PUBLIC SAFETY: A COMMITMENT TO COMMUNITY POLICING

Public Safety is the most important responsibility of local government and, while greater economic opportunity and education, not law enforcement, are the most sustainable long term ways to reduce crime, city government must make sure that it makes every possible effort to protect citizens from crime. Indeed, the best law enforcement techniques can interdict crime before it begins.

Like most American cities, Jersey City had seen a steady drop in crime for over 20 years, but, we have seen a reversal of this progress on several fronts since the beginning of the Fulop Administration in 2013. Every year since his inauguration, Jersey City has seen substantially more homicides than in the year before Steve Fulop became mayor. Last year saw a sharp increase in burglaries and shootings.

The worst offense of the Fulop Administration was the politicizing of the police department, which has hurt morale. Assignments were dictated by political support and policy was made based upon optics. Instead of engaging the community from the start, the initial Fulop approach was "broken windows" on steroids, where the police were ordered to go on sweeps and arrest high numbers for minor offenses. Yet, the Mayor and his team frequently point out community reluctance to cooperate with investigations without looking at their own roll in this breakdown in trust. The police should be interacting with the community in a positive way, not as an occupying army.

A Better Option

National events of questionable police shootings, anti-police protests and horrific acts of ambush violence against cops has made a full commitment to Community Policing a mandate, not an option. We need more police walking the beat and out of their cars, but we also need robust interaction between the police and a variety of community contacts.

Many token steps have been called "community policing," and the philosophy has many facets which can appear in isolation as little more than public relations, but the program works if, and only if, those steps are taken in concert with one another. False starts and symbolic gestures like isolated foot patrols, halfhearted social outreach, or photo ops reek of insincerity and erode public faith in the police and the city's political leadership. The people can see these for what they are, and so can the police. When a foot

patrol route is considered "easy duty," instead of the real duty to learn from and work with the community that it is, community policing is doomed before it can begin.

Even where there is a strong commitment of resources by the government, if too heavy a hand is laid the community will push back instead of cooperating. It is one thing to enforce quality of life crimes, it is another to go on sweeps that cast a wide net and lead to the arrest of many for minor offenses, sometimes leading to serious life handicaps when the targets can't pay fines, leading to criminal records and damage to their credit scores. This does not help police community relationships, but devastates them. Nonetheless, these are the policies we have seen by the Fulop Administration as he touted in his 2014 State of the City address that he "implemented a series of sweeps, resulting in more than 200 arrests."

So for all its promise, what *is* community policing? Community policing combines traditional policing with "prevention, problem-solving, community engagement, and partnerships."[i] Importantly, it involves a "collaborative effort between the police and the community that identifies problems of crime and disorder and involves the community in search for solutions ... [and] is founded on mutually beneficial ties between police and community members." [ii] Other have called it "guardian policing, trust policing, problem-solving policing, relationship based policing, ... or partnership policing" but regardless of the name, there is one common vision: "humane, compassionate, culturally fluent cops who have a mindset of respect, do not fear black men, and serve long enough to know residents' names, speak their languages and help improve the neighborhood." [iii] It recognizes that the police can only rarely solve public safety problems alone. There are three generally recognized elements to the philosophy of community policing which stem from this realization. First, the police must create, nurture, and rely on partnerships with the community and private sector. Second, the police must apply problem-solving strategies and tactics. Finally, the police organization and culture must evolve to support this philosophical shift.

