Protestors in Minneapolis pursued an even more ambitious proposal; to disband the Minneapolis Police Department, and replace it with a department of public safety, staffed mostly by non-sworn officers; who would presumably be responsible for official matters of policing (Coelho, 2021). Such a police force, in which officers do not have formal coercive authority have not existed in the United States since the 19th century. The proposal went to a city-wide vote in 2022 and was defeated. Cities that had cut their budgets have by and large restored them to their previous levels (Lum et al., 2021); and public polling indicates that the “defund the police” has lost public favorability since summer 2020 (Elbeshbishi and Quarthie, 2021). Though tensions around issues of policing have died down to some degree since summer 2020, the decade long crisis has not met a satisfying ending. There has yet to emerge a clear direction future reform.

Conclusion

I have argued that police in America have, over time, become increasingly focused on their mission to prevent crime. Their success in doing so has been limited, but their potential to violate liberty and reproduce social inequality has expanded. Consequently, the crime prevention mission has put police in increasing conflict America's ideals and citizenry. When the concept of a preventive police was introduced in the U.S. during the 19th century, it was immediately apparent that the crime prevention mission could be used to justify control of classes of people. In the early 20th century, a reform model emerged that almost singularly focused police on their crime prevention mission. While this implied potential threats to liberty and equality, the belief was that such threats could be mitigated by formalized control of police behavior and by tying police legitimacy to the legitimacy of the law. When the limits and contradictions of this model were fully revealed toward the end of the 20th century, new philosophies and models of reform emerged that, in spirit, would deemphasize crime prevention. These reforms, however, have not been particularly successful in doing so; indeed, in many cases, they have led to the opposite outcome, i.e., justifying more expansive police powers to the end of crime prevention. This unceasing pattern has come to a point of reckoning in the 21st century, with perpetual crises of policing across the last decade indicating a turning point where the future of police reform will be decided.

Informing forward-looking debates requires a recognition of this history and the reasons behind this pattern. While it is true that the police institution is resistant to change, it is for good reason. The contradictions and conflicting pressures placed on them make them so. From the moment uniformed police hit the streets they were involved in the inevitable conflicts of a multicultural and free society. As their profession and institution evolved, they received

conflicting pressures from the public, and grappled with contradictions regarding the reality and expectations of their work. Throughout history change has been thrust upon police, but it has meant having to adapt to a whole new set of incompatible demands. The increasing focus on the crime prevention mission, for the most part, has been performative simply been the most prudent course of action that relieves this pressure. The crime prevention mission has been the “role” for police that the most people could agree upon.

However, crime prevention has always been a myth, that is to say it has not nor ever will be the core of the police function. It comes secondary to the capacity and authority to coerce. What police “make available to society” (Bittner, 1970), is the brute force often needed for a required objective, which is a valuable resource placing police at the center of conflict as long as they hold it. Police themselves seem to have bought into the myth that they created, seeking to maximize the use of their coercive authority for the end of crime prevention; and it has worked against their ability to manage the conflicting pressures that they face. The analyses of police stops presented in the following chapters demonstrates this.

CHAPTER 2 – STOPS AND CRIME

Here, I move beyond the historical and begin to present empirical analyses that bear upon the case for depolicing in the present. They aim to inform a calculus of the costs and benefits of reducing the quantity of policing. Before presenting these analyses, I discuss what quantity might be the best measure of the construct of depolicing. After considering the various ways depolicing (and similar concepts) have been measured in the past, I make the case that police stops provide the best operationalization. While stops are but one kind of police intervention, they carry profound implications for liberty and equality. Next, I address the claim most likely to be raised in opposition to the case for depolicing; that it will increase crime. My analysis of the impact of stops on crime rates suggests that reducing stops would lead to limited or nil crime increases. Finally, I discuss implications of these limited benefits, weighing them against the social costs of stops, especially their disparate racial impacts.

Depolicing as Reducing Stops

Depolicing has been conceptualized in a variety of ways. When Black and Baumgartner (1980; 1987) introduced the term, they left its definition somewhat vague. Though never directly defining depolicing, they at various points refer to it indirectly as a reduction in the “quantity of formal social control” and as a reduced “number and power of police.” Criticizing Black and Baumgartner’s conception, Kelling (1998) uses the term strictly in reference to a reduction in police manpower (number of police officers on the force). More recently, depolicing has been examined in empirical research in reference to the so-called “Ferguson effect,” which suggests that police reduce their activity in response to scrutiny or criticism of their activities. In this context, Shjarback et al. (2017) considers reductions in traffic stops, searches, or arrests as

indications of depolicing. Rosenfeld and Wallman (2019) only consider arrests. Finally, the social movements critical of police that have emerged in recent years, have offered different conceptualizations of depolicing (though they do not generally use the term). The “defund” movement of course suggests reducing police budgets. The related police abolition movement emphasizes efforts to “disband, disempower, and disarm” police (see McDowell & Fernandez, 2018).

All of these conceptualizations capture different elements relating to the basic idea of reducing the footprint of police in society and limiting their capacity for harm. While it is beyond the scope of this dissertation to empirically examine each one of these various measures of depolicing, all may be worthy of further study. Several of them, however, relate to depolicing only tangentially, or may not be ideally suited for empirical analysis. For example, reductions in manpower (e.g., number of sworn officers) and reductions in police budgets do not necessarily entail changes in police activity (see Loftin & McDowall, 1982; Marvell & Moody, 1996). Meanwhile, the concept of disempowering police is difficult to operationalize; it more so refers to a quality of policing rather than a quantity. The disbanding and disarming of police could be operationalized, but instances where police departments have been disbanded or disarmed are rare, limiting the scope of such analyses (but see King, 2009).

In this chapter and the next, I examine only one operational measure of depolicing: Police stops (traffic and pedestrian). Among the measures mentioned, stops most directly capture the degree to which police *actively* choose to intervene in the lives of citizens. Police exercise a large degree of discretion in their decision to initiate a stop (Epp et al., 2014; Hannon et al., 2020); less so in their decision to conduct a search or make an arrest, which are in many cases incidental to stops. This hints at another theoretically relevant point. Stops are often the entry point of

involvement with the criminal justice system. They are the first point on a “carceral continuum” (Waquant, 2001) where the harms of the system imparted on the individual multiply at each successive point. Thus, reducing them may not only prevent the harms associated with stops themselves, but also those of searches, arrests, imprisonment and so forth.

Finally, a conceptualization of depolicing as reduced stops comports with a framing of depolicing as a *correction* of the destructive historical pattern described in Chapter 1. In that chapter, I describe how police have become overly focused on crime prevention, with practices that maximize police intervention proliferating as result. Among the potential operational definitions of depolicing mentioned, stops most directly capture the preventive efforts of police. Stops may be initiated prior to the occurrence of crime, with or without conclusive evidence of crime as justification. Thus, if depolicing can be potential antidote to the proliferation of polices’ crime prevention efforts, it is most appropriate to examine those efforts directly.

Stops and Crime

Within the criminological literature on deterrence, scholars have attempted to quantify a variety of police behaviors and assess their impact on crime (see reviews by Chalfin and McCrary, 2017; Nagin 1998; Nagin 2013). However, remarkably little of this research directly examines crime rates as a function of stops. The reason behind this dearth of research is simply that historically, stop data have been hard to come by. Unlike official crime and arrest records, police departments are not typically obligated to report records on stops. Moreover, maintaining these records may be resource-intensive undertaking for many agencies. Thus, historically few police departments in the U.S. have kept such records, and fewer still make those records easily available for researchers to analyze.

Only in the past few decades have stops data become more readily available. A handful of police departments have published their data voluntarily, or to comply with a court order (e.g., a consent decree), or because it is required by state law. Nearly half of all U.S. states now require local police departments to report records of stops (National Conference of State Legislatures, 2021); however, requirements of the types of data to be collected, as well as provisions for supplying said data for public use, vary considerably.

Even so, one of the most compelling analyses of the stops/crime relationship was published nearly fifty years ago. Boydston (1975) analyzed an experiment conducted by the San Diego Police Department that assigned three different experimental conditions to different areas of the city. In the first area, police went about their normal business with respect to stopping and questioning civilians. In the second, stops were conducted exclusively by officers who had received special supplementary training. Finally, in the third area, police officers were directed not to make any stops whatsoever. The study concluded that some stops in an area, compared to none at all, deterred crime to some extent; neither the training nor the ratio of stops leading to an arrest had a major impact on crime. To my knowledge, Boydston's (1975) work remains the only published research to experimentally manipulate (randomly assign) levels of police stops directly.

New York City was the first city to make its internal stop data fully publicly available. Several studies using this data have examined the stops/crime relationship, making up the bulk of published research on the topic. These data have limited generalizability, however, because NYPD tracks stops in the context of the department implementing its well-known "Stop and Frisk" initiative, which is considered to be an aggressive policing program (see White and Fradella, 2016). Smith and Purtell (2008) estimated the impact of NYPD stops on precinct-level

crime rates, using panel regression models. They found statistically significant negative (beneficial) effects of stops on rates of robbery, burglary, motor vehicle thefts and homicide, but no significant effects on assault, rape, or larceny. Rosenfeld and Fornango (2014) also employ panel regressions, using a different estimation method and including a more robust set of control variables in their models; they find no significant effects of stops on precinct level rates of robbery or burglary. Rosenfeld and Fornango (2017), noting that their previous study might not detect the impact of stops in more localized areas, conduct a similar analysis at the neighborhood (census tract) level. Some of their models show a statistically significant inverse relationship of stops and crime rates, but they conclude that the impact of increased stops are “relatively small and short lived” (pg. 946). Ferrandino (2018), finds no evidence of the efficacy of stops for reducing crime.

Other notable studies on the NYC’s stop and frisk do not necessarily speak to the overall relationship between stops and crime, but rather their impact in the context of a hot-spots policing strategy. One such program, “Operation Impact,” was in operation for the span of time the NYC data covers. The program involved identifying and targeting high crime areas known as “impact zones”; and deploying to these areas, i.e., dispatching a larger concentration of police directed to increase stop activity in those areas. Macdonald, Fagan, and Geller (2016) analyze the impact of this approach, using a difference-in-difference strategy. They find statistically significant reductions in most crime categories resulting from the increase in stops in block groups designated as an impact zones. They also found that stops based on “observable criminal behavior” rather than “general suspicion” were more effective for reducing crime. Weisburd et al. (2016), analyze the NYC data at an even smaller geographic units (street segments) and short

time intervals, finding that stops do indeed deter crime, but this deterrence only extends to small geographic distances and for short periods of time.

The body of evidence regarding the relationship between stops and crime is instructive in several ways. The handful of empirical studies reviewed above are consistent in that all of them find either no effect or a negative (beneficial) effect of stops on crime rates, and none find that stops increase crime. Those that find a crime-control benefit also find that those benefits are relatively small and localized in time and space. A chief methodological concern guiding these studies was the possibility of endogeneity and/or reverse causality, that is, whether a reciprocal process in which police responded to rising crime by making more stops might obscure the deterrent effects of stops. Another methodological issue, though unnoticed or unacknowledged in several of the studies cited above, is the quality of the raw data, specifically, the implausibly large variation over time in the number and rate of stops in New York recorded in the data.²⁹ Another limitation of the existing body of studies of the stops/crime relationship is that they are mostly based in New York City, which has country's largest population and police department; the findings may not allow us to draw more general conclusions.

To address these issues, I present the original analysis of data from four somewhat diverse cities: Denver, Los Angeles, Philadelphia and New Orleans. Additionally, I use panel methods designed to account for the potentially endogenous relationship between stops and crime.

²⁹ After a peak of 685,724 recorded citywide in 2011. Number of stops fell precipitously to 191,851 in 2013; and after the ruling in *Floyd v. City of New York*, fell to implausibly low numbers (14,000 or less per year from 2016-2020).

Panel Data Analysis

Incident-level stop, and crime data were obtained from open data portals from four U.S. cities: Denver³⁰, Los Angeles³¹, New Orleans³², and Philadelphia.³³ These data were used to construct a monthly panel dataset of patrol divisions within each city. These areas correspond to the key geographic and organizational boundaries of each city's police department. They are also comparable in terms of the population living within them. Denver contains six districts, New Orleans contains eight, Los Angeles and Philadelphia each contain 21, for a total of 56.³⁴ The panel covers a 71-month period from February 2014 through December of 2019. Thus, the full panel contains a total of 3,976 division-month observations.

Although the raw data included occurrences of a variety of crime types, I only used UCR Part 1 crimes³⁵ for the analysis because they are most likely to be comparable between cities and over time. Prior to calculating the division-month crime totals, I calculated city-year totals in order to compare them to the official totals reported to UCR, as a check of the reliability of the open datasets. Totals of murder, robbery, aggravated assault, burglary, larceny, and motor vehicle theft were very consistent between the two sources; however, counts of rape and arson showed major discrepancies. Given this, and the well-known measurement issues related to these two crime categories (Kaplan, 2021), I chose to exclude these crime categories when calculating crime rates.

³⁰ Denver data available here: <https://www.denvergov.org/opendata>

³¹ Los Angeles data available here: <https://data.lacity.org/>

³² New Orleans data available here: <https://datadriven.nola.gov/>

³³ Philadelphia data available here: <https://www.opendataphilly.org/>

³⁴ I excluded one district from New Orleans and one from Philadelphia. Both of them were the districts that contained major airports and had very small resident populations.

³⁵ These include criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny theft, motor vehicle theft, and arson.

Finally, the panel includes several measures of demographics, economics, and housing in each of the police districts. These measures were drawn from the American Community Survey (ACS) five-year estimate files. Since such estimates pertain to geographic areas defined by the U.S. Census Bureau, I used spatial interpolation to derive estimates for each patrol division. District estimates represent a sum of census tract estimates weighted by the proportion of their geographic area that intersects with each division.³⁶ Also, the ACS files do not provide point-in-time estimates; rather, they are estimates based on surveys taken continuously over a five-year period. Therefore, to derive monthly data, I applied the estimates to the month at the midpoint of the 5-year periods. For example, the June/July 2014 estimates are from the 2012-2016 ACS file. June/July 2015 estimates are from the 2013-2017 file, and so forth. Once the estimates for June/July of each year were merged into the panel dataset, I used linear interpolation to calculate values for the months in between. **Table 2.1** reports descriptive statistics for the variables used in the analysis of stops and crime.

³⁶ This strategy only works for count variables, therefore measures expressed in proportions or percentages required me to calculate the weighted sum of the relevant numerator and denominator. Also, the estimate for median household income required a different technique altogether. First, I calculated a weighted sum of total households in each patrol division, then I calculated an average of ‘median’ household income weighted by total households.

Table 2.1 Panel Descriptive Statistics for Stops/Crime Analysis

N=56, T=71, n = 3976

	<u>Mean</u>	<u>S.D.</u>
<u>Stops and Crime</u>		
Violent Crime Rate	70.60	59.25
Property Crime Rate	304.53	368.85
Stop Rate	1952.38	1589.35
% Pedestrian Stops	28.14	13.04
% Vehicle Stops	71.86	13.04
<u>Demographics</u>		
Total Population	118103	66538
% Males Aged 15-24	6.52	2.27
% Black	27.77	26.77
% Hispanic	27.64	24.74
% White	34.97	22.47
% Other Race	12.79	7.54
<u>Socio-Economic Indicators</u>		
% Poverty	21.67	9.29
% Female Headed Households w/ Children	29.28	14.68
% Vacant Housing Units	11.24	7.21
% Owner Occupied Housing Units	44.34	14.43
% Same Household	84.89	6.26
% Unemployed	7.86	3.56
Median Household Income	60098	20403

Notes. Crime and stop rates expressed per 100,000 residents. All Demographic and socioeconomic characteristics from ACS 5 Year survey estimates file.