A. Partnerships

The cornerstone of any community policing model are community partnerships. "In addition to individual residents, the term 'community partners' encompasses a range of groups such as neighborhood associations, faith-based organizations, tenant councils, business groups, local government agencies, social service providers, schools (including elementary and secondary, public and private schools, community colleges, vocational schools, and universities) and local businesses." [iv] These organizations typically have deep networks, meeting places and credibility with community members. [v] The city's committed professionals in offices like the Department of Housing, Economic Development, and Commerce already have connections in place with local stakeholders and can identify frictions and harmonies in neighborhoods across the city. Nonprofits and service providers who are experienced in advocating on behalf of communities can speak to local concerns that for any number of reasons the people aren't yet comfortable sharing with the police. The media is also a particularly helpful partner for the police to engage with, both to demonstrate their commitment to the community policing philosophy and to publicize community concerns and available solutions, such as changed government policies or services. Dozens of potential partners stand ready in Jersey City, with more resources available from state and federal partners who are just as eager to see community policing catch on.

B. Problem Solving

"A basic characteristic of community policing is that it is proactive rather than reactive, meaning it involves recognizing problems and seeking their underlying causes." [vi] "This approach puts a heavy focus on efforts to prevent crime before it happens by systematically identifying and addressing specific social issues associated with criminal activity." [vii]

The concept is simple: focus on the root causes and not just incidents. "Problem Oriented Policing" was conceived of in the 1970s[viii] and is constantly under scrutiny and refinement by the Center for Problem Oriented Policing.[ix] A commonly implemented approach to problem solving is the four step approach known as SARA: Screening, Analysis, Response and Assessment. SARA calls for creativity in responding to problems identified through analyzing problem situations and providing an honest assessment. The evidence shows that SARA based problem oriented policing has achieved serious reductions in crime.[x]

C. Organizational Evolution

The literature behind community oriented policing focuses on transformation, but in Jersey City, we will evolve. The task calls not for casting off the old, but building upon our past success towards the new. We know how to investigate, prosecute, and convict, but even those talents, to say nothing of prevention or mediation, are hobbled without the proper focus and backing. Make no mistake, this is not teaching an old dog new tricks; we are talking about two separate issues. The first is the conduct of the officers in the field, covered above; the second and more proximate to the office of the mayor is the support offered those officers when they make decisions.

Organizational evolution is about bringing the philosophy of community policing into the departmental value structure. Basic values, rather than adherence to procedure for procedure's sake, should guide decision making from the bottom up. Performance evaluation under the tenets of community-oriented policing should be earnest and open; promotional and hiring procedures should focus on which characteristics are most needed by the communities; officers who have shown competence in relating to a community should have that competence respected. Generalist officers should have their participation and initiative rewarded. Crucially, police officers who violate ethics, wrongfully use force or that abuse their authority must be held accountable. Jersey City needs to look at procedural justice to ensure that the voice is citizens are heard and that officers are treated equally.

Today

In October 2016, a New York based financial company, SmartAsset, ranked Jersey City as the "most livable" city in the United States.[xi] While this is certainly one more feather in our hats, there is one egregious point that spoils the news – a violent crime rate *eleven times greater* than the number two city. In fact, Jersey City has more violent crime than 15 of the top 25 cities on the list. While we should take pride in our city's walkability, green spaces, standard of living, and cultural vibrancy, the room for improvement is

clear. We face a crisis of confidence and professionalism in the upper echelons of our public safety leadership.

The city needs a robust and sustainable approach to rebuilding the confidence our police is in dire need of. The Fulop years have piled scandal upon scandal: a police chief was thrown under the bus for refusing to cooperate with a scheme to harass the Port Authority by blocking traffic through the Holland Tunnel, a local twist on Bridgegate; four officers were indicted on over 100 charges of conspiracy, falsifying records, and official misconduct; Mayor Fulop's fear-based "broken windows" on steroids policy has reaped many arrests and press releases, but zero improvements in public safety; and an ongoing FBI investigation into off duty abuses threatens to ensnare over a dozen cops.[xii]

This administration's skin-deep flirtations with community policing, a handful of foot patrols and a class of new officers told to go out in the world and "do community policing" without the institutional support necessary, are a poison pill. Taking patrolmen out of their cruisers doesn't do anything but slow them down unless the institutional backing is there. It hurts officer morale, sends inconsistent messages to communities that officers should be building relationships with, and erodes the faith of people who could otherwise benefit most.