Random Effects, Fixed Effects, First Differences. The impact of the rate of stops on the rate of violent crime (models 1-3), and their impact on the rate of property crime (models 4-6) were analyzed using three static panel estimators: random effects (RE), fixed effects (FE), and first differences (FD). In all models, crime rates and stop rates are both log-transformed (natural logarithms), thus coefficients may be interpreted as percent changes. Other than the rate of stops, each of the models has a different set of independent variables included. Models (1) and (4) include only month of year and city dummy variables. Models (2) and (5) also include a set of demographic and socio-economic control variables similar to those used in Rosenfeld and Fornango's (2017) analysis of stops and crime in New York City. These control variables include the percentage of the population aged 15-24; percentage Black; percentage Hispanic/Latino; percentage of female headed households with children; percentage of housing units that are vacant; percentage of people living in the same house as the year prior (residential mobility); percentage of the workforce unemployed; and median household income. These socioeconomic correlates are meant to minimize the risk of omitted variable bias. In addition to these predictors, models (3) and (6) include the percentage of stops that were pedestrian (as opposed to vehicle) stops in order to account for the fact that these two types of stops may differentially impact crime. Results for these models are reported in **Table 2.2**.

Table 2.2. Static Panel Regression Estimates of Stops on Crime (RE, FE, FD)

	Violent Crime ^a			Property Crime ^b		
	(1)	(2)	(3)	(4)	(5)	(6)
Random Effects	-.006 (.013)	.012 (.013)	.003 (.013)	-.009 (.008)	-.004 (.008)	.013 (.008)
Fixed Effects	-.040** (.013)	-.031** (.013)	-.009 (.013)	-.017** (.009)	-.012 (.008)	-.005 (.008)
First Differences	-.003 (.021)	-.003 (.021)	-.010 (.021)	-.026** (.011)	-.012 (.012)	-.012 (.012)
<u>IVs Included</u>						
Month Dummies	Y	Y	Y	Y	Y	Y
City Dummies	Y	N ^c	Y	Y	N ^c	Y
Control Variables	N	Y	Y	N	Y	Y
% Pedestrian Stops	N	N	Y	N	N	Y

Notes.

a: logged rate of Part I violent crimes (rape excluded) per 100k

b. logged rate of Part I property crimes (excluding arson) per 100k

c: FE models may not include city dummies as they are collinear with fixed effects.

p<.05* p<.01**

The FE, RE and FD estimates of stops on crime are unreliable both for violent and property crime. None of the RE estimates are statistically significant and they vary in sign. The FE estimates all have a negative sign but vary in magnitude. The largest effect sizes are observed in the simple bivariate models (1) and (4) which suggest that a 10 percent increase in stops leads to a 0.4 percent decrease in violent crime; or a 0.17 percent decrease in property crime. However, for both violent and property crime the effect of stops diminishes when control variables are included. For each FE and RE specification I employed a Hausman (1978) test to compare models. In all cases, the tests favored the FE specification, perhaps lending more credence to the assertion that the true effect is negative. However, since the FE and FD are equivalent estimators for static panels (Baltagi, 2021), the fact that their coefficients vary widely raises suspicion, indicating that there may be a dynamic process to the stops/crime relationship that static panel models cannot capture. Angrist and Pischke (2008, p. 184) suggest that in many such cases, a true estimate may be bounded between a fixed effects estimate and a lagged dependent variable (LDV) model estimate. I re-estimated the models specified above and added a one-month lag of violent crime to the predictors. **Table 2.3** reports the results of these models in comparison to the FE estimates.

Table 2.3. LDV vs. FE Estimates

	Violent Crime			Property Crime		
	(1)	(2)	(3)	(4)	(5)	(6)
Lagged DV	.135** (.012)	.093** (.01)	.1** (.01)	.03** (.004)	.021** (.005)	.022** (.005)
Fixed Effects	-.040** (.013)	-.031* (.013)	-.009 (.013)	-.017** (.009)	-.012 (.008)	-.005 (.008)

p<.05* p<.01**

The lagged dependent variable models suggest that stops *increase* crime. All estimates were positive and statistically significant. They suggest that a 10 percent increase in stops leads to an increase in violent crime between 0.9 and 1.35 percent, or an increase in property crime of between 0.2 and 0.3 percent. Since all FE estimates were negative, zero lies within the bounds of the LDV and FE estimates, therefore the comparison is uninformative as to the true sign of the relationship.

The results of the analysis thus far suggest that the relationship between stops and crime may be endogenous. That is, causality flows in both directions and/or in different time intervals. As noted, prior research on the stops/crime relationship has arrived at the same conclusion (e.g. Rosenfeld and Fornango, 2017; 2014; Weisburd et al., 2016), as has research on the effects of other preventive police behaviors (e.g. Wu et al., 2021; Kubrin et al., 2010).

Panel ARDL Models. Absent random assignment, economists have proposed several methods to disentangle the relationship between police activity and crime. Perhaps the most popular methods are the Arellano-Bond difference GMM (Arellano and Bond, 1991) and the related system Generalized Method of Moment estimation strategy (Arellano and Bover, 1995; Blundell and Bond, 1998). These methods rely on lags and differences of endogenous variables for identification (see Roodman, 2007 for description). These methods are designed for a large cross-sectional panels and short time series, however; they have been shown to perform poorly with long time series. Autocorrelated errors are of greater concern (Pesaran and Smith, 1995). Given the relatively large number of months ($T=71$), I used the mean group (MG) and the pooled mean group (PMG) estimators proposed by Pesaran and Smith (1995; Pesaran, Shin and Smith, 1998). These methods, among a family of models known as panel autoregressive distributed lag

(ARDL) models, similarly rely on lags and difference equations to deal with endogeneity and employ an error correction term to adjust for autocorrelated errors.

Since regressions of non-stationary time series often produce spurious results (Granger & Newbold, 1974), specification of the panel ARDL model begins with unit root tests for all variables. I used three different unit root tests: the IPS test (Im, Pesaran and Shin, 2003), the LLC test (Levin, Lin and Chu, 2002) and the augmented Dickey-Fuller (ADF) test (Dickey and Fuller, 1979). Results of these tests (not shown) support the assumption that each of the variables used in subsequent models are stationary at levels or first differences.

I next determined the appropriate lag structure for each model by running a multivariate time series procedure on each of the 56 panels. The procedures test the fit of models employing up to 3 lags on each variable.³⁷ The full panel models use the most common lag for each variable among the best 56 best fitting time series models.

Panel ARDL models were estimated with four different specifications. Specification (1) is the simple bivariate model with the logged rate of stops as the only independent variable. Specification (2) also includes the percent pedestrian stops as an independent variable. Specification (3) includes percent pedestrian stops as well as the 9 demographic and socioeconomic controls that were included in the analysis previously. Specification (4) includes these control variables but does not include the percentage of pedestrian stops. **Table 2.4** reports results of these models with the logged violent crime rate as the outcome. **Table 2.5** reports results for property crime.

³⁷ This was achieved with the user written “ardl” command in Stata 17 (Kripfgantz et al., 2016)

Table 2.4. Panel ARDL Results for Violent Crime

	Specification							
	<u>(1)</u>		<u>(2)</u>		<u>(3)</u>		<u>(4)</u>	
<u>Long Run Estimates</u>								
ln(Stop Rate)	-.019 (.019)		-.005 (.018)		.012 (.017)		-.032 (.018)	
% Pedestrian Stops			.005 ** (.001)		.008 ** (.001)			
% Males aged 15-24					.006 (.012)		-.015 (.013)	
% Female Headed Households w/Children					.00001 (.002)		-.004 (.002)	
% Black					.004 (.004)		.000 (.005)	
% Hispanic					-.005 (.004)		-.017 ** (.005)	
% Vacant Housing Units					-.003 (.004)		.018 ** (.004)	
% Same Household					.013 ** (.005)		.021 ** (.005)	
% Unemployed					-.019 ** (.004)		-.002 (.004)	
Median Household Income					.0001 ** (.0001)		.0001 (.0001)	
<hr/>								
Error Correction Term	-.645 ** (.022)		-.654 ** (.024)		-.709 ** (.021)		-.679 ** (.020)	
<hr/>								
<u>Short Run Estimates</u>								
Δ ln(Stop Rate)	.057 ** (.017)		.057 ** (.017)		.058 ** (.017)		.066 ** (.017)	
Δ % Pedestrian Stops			.001 (.001)		-.001 (.001)			
<hr/>								
p<.05* p<.01**								

Table 2.5. Panel ARDL Results for Property Crime

	Specification							
	<u>(1)</u>		<u>(2)</u>		<u>(3)</u>		<u>(4)</u>	
<u>Long Run Estimates</u>								
ln(Stop Rate)	-0.068	**	-0.061	**	-0.062	**	-0.071	**
	(.014)		(.014)		(.013)		(.013)	
% Pedestrian Stops			.002	**	.002	**		
			(.0001)		(.001)			
% Males aged 15-24					.024		.014	
					(.011)		(.011)	
% Female Headed Households w/Children					-.005	**	-.006	**
					(.002)		(.002)	
% Black					-.014	**	-.018	**
					(.004)		(.004)	
% Hispanic					-.016	**	-.018	**
					(.004)		(.004)	
% Vacant Housing Units					.013	**	.020	**
					(.004)		(.004)	
% Same Household					.010	**	.012	**
					(.004)		(.004)	
% Unemployed					.004		.008	**
					(.003)		(.003)	
Median Household Income					.0001		.0001	
					(.0001)		(.0001)	
<hr/>								
Error Correction Term	-.491	**	-.487	**	-.516	**	-.522	**
	(.023)		(.023)		(.024)		(.023)	
<hr/>								
<u>Short Run Estimates</u>								
Δ ln(Stop Rate)	.033	**	.040	**	.043	**	.035	**
	(.012)		(.012)		(.012)		(.012)	
Δ % Pedestrian Stops			.002	**	.002	**		
			(.001)		(.001)			
<hr/>								
p<.05* p<.01**								
<hr/>								

Table 2.6. Subgroup Estimates

	Violent Crime		Property Crime	
	<u>Long Run</u>	<u>Short Run</u>	<u>Long Run</u>	<u>Short Run</u>
Low Crime	-.052 (.033)	.109 (.049)	-.130 (.020)	.085 (.017)
Medium Low Crime	-.010 (.035)	.062 (.024)	-.051 (.022)	.004 (.015)
Medium High Crime	.028 (.029)	-.002 (.026)	.047 (.026)	.013 (.030)
High Crime	.002 (.040)	.078 (.036)	-.026 (.027)	.059 (.032)

p<.05* p<.01**

Table 2.7. Panel Granger Causality Tests

H ₀ : No Granger Causality H ₁ : Granger Causality	<u>Test Statistic</u>		
	Wald	Z	Z-tilde
Stops → Violent Crime	1.634*	3.355*	3.026*
Violent Crime → Stops	1.175	0.927	0.724
Stops → Property Crime	2.629**	8.620**	8.016**
Property Crime → Stops	1.023	0.122	0.038

Notes. Results for the best fitting among models with 1-21 lags chosen by AIC. P-values calculated via bootstrap of 1000 replications.

p<.05* p<.01**

Overall, the results presented here do not inspire a great deal confidence that stops can prevent crime to any substantial degree. Looking to full sample long-run estimates for violent crime, none are statistically significant, and their signs vary. For property crimes, however, Long-run coefficients are all negative and statistically significant, suggesting a crime reducing impact of stops. Even so, these estimates are practically small, the largest among them in the full sample results is $-.071$, suggesting that doubling the rate of stops (a 100 % increase) would achieve a modest 7.1 percent decrease in the rate of property crime. Those more bullish on the crime reduction potential of police stops may point out that they may be more effective if concentrated in high crime areas (and yield more absolute gains). Table 2.6 reports estimates using model (3) and running it separately on 4 quartiles of average crime rate. These results suggest the opposite; that the greatest relative crime prevention benefits from stops occur in places with the lowest levels of crime.

Caution is of course warranted before reading too much into these results. The panel ARDL and other methods of the kind are somewhat complex; while they can in theory deal with endogeneity, they can lead to misleading results even with minor misspecifications. Assuming this estimation strategy did not purge the influence of reverse causality from the estimates; tests, such as those reported in **Table 2.7**. are in order. I use the panel Granger causality test procedure proposed by Dumitrescu and Hurlin (2012). Results indicate that causality flows only in one direction; from stops to crime. There is no significant relationship flowing from suggesting that the endogeneity issue may not be as big of a concern as expected.

Stops and Racial Disparity

The growing literature on police stops contains only a handful of studies on the stops/crime relationship. Far more scholarly attention has been paid to examining stops in the

context of racial disparity or racial discrimination by police. Racial disparities in police behavior including arrests and use of force have been extremely well documented (Smith et al., 2016; Kochel et al., 2011; Zimring, 2017) as they are for a variety of criminal justice system outcomes (recent reviews by Fernandes & Crutchfield, 2018; Kovera, 2019). Stops are no different. In particular, research on stops almost universally shows that people of color, and Black people especially, are stopped at rates disproportionate to their share of the population (e.g., Pierson et al., 2020; Lofstrom et al., 2021).

The stop data used for the analysis in the previous section also demonstrates the pattern. **Table 2.8** reports means and standard deviations of race-specific stop rates for four racial categories (White, Black, Hispanic, Other) as well as measures of racial disparity. Disparity measures are rate ratios, including the ratio of the Black stop rate to the white stop rate, as well as the rate ratio of non-white (including Black, Hispanic and other) to white stop rate. These suggest that, on average, Blacks carry a risk of being stopped by police that is 3.14 times greater than whites. Also, non-whites have a risk of being stopped 1.76 times greater than whites.

Table 2.8. Stop Rates and Inequity

	<u>Mean</u>	<u>S.D</u>
Race Specific Stop Rates (per 100k)		
White	1645	1820
Black	4217	4422
Hispanic	1430	1561
Other	822	836
<hr/>		
Measures of Inequity (Rate Ratios)		
Non-White: White	1.76	1.10
Black: White	3.14	2.10

What is to be made of the racially disparate pattern of stops observed in this data and elsewhere? Police have defended racial disparities in stops, typically arguing that they do not reflect racial *discrimination* on their part, but merely differences in criminal involvement between racial groups. Further, they contend that enforcement directed disproportionately toward groups with higher levels of criminal involvement makes for a more efficient and effective crime reduction strategy. Research has supported this defense in some cases (e.g., MacDonald & Braga, 2019), but mostly casts doubt upon it, generally finding that differential rates of criminal involvement cannot fully account for disparities in stops (e.g. Gelman et al., 2007; Crutchfield et al., 2012). Even so, research on racial discrimination in police actions typically adopts the reasoning typically expressed by police in defense of racially disparate actions. Convention in this line of research dictates that claims of discrimination, at minimum, must be based on findings that racial differences exist above and beyond some benchmark that quantifies differences in criminal involvement (see Neil & Winship, 2019; Ridgeway & MacDonald, 2010).

While this logic is consistent with a common understanding of police discrimination (Neil & Winship, 2019). It also reflects the belief in crime prevention as the core function of police. This logic conveys the normative principle that it is acceptable to subject groups to disparate police treatment based on disparate criminal involvement. On a utilitarian basis, however, that principle is not justifiable in the absence of crime prevention. There is no basis to treat racial groups differently (a harm in itself) based on their involvement in crime, if doing so does not prevent crime. A measure of nuance enters this discussion in the case of limited (minor) crime prevention such as what is demonstrated for stops in the previous section.

Many have noted that common benchmark measures of criminal involvement by race, including arrests, known offenders, and so forth, may reflect bias themselves (e.g. Goff & Kahn,

2012). Thus, another strain of research on race and police behavior uses standards other than crime/criminal involvement as the basis to infer racial bias. For example, Grogger and Ridgeway (2006) pioneered the well-known “veil of darkness” test, comparing the racial distribution of traffic stops during daytime with that after dark, when officers are presumably less likely to know the race of drivers due to reduced visibility. This approach and others like it, while creative, assume that racial discrimination is merely the sum of individual officers’ decisions. Kohler-Hausmann (2018) critiques such approaches on several grounds. They note that discrimination is a “thick ethical concept” that cannot be explained at a single level of analysis. Also, they note that such approaches, in essence, attempt to isolate the causal effect of race, and race alone, in order to infer racial discrimination. This analytic strategy cannot be reconciled with the counter-factual causal model of causality, nor the theoretical notion, accepted by most sociologists and criminologists, of race as socially constructed. Kohler-Hausman notes: “DISCRIMINATION is a thick ethical concept that at once describes and evaluates the actions to which it is applied, and therefore, we cannot detect actions as discriminatory by identifying a relation of counterfactual causality” (p. 1163).