Tomorrow

Community oriented policing has great promise. It can raise safety; it can raise community confidence in the police; it can raise police morale. It can diminish the bravado and impunity of the worst offenders by elevating the spirits of the communities they victimize. And it is the smoke alarm which claxons when the embers of extremism are stoked. When the police and the communities they protect look alike the notion that only certain communities need policing is easier to dispel.

The police can't do it alone, they need the community as an equal partner in public safety. Organizational commitment and transformation from the police is necessary, but not sufficient, for community policing to catch on. Trust is both the mission and the means of community policing. To build that trust the citizens and communities need to feel like the police are there to support them, not to arrest them.

There are many ways to reach out and begin building that trust. Youth outreach, one of the most difficult but most rewarding endeavors, can work when school resource officers think more like teachers and less like disciplinarians. Nonprofits and local service providers know their clients and care for them deeply. They know who to talk to, who shares common interests, and how to effectively advocate in communities. Individual community members have interests in the well-being of the community, can be engaged in solving particular goals, and can be reached out to at town hall meetings, neighborhood associations, storefronts, parks, and front porches. Resentment and distrust breed where a community feels ignored by the rest of the city, but putting their stories, problems, and proposed solutions in the public eye can cure that divide. The President's Task Force on 21st Century Policing found that in city after city, frequent community engagement, whether it be social or town hall meetings, lead to greater input from citizens[xiii].

And police must show the utmost respect to the community they serve. "The use of unnecessary force and arrogance, aloofness or rudeness at any level of the agency will dampen the willingness of the community members to ally themselves with the police." [xiv]

Trust, of course, is not just between the police and the community. It must also be placed in the officers themselves. Officers can't build organic community ties if they lack autonomy to build them, and communities won't trust their solutions to problems if they doubt the officers' ability to implement them without checking up a lengthy chain of command first. Allowing decentralized decision making by the officers with the community knowledge means two things: better decisions by people with experience and more value being placed on that experience by those officers.

It is important to remember that every crime is a symptom of a greater problem. And problems don't want for blame, but solutions. An officer in a cruiser or even walking a beat doesn't see the problems on their patrol, they see symptoms. Property damage, theft, drug trafficking, domestic violence, and violent crime are highly visible. They are attacks by individuals on their own communities. Arrests remove some old threats, but can't stop the next ones from arising.

Community problems don't have textbook formulas: each one is unique. The unique people who know the problems and their causes are the people in the community. They can see trouble simmer before it boils over, but all too often lack the power or resources to act alone. This is where community policing can do the most good, but only if the people trust it to. After underlying problems are proactively sought out, causes diagnosed, and cooperative structures put in place to treat the worst symptoms, solutions can be reached. This can require some increased tolerance for risk-taking: unorthodox problems may call for unorthodox solutions. The officers handling the call need the trust to use their judgment and experience, but must also be accountable to the communities for their decisions.

CONCLUSION

If elected mayor, Community policing with a problem solving approach will be the guiding principle of the JCPD. While effective law enforcement requires constant reassessment and evolution to respond to changing problems, below are some concrete steps we will take to implement the community policing philosophy in Jersey City.

- Appoint Police Leadership That Embraces Community Policing

Although endorsed by the Department of Justice and successfully utilized by many cities around America, Jersey City has refused to embrace community policing. The rationale of insufficient manpower has been cited by police leadership under mayors Fulop and Healy, and, while there is some merit to the assertion that community policing performs better with a bigger force, other cities have implemented it with smaller police to population ratios. Having interviewed current and former JCPD officers and brass, as well as police leaders from other cities, it is clear that some are incredulous about community policing, while other embrace it.

I will not only appoint a Chief and a Police Director that believe in Community Policing, but who engage in it themselves. Not only do we need a Chief and a Public Safety Director that live in Jersey City, but we need them to regularly interact with the community on a daily basis.