Overall, the conventional approach to researching race and policing rests on normative assumptions and beliefs about policing that may not be useful to evaluating the case for depolicing. These include the belief that police do, or ought to prevent crime; and that police ought to focus their efforts on groups with the highest rates of crime. The concept of depolicing is largely a rejection of these beliefs, and therefore may be best evaluated on a utilitarian basis which weighs total costs and benefits.

Discussion

The analyses presented here mostly support the case for depolicing. While the results of the stops/crime analysis do suggest that reducing stops may increase crime, they also suggest that such increases are small, limited to less serious crime (property crime), and most pronounced in areas with low rates of crime to begin with. The social costs related to stops, especially inequitably distributed stops, would seem to far outweigh the minor crime prevention benefits shown. Even so, these findings are not a revelation. Almost no credible research demonstrates that police actions have a *large* impact on crime. Even the most aggressive and highly targeted enforcement strategies, hot-spots for example, yield rather small benefits (Braga et al., 2014). Meanwhile, the substantial harms of police contact are consistently well-documented (Bandes et al., 2019). Nevertheless, there is a reason why depolicing has rarely been considered in the past. It is based on the normative belief that police *ought to* prevent crime because it is their primary reason for existence in society. Consequently, in the face of evidence that police do not have a substantial impact on crime, many people conclude that they must do more. Indeed, this logic is deeply entrenched in the public psyche as well as the police institution. It also presents itself clearly in academic research on race and policing. All of this works against the case for depolicing because it focuses the discussion on the potential for crime prevention benefits brought by police and discourages broader consideration of costs. Challenging this logic may be the most challenging aspect of effectuating depolicing.

CHAPTER 3 - STOPS AND DEADLY FORCE

Here, I examine the goal at the top of the agenda for police reform: Reducing deaths at the hands of police. Fatal police-citizen encounters have initiated and deepened the crisis that has engulfed American policing over the past decade. The social costs of these incidents are incalculable. Aside from the tragic loss of life involved, and their implications for police legitimacy, they have become a perpetual source of broader social conflict. They have contributed to increased political polarization (see Leach & Teixeira, 2022) which manifests as racial polarization. Black and white Americans' confidence in police has never diverged as sharply as it has in recent years (Jones, 2020). High-profile deadly force incidents have also proven catastrophic for police organizations. They typically result in police chiefs being fired or resigning. Morale of rank-and-file officers is at a low point. Many police believe they are subject to an unjustified "war on cops" (Maguire, Nix & Campbell, 2017), which has led to high turnover rates in police departments, apparently prompting many officers to leave the profession entirely (see Mourtgos, Adams & Nix, 2022).

These are just a few of the troublesome consequences of deadly force that have left police leaders and the interested public desperate for solutions. Unfortunately, few promising policy solutions have emerged that show potential for reducing use of force and preventing disastrous outcomes. This reflects the reality that the phenomenon of deadly force is poorly understood. Research on the topic is underdeveloped, but what is known suggests it is an extraordinarily complex phenomenon, with context specific causes. This hinders the development of easy policy proscriptions. Below, I briefly review basic research on deadly force as well as research evaluating policies designed to reduce it. Next, I replicate one of the more thoughtful examples of deadly force research to provide a starting point for an analysis of the relationship between

stops and police shootings. Results suggest that reducing stops would reduce the frequency of police shootings. The findings are a boon to the case for depolicing.

Deadly Force Research

Policing scholars have long recognized that deadly force is one of, if not the most important phenomena for their field to study and understand (see Sherman and Langworthy, 1979; Fyfe, 2002). Unfortunately, it is not well understood. Less is known about deadly force than other, less consequential, police behaviors (Klinger, 2008; 2011). Research on deadly force has been hampered by several factors. Most importantly, poor measurement of the construct. Until recently, it relied on the UCR's Supplementary Homicide Reports (SHRs) which track "justifiable homicides" by police; as well as Vital Statistics records (death certificates) that track "deaths by legal intervention." These official sources have been shown to substantially undercount killings by police (Finch et al., 2022; Feldman et al. 2017); and rates constructed from these data contain severe systematic measurement errors that make them unsuitable for purposes of comparison (Renner, 2019; Loftin, McDowall and Xie, 2017).

Early studies on deadly force (Sherman & Langworthy, 1979; Liska & Yu, 1992; Sorensen et al., 1993; Jacobs & O'Brien, 1998) employed these unreliable official data sources. They examine variation in rates of police killings across large units of analysis (i.e. cities and states). They examined structural factors such as levels of violence, levels of disadvantage, inequality, and racial composition. Their findings were mixed with regards to economic disadvantage and inequality. However, most find that places with larger Black populations had higher rates of killings by police (excepting Jacobs & O'Brien, 1998). All show that levels of violent crime are positively associated with killings by police. While their findings are somewhat

consistent, they are based on unreliable data. In addition, their use of large homogenous units of analysis may mask important variation in smaller areas (Klinger et al., 2016; Sherman, 2018).

An explosion of new research (e.g. Ross, 2015; Mitchell & Chihaya, 2022; Edwards et al., 2018) has coincided with the advent of new “unofficial” data on police killings, which relies on news-media reports to track the phenomenon. These data are shown to be much more reliable (Zimring; 2017; Renner, 2019). However, they track deaths at the hands of police, which is not equivalent to the construct of interest: use of deadly force. People may die during encounters with police through the use of less than deadly force and/or the use of deadly force (e.g., a shooting) may not result in death (see Fyfe, 1978). A better approach to this issue is to limit analyses to police killings by gunfire; however, this too may be a poor proxy for use of deadly force as the rate of those shot by police that die varies considerably and unpredictably (Geller and Scott, 1992; Hanink, Renner & Bates, 2022). An ideal approach then, is to employ data on police shootings (fatal or otherwise); which operationalizes the construct as a behavior (deadly force) rather than an outcome of that behavior (death).

In this vein, individual-level research is perhaps the most common. It carries limited utility for informing policy, however, because it is typically focused on the impact of immutable personal characteristics on officers’ decision to use deadly force. Most frequently, studies center on whether race is a factor in the decision to shoot (e.g. Fryer, 2019; Duran & Loza, 2017), however they also explore other characteristics such as gender, age and officer years of experience (e.g., Ridgeway, 2020). This research offers a mixed set of results regarding these factors, which may in part stem from the difficulty of choosing appropriate counterfactual (did not shoot) cases to compare to cases where officers fired their weapons (see Fridell, 2017). Several criteria for selecting such cases have been proposed and tested, each of them with their

own limitations (see Phillips & Kim, 2021; Worall et al., 2020). Besides their inconsistent findings, individual-level studies offer few policy implications because they generally examine factors that are out of the control of police to change.

Studies that examine the contextual (including neighborhood-level), and situational determinants of deadly force may provide the greatest policy insight (Sherman, 2018). Most of them show a strong association between officers' decisions to shoot and aggressive citizen behaviors including the wielding of a firearm (Jennings et al., 2019; Jetelina et al., 2020; Wheeler et al., 2018; Nix et al., 2017). Most also find that shootings are more likely in neighborhoods with high levels of violence and/or crime (Klinger et al., 2016; Wheeler et al., 2018). The extant literature on deadly force paint a picture of a complex and context-specific set of factors determining officers' decision to shoot and the rates of deadly force in aggregate areas.

Policies to Prevent Deadly Force

Policies and practices aimed at reducing deadly force may be placed into three categories. They may intervene before, during or after a potentially deadly police-citizen encounter. After the fact policies include those based on punishment, to deter inappropriate use of deadly force by police. Historically, police officers have rarely faced criminal sanctions as a consequence of using deadly force (see Sherman, 2018); and they enjoy broad protections from civil liability for the same (Schwartz, 2014). Meanwhile, they are not immune from internal discipline that can result from violations of official departmental policy. More restrictive deadly force policies may make some difference in rates of killings by police. Sherman (2018) details the circumstances beginning during the late 1960s that led most big-city police departments to officially ban the practice of shooting fleeing suspects.³⁸ Sherman and Cohn (1986) reported sizable decreases in

³⁸ The policy was implemented nationwide following the US Supreme Court decision in *Tennessee v. Garner*.

police shooting deaths following the policy change. By contrast, White (2001) finds limited impacts of changes in formal policy. Many have remarked that changes to official policy alone are not adequate to substantially curb rates of police shootings and killings. They suggest broader organizational and departmental culture changes are needed in addition (Fyfe, 1982; White, 2001; Klinger, 2005; Sherman, 2008).

Other after-the-fact policy proposals are intended not to prevent shootings, but to prevent deaths after they have occurred. These involve the medical care rendered to citizens struck by police gunfire. Sherman's (2018) proposal that officers be trained to apply hemostatic bandages (see Rhee et al., 2008) at shooting sites has yet to be evaluated in a policing context. Another proposal, to adopt "scoop and run" protocols, in which shooting victims are immediately transported to hospitals in police vehicles, shows little promise for saving lives in initial evaluations (Band et al., 2014). Likewise, Renner, Hanink and Bates (2022) show that driving distance from the scene of a police shooting to the nearest level I trauma center does not predict whether shooting victims survive. Meanwhile, their sample of citizens struck by police gunfire have a far higher fatality rates than national estimates of fatality rates for gunshot victims generally. They speculate that this stems from the fact that police are highly trained with firearms, and generally shoot to kill. This suggests that Zimring's (2017) proposal for "ceasefire protocols" that limit the number of bullets fired by officers during a shooting. Relatedly, Zimring's (1972) finding that the transition of American police officers service weapon from revolvers to semi-automatic pistols increased police shooting deaths.

Policy interventions intended to change behavior during encounters take a variety of forms. Most well-known are body cameras, which have been widely equipped in police departments across the country. Their rationale as it relates to reducing use of force is that the

knowledge of being recorded has a “civilizing” effect on both officers and citizens (Choi et al., 2022); making encounters less likely to escalate to a fatal outcome. De-escalation training, and crisis intervention training have a similar rationale. However, evaluations suggest that none are likely to reduce use of deadly force (Ariel et al., 2016A; Ariel et al., 2016B; Lum et al., 2019; Engel et al., 2019; Compton et al., 2008). More promising agendas for reducing police shootings and deaths involve more dramatic changes to police organizations. Sherman (2018) proposes that police agencies adopt principles from accident prevention and system crash frameworks (Perrow, 1984). The approach would redesign systems across police organizations to be in better communication and in-sync. Sherman (2018) acknowledges the approach would be difficult and time consuming.

Strikingly omitted from discussions of policy solutions to prevent deadly force are proposals to minimize police-citizen interactions. As each carries a risk of catastrophe. Though crude as far as policy solutions go, depolicing would seem likely to work to reduce police shootings and deaths. this possible solution is addressed below via an analysis of police shootings in Los Angeles.

Replication and Extension of Klinger et al. (2016)

Klinger, Rosenfeld, Deckard, and Isom (2016) examined police shootings in 355 census block groups in St. Louis between 2003-2012. Their study used Poisson regressions to explore the determinants of the police shootings in St. Louis block groups. Their analysis is primarily focused on the relationship between shootings and firearm violence, measured with an index of firearm violence (gun murders + gun assaults + gun robberies) per 1000 residents. Klinger et al.’s main models also include several other predictors; the percentage of block group residents that are Black, median household income, percentage of owner-occupied housing units, and the

percentage of adults with some college education. Additionally, the Poisson models include a queen's contiguity spatial lag, and employ the total population of the block groups as an exposure term. Finally, the authors explore whether a curvilinear relationship exists between police shootings and firearm violence.

My replication of the Klinger et al. study employs the same models and predictors, using data from the city of Los Angeles between 2010-2018. However, I employ different units of analysis, specifically, larger areas known as "car polygons,"³⁹ which are 169 areas of the city used by LAPD to coordinate patrols. Two of these were excluded because their boundaries were completely contained within a seaport or airport. This left a sample of 167 car polygons, across which, there were a total of 357 police shootings during the 9-year period.

Means of selected variables by the number of police shootings are displayed in **Table 3.1**. Klinger et al.'s (2016) original results are reported in **Table 3.2.**, and replication results from Los Angeles are reported in **Table 3.3**.

³⁹ Police stop data from LAPD is not point geocoded. The smallest area it can be resolved is called an LAPD reporting district, there are 1,136 reporting districts within the city of Los Angeles, they are generally smaller than block groups which Klinger et al use. I chose to use car polygons for two reasons: the validity of the independent variables measures in the ACS was only available for larger areas (tracts). Also, the excessive amount of reporting districts with zero police shootings, could cause estimation problems.

Table 3.1. LA Car Polygons Variable Means by Number of Police Shootings

Variable	# of Shootings								
	0	1	2	3	4	5	6	7	8
Index of Firearm Violence	1.7	1.1	1.6	2.1	2.4	3.0	3.9	3.4	4.0
Violent Crime Rate	7.2	5.3	7.7	8.1	11.0	9.7	13.1	10.9	33.8
Stops (per capita)	2.2	1.7	2.3	1.8	3.5	2.0	2.7	2.1	7.7
Pedestrian Stops (per capita)	0.6	0.4	0.8	0.5	1.0	0.5	0.8	0.5	4.2
Vehicle Stops (per capita)	1.6	1.2	1.5	1.3	2.5	1.5	1.9	1.6	3.5
% Black	7.4	9.7	11.1	14.9	9.7	17.4	13.5	15.8	26.9
% Hispanic	40.0	40.4	47.8	53.9	65.3	75.7	78.9	74.7	47.9
Median Income (\$1k)	73.0	66.9	56.2	51.6	45.5	41.7	39.5	34.7	30.3
% Owner Occupancy	40.3	35.6	31.7	33.3	29.8	31.5	30.0	28.9	17.7
% College Educated	38.3	38.5	30.0	24.7	20.0	10.7	9.8	9.5	20.5
n	26	44	42	23	16	7	4	3	2

Table 3.2. Klinger et al. (2016) Results

Variable	(1)	(2)	(3)	(4)
Index of Firearm Violence	.520 ** (.062)	.520 ** (.062)	.522 ** (.060)	1.450 ** (.256)
% Black	.589 (.303)	.478 (.971)	.591 (.297)	-.064 (.333)
Median Household Income	.012 * (.006)	.012 * (.006)	.024 (.015)	.012 * (.005)
% Owner Occupied Homes	-.660 (.348)	-.674 (.370)	-.726 (.361)	-.267 (.345)
% College Educated	-1.12 (.624)	-1.12 (.628)	-1.18 (.619)	-.960 (.607)
Spatial Lag	.153 (.117)	.151 (.118)	.154 (.117)	.105 (.109)
% Black ²		.098 (.847)		
Median Household Income ²			-.0001 (.000)	
Index of Firearm Violence ²				-.174 (.047)
Pseudo R ²	.208	.208	.209	.225
Chi ²	226 **	226 **	230 **	218 **
p<.05* p<.01**				

Table 3.3. Replication Results: Los Angeles

Variable	<u>(1)</u>	<u>(2)</u>	<u>(3)</u>	<u>(4)</u>
Index of Firearm Violence	.193 ** (.036)	.188 ** (.037)	.188 ** (.037)	.629 ** (.144)
% Black	.001 (.004)	.008 (.012)	.008 (.012)	-.010 (.013)
Median Household Income	-.008 (.008)	-.008 (.008)	-.009 (.018)	-.003 (.019)
% Owner Occupied Homes	-.011 (.006)	-.011 (.006)	-.010 (.007)	-.006 (.007)
% College Educated	-.004 (.007)	-.004 (.007)	-.004 (.008)	.007 (.008)
Spatial Lag	.066 (.058)	.064 (.057)	.063 (.058)	.030 (.061)
% Black ²		.00001 (.0001)		
Median Household Income ²			.00001 (.0001)	
Index of Firearm Violence ²				-.041 * (.016)
Pseudo R ²	.216	.217	.217	.236
Chi ²	158 **	159 **	159 **	173 **
p<.05* p<.01**, n=167				

The Los Angeles replication produces results very similar to Klinger et al.'s original study. With the exception of the effect of median household income (which was significant in the Klinger et al. study), the Los Angeles the pattern of results (in terms of sign and significance of predictors) is identical. Both sets of results (models 1-3) indicate that the linear term for firearm violence is positively related to police shootings. This is consistent with expectations. However, several plausible explanations for this finding are not distinguishable with present data. For example, people in areas with higher rates of violence may act more threateningly toward police when confronted, making them more likely to be shot. Alternatively, police may associate higher violence areas with danger, thus feeling more threatened by, and more likely to shoot, those they confront. Finally, it is possible that police simply interact with citizens more frequently in areas with higher rates of violence, with each additional encounter adding to the risk of a shooting.

Model (4) indicates that in both the original study and the replication the positive relationships between stops and crime exists only to a point. The quadratic terms for firearm violence in both sets of results are statistically significant with a negative sign. This suggests that police shootings occur relatively less frequently in areas with the *highest* levels of violence. Klinger et al. (2016) offered a few possible explanations for this finding, which remain useful in considering the parallel replication-study findings. First, people in highest crime areas may act differently toward the police such that they are less likely to be shot. Instead, police may be more attentive and conscientious while working in areas with highest levels of violence, lessening the risk that encounters escalate to deadly force. Finally, police may avoid interactions with citizens in the highest crime areas (Klinger et al., 2016). Once again, the results lend little insight for distinguishing these explanations.

Accounting for Stops

Accounting for a measure of the frequency police citizen interactions can shed light on the explanation for observed relationships. **Table 3.4.** displays results when the rate of stops (per capita) is added as a predictor in models previously described. Model (5) adds stops to the linear model (no quadratic terms). Model (6) adds the stop rate to model that includes a quadratic term for firearm violence. Model (7) includes a quadratic term for the rate of stops.

Table 3.4. Stops Partially Account for Violence/Shootings Relationship

Variable	<u>(5)</u>	<u>(6)</u>	<u>(7)</u>
Stops (per capita)	.094 ** (.050)	.097 ** (.024)	.212 ** (.055)
Stops (per capita) ²			-.005 * (.002)
Index of Firearm Violence	.061 (.050)	.534 ** (.152)	.071 (.049)
Index of Firearm Violence ²		-.048 ** (.018)	
Pseudo R ²	.234	.255	.236
Chi ²	171 **	186 **	176 **
p<.05* p<.01**			

The stop rate is statistically significant in all models. This suggests that stops themselves have an independent effect on police shootings. When stops are included in the linear model (5) the measure of firearm violence is no longer statistically significant. The measure is significant in the model with the quadratic term (6); however, the effect is attenuated compared to the model (4) shown in **Table 3.3**. Model (7) includes a quadratic term of stops, which is negative and statistically significant, suggesting that relatively fewer overall shootings occur in places with the highest rates of stops.

Discussion

Top-line results from the analysis of police shootings in Los Angeles suggest that stops are a strong predictor of deadly force. They have an independent effect on the frequency of shootings and partially account for the relationship between firearm violence and shootings found in Klinger et al.'s of St. Louis study as well as the Los Angeles replication. This generally suggest that the risk of a shooting increases with each successive police stop in an area. Importantly, in the quadratic models, which have the best fit, they do not fully account for the relationship. In these cases, the main effect of firearm violence remains significant, along with stops. This suggests that something about higher firearm violence areas makes police-citizen encounters more likely to result in a shooting. Presumably this has to do with the behavior of citizens, or the mindset of police. Of course, this relationship holds only to a point. The highest violence areas have a relatively lower number of shootings. One of possible explanations Klinger et al. (2016) gave for this result in their original study was that police disengaged (had relatively fewer police citizen interactions) in very high crime neighborhoods. If that were the case, including stops in the model might account for that quadratic relationship. It does not, thus it appears that particular explanation can be ruled out. A final, unexpected, result is the significant

quadratic term of stops; suggesting that shootings are relatively less likely in the areas with the highest rate of stops. There are several plausible explanations for this. For example, citizens in areas subject to a very high rate of stops may adapt their behavior. Being accustomed to interactions with police, they may adapt behaviors that are less likely to provoke a shooting. Otherwise, it has been suggested that police are most likely to shoot during situations with high levels of interactive complexity (see Klinger, 2005; Sherman, 2018). That is, situations that officers are least accustomed to, and most unpredictable. In areas with the highest frequency of stops, those stops may be more routine and predictable, situations in which officers have the most experience managing without violence.

These results suggest that depolicing by reducing stops could reduce police shootings which have been so catastrophic for police and the public in recent years. Nevertheless, they also paint a picture of a very complex causes deadly force. They cannot be interpreted to suggest that the quantity of policing (police-citizen interactions) is the only or predominant factor determining deadly force. The risk of shooting involved in each encounter vary depending on the context and situation, suggesting that policies that minimize that risk during encounter may too be effective in reducing deadly force. However, policies proposed thus far have been either ineffective or may require involved and long-term changes to policing. They may be worth pursuing in the long term, but the acute crisis related to police use of deadly force demands more immediate action. To meet the urgency of the crisis, depolicing might be the best option.

CHAPTER 4 – THE CASE FOR DEPOLICING

As they have at many points throughout American history, police now find themselves at the very center of controversy and social conflict. Bittner (1970) makes a key theoretical contribution that explains why this is so often the case. It stems from their exclusive authority to use physical force (to coerce), which is the core of the police role, lending thematic unity to the array of functions that police serve, and the variety of situations where they intervene. Since use of force, or the threat of it, is a powerful tool for decisively achieving desired objectives, social actors seek to utilize police to realize their social and political goals. When the goals of different segments of society conflict, police are subject to conflicting pressures. Police are then locked in a zero-sum game, facing a dilemma wherein they can “accomplish something for somebody only by proceeding against someone else” (Bittner, 1970).

Goldstein (1977) poses a similar dilemma; that of *Policing a Free Society*. He maintains that there can be no freedom without the degree of order maintained by police; yet the means granted police to achieve said order — their coercive authority — are necessarily invasive and restrictive to freedom; putting police in pervasive conflict with the ideals of a free society.

Calls for police reform have gotten louder in recent years, suggesting that police have failed to manage these dilemmas and reconcile the conflicting demands placed on them. Change is necessary for police to maintain their legitimacy, but any direction it takes is potentially treacherous. They face an impossible mandate (Manning, 1977). Typically, police in the United States have responded to calls for reform by attempting to improve the *quality* of the services they provide. Seeking to change how they function, or at least, *perform* that they have done so. Goldstein for instance, reformer as well as a scholar, in his 1977 book and in his later work

(1979; 1987), advocated for a police function that was less reliant on invasive and restrictive means to solve social problems, and was more in-step with democratic ideals and community needs. Bittner too was interested in the quality of policing, maintaining that “good police practice may be judged to involve strictly limiting the use of force and confining it to effecting restraint” (Rumbaut & Bittner, 1979, p. 267). Most often, as discussed in Chapter 1, police have responded to calls for reform by attempting to improve the quality of their services vis-à-vis preventing crime; reflecting the assumption that crime reduction eases the pressures they face. This approach, however, has not been terribly successful. It has usually upped the pressures on police by creating expectations that they cannot meet.

There is an alternative approach, depolicing, which focuses on bringing the *quantity* of policing to its optimal level. Black and Baumgartner (1980; 1987) saw it as the solution to what they viewed as a long-term social problem of modern societies becoming increasingly reliant on police to resolve conflicts and ameliorate social difficulties. They describe a pernicious feedback loop. As social actors rely more and more on the police for formal resolution and amelioration, informal mechanisms atrophy, resulting in an ever greater the need for formal police intervention. They believed that breaking this cycle — by depolicing — could yield substantial social benefits. Reducing society’s reliance on police on could promote self-help, strengthen informal mechanisms of social control, and perhaps reduce crime in the long-term.

The idea generated controversy as soon as soon as it was published (Walker, 1982; Oliver, 2019), but eventually, it was largely dismissed or ignored. If Black and Baumgartner’s aim was to receive wide acceptance of their argument, several factors worked against them. First and foremost, the American public overwhelmingly views police as primarily existing to prevent crime. The belief in crime control as the dominant police function is of course wrong, but

widespread nonetheless; it spans divisions of race and class (see Clegg & Usmani, 2017). Those that hold this view are understandably skeptical of depolicing because their commonsense dictates that reducing the quantity of policing would cause crime to increase. It would seem, to this day, a majority of Americans are averse to the idea of depolicing, and many are outright hostile to it; mostly out of fear that it will increase crime.

Even so, the severity of the current policing crisis has resurrected Black and Baumgartner's ideas. Proposals along the lines of depolicing, such as defunding the police, have gained popularity. Though these proposals enjoy nowhere near majority support, they have garnered more favor than was thought possible in the not-too-distant past. Recent controversy surrounding police has prompted many to reconsider their beliefs about the police role, and to seriously consider whether the quantity of policing, at its current level does more harm than good. Depolicing is on the table. It is a potential way out the prolonged crisis. This dissertation aimed to contribute to analyses that could inform whether there is a strong case for depolicing; and if so, what form might it take.

Review of Findings

In Chapter 1, I surveyed police history in the United States in order to address Black and Baumgartner's assertions regarding the cycle of reliance on police and the increasing proliferation of police over time. I find that policing has indeed proliferated, by way of the police institution's prioritization of crime prevention, which increasingly came to be the dominant ideology and primary focus of American police. Though it was not the central focus of police when they were introduced in the United States during the 19th century, it became so in the 20th. Initially the crime prevention mission—or crime-fighting image—was promoted by police for the purposes of public relations. It was a “symbolic myth” that emerged to reconcile conflicting

pressures at moments when the legitimacy of police was in question (Manning, 1977). Even so, police and much of the public bought into this myth. The crime prevention focus was reinforced by the movement to professionalize police, which promoted legalistic and technocratic values among police and encouraged the profession to adopt a narrower mission. With the bureaucratization of police, organizations came to increasingly reflect the mission. Toward the latter half of the 20th century the mission/ideology had been institutionalized (see Crank & Langworthy, 1992). Reform movements birthed during the civil rights era that challenged the crime prevention ideology and sought to broaden the focus of police have not yielded substantive change or have been coopted. I argue that the inordinate focus on preventing crime has encouraged police practices that seek to maximize police intervention to that end with detrimental consequences for liberty and equality; and little success in reducing crime. The record supports the case for depolicing as a correction to this destructive historical trend. Specifically, if depolicing is conceptualized as a reduction in police's crime prevention activities. It also demonstrates that the ideology of crime prevention — which forms the primary basis of the case against depolicing — is deeply entrenched within the police institution and the public's beliefs.

In Chapter 2, I bring empirical evidence to bear upon this question; addressing the central concern that depolicing would cause crime to increase. Using pedestrian and vehicle stops to operationalize depolicing, I analyze the impact of stops on crime rates with a panel dataset of patrol divisions in four U.S. cities. I employ methods designed to account for a potentially endogenous relationship between stops and crime, showing very minimal benefits of stops. I find that stop rates have no impact on rates of violent crime, and a significant, but not substantial effect on rates of property crime. While these findings generally bolster the case for depolicing,

the pervasive myth that police actions are central determinants of crime is implicitly assumed in popular and scholarly discussions about the criminal justice system; including discussions on the disparate impacts of stops and other police actions. This complicates efforts to soberly weigh the costs and benefits of police intervention.

In Chapter 3, I focused on the costliest outcome of police intervention, use of deadly force. The phenomenon is notoriously difficult to study, and research on the topic has been stymied for a variety of reasons. Consequently, the factors that determine use of deadly force are not well understood. In particular, research can provide little insight into factors that impact deadly force that are within police's control (i.e., policy recommendations). For example, aggregate levels of violence have somewhat consistently been found to predict rates of deadly force, however they are mostly out of police control to change. However, the analysis of police shootings in Los Angeles presented in Chapter 3 suggests that the rate of stops in a given area is determinative of deadly force, and partially accounts for the relationship between violence and deadly force. This analysis thus offers an actionable policy recommendation, which are urgently needed during this time of crisis. The results suggests that police can avoid potentially catastrophic incidents by minimizing stops and perhaps other kinds of police citizen interactions. This suggestion, crude as far "policy recommendations" go, may be one of the few viable strategies for police to begin to put an end to the current crisis.

Limitations and Future Directions

The work presented here begins to make a case for depolicing, but is necessarily limited, applying only to particular elements of the broad concept. A robust research agenda on depolicing could lead in a number of fruitful directions. For one, Black and Baumgartner's most controversial and intriguing conjecture — that depolicing could reduce crime in the long term —

remains untested. The authors were clear that depolicing should take place slowly, acknowledging that rapid depolicing might result in a “Hobbesian war of all against all” (p. 37). They were less clear on what they meant by “long-term.” Very long-term historical studies of crime and social control are often rich in theoretical insight (e.g., Monkkonen, 1981; Elias 1978), though they are challenging because they require data from the distant past that is may not be available or comparable to the present. Even so, theoretical elaboration of Black and Baumgartner’s assertion is well worth it. In broad strokes, their ideas comport with scholarship in the tradition of social disorganization theory given the dichotomy of formal and informal social control and the apparent assumption that the latter is more determinative of crime. Literature in this tradition may serve as a starting point. It suggests that, to the extent police undermine informal social control mechanisms, depolicing may decrease crime (see Kubrin & Wietzer, 2016). Testing Black and Baumgartner’s assertion would require evaluation of social settings that have experienced depolicing for an appropriately long period of time. Identifying such cases may be difficult for reasons discussed at length here (i.e. the tendency of policing to proliferate). Even so, this path may be well worth the effort.

Additionally, a research agenda for depolicing could broaden the range of outcomes considered when weighing the appropriate level of police involvement in social life. Although the outcomes discussed here (crime, racial disparity, deadly force) may remain central; other outcomes may be equally important. Moving beyond discussions of the potential for physical harm, several recent studies have examined the psychological and emotional harms that can result from police-citizen interactions (Bandes et al., 2019; Geller et al., 2014). If such harms are to be considered, it is only fair to consider potential benefits. There is at least some evidence that police can have a beneficial impact on fear of crime and perceptions of disorder (see Weisburd &

Eck, 2004). Moreover, there is rather strong body of evidence to support the assertion that procedurally just policing practices have positive benefits (Mazerolle et al., 2013). These include enhanced police legitimacy as well as greater compliance, cooperation, and confidence in police. Even so, whether these should be considered benefits in and of themselves is an open philosophical question. Epp et al. (2014), in their study of traffic stops and racial profiling, questions whether enhanced police legitimacy is indeed a benefit if police practices are substantively unfair: “This claim that people will view police stops as legitimate if the officers are polite and respectful has allowed the widespread stopping of racial minorities to fester” (p. 20). In other words, unfair and harmful practices can be justified and reinforced if people perceive them to be fair. Procedurally just policing practices may be palliative but cannot justify police intervention in and of itself.

The research presented here specifically operationalizes depolicing as reduced stops. Analyses of stops are relatively rare in the criminological literature, mostly because data on stops has historically been hard to come by. This situation is changing rapidly, however, as more and more police departments are being required to record and publish information about stops. They may soon become one of the more frequently studied topics in the criminological literature. However, to my knowledge, there have been few efforts to prepare for the rush of new data that may be coming; specifically, to standardize reporting practices such that stop data from different police organizations may be compared. Thus, I make the obligatory plea for those efforts to be made.

A fuller understanding of depolicing requires consideration of other measures of the quantity of policing. I have discussed some of these (funding, manpower, arrests, searches). What has not been considered, however, are more passive forms of policing. How do the police

interventions I have discussed compare to more passive/reactive police activities such as “big data surveillance” (Brayne, 2014; 2017). For example, does depolicing (in terms of face-to face police-citizen interactions) entail greater reliance on surveillance technology? How can the outcomes of different forms of police intervention be weighed? Moreover, here we have yet to consider instances where *citizens* mobilize police, asking police to intervene on their behalf. Would reductions in initiative interactions result in citizens simply calling on police to intervene more often? This question is crucially important if depolicing is to be put into action in real life and made an intentional policy goal.

To answer this and its corollary questions, there must be some attempt to reconcile the findings of micro-level research, including ethnographies, and macro-level research. The proper unit of analysis is likely to range from street-corner interactions metropolitan area interaction aggregates. Given the current state of the literature, more ethnographic studies of depolicing phenomena will be needed

The proper method of integrating this diverse set of findings is open to question, of course. One approach could be patterned on the integrative scheme for anthropological ethnographies associated with George Peter Murdock (1981). Another approach is the meta-analytic review associated with the Campbell Collaboration. Depending on research design, some combination of the two approaches is likely. It is only through the integration of these two data sources that knowledge of the phenomenon will emerge.

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