- Out of Cars and into the Streets

Many people seem to have the misguided notion that foot patrols equal community policing, when, as stated above, it is much more than that. But foot patrols and police on the beat matter. How can you build a relationship with the community from your car? How often do we see police cars versus police walking down the sidewalk?

Some argue that there not enough cops to walk the beat and that they need to be in cruisers to respond rapidly to incidents. With a police force over 850 strong and growing, and less than 15 square miles, there is no reason why police can't walk the beat and use bicycles. Moreover, police in cruisers can park their cars and walk the streets at regular intervals to make contact with the community and increase police presence.

- An Audit of Deployment and a Table of Organization

One can't determine how best to deploy the force unless there is a complete and exhaustive audit of how police are deployed. Such an audit would include: time shifts, geographic assignments, desks versus patrol, clerical versus investigate, and superiors-detectives versus line officers. As mayor, we will continually audit ourselves and make results public.

A simple Table of Organization needs to be established to take the politics out of deployment and promotions. If we know a District needs three captains and one retires, there will be no need to promote 10 Captains that happens to stop at the name of politically connected officer. These practices hurt moral and hurt the Department's effectiveness.

While we expect every member of the JCPD to adopt a community policing mindset, it makes sense to create a community policing unit that will prioritize community outreach. A unit dedicated to community policing will have the ability to make frequent contact with members of the community which is needed to establish real trust.

- Training to Protect and Serve

Conventional policing valued making lots of arrests, but we want the police to develop relationships that help interdict crime before it occurs. Training in community relations and de-escalation will help in solving crimes and in keeping the peace. Cops should also receive basic legal training so that they understand what they can and can't do. Not only will this protect citizens' sacred constitutional rights but it will also limit costly lawsuits.

- Study Successful Practices & Implement Them

As mayor, I will reach out to other mayors to convene a dialogue between our police leadership and the leadership of other cities. The National Conference of Mayors publishes accounts of different cities' successful treatment of different law enforcement issues. We should not have to recreate the wheel on every problem if we don't have to.

- Respect the Community With a Guardian Mindset

Putting the police into the streets to interact with the public will only be helpful if it is done in a positive way. Police need to be reminded of the simple truth that an amiable personality as opposed to an aloof one will go a long way to building trust. This comes with training mentioned above. Moreover, relationships are not forged by one encounter. Interactions must not only be positive, but frequent.

- Liaisons in Every Community

Patrolmen will develop relationships with the people they serve and police leadership will foster contacts with organizations that have deep roots in communities. Religious leaders, business owners, rehab proprietors, and teachers are just some of the partners we will seek out.

- Implement Problem Solving

If a neighborhood liquor store has a problem with unruly intoxicated people gathering out side of it, police can either make them leave and not allow them to congregate, wait until they get so drunk that an incident occurs requiring their response, or work with others in the City (and perhaps County or State) government, or nonprofits to intervene and offer assistance with sobriety and employment. Of course, cops and government in general can't solve all of society's problems. However, it makes sense to find out where problems exist and try to resolve them before an incident occurs.

- Youth Interaction

Positive engagement between the youth and the police will go a long way toward creating a positive image for police. Jersey City's Police Athletic League has done this for some years and now we need to ramp this effort up by developing a partnership with the Board of Education that will enable the JCPD to engage in recruitment at an early age. One initiative we will undertake is paid police internships for high school juniors and seniors.

- <u>Leverage Technology</u>

As the City's chief attorney, I visited Baltimore with police brass to observe their use of CompStat, that uses technology to identify when and where crime would occur in order to deploy forces there. CompStat also features regular meetings of police leadership to analyze statistics where superiors are held responsible. The JCPD has also taken the important step of beginning to utilize body cameras and street surveillances cameras have been used and are expanding. These examples demonstrate how technology can help law enforcement and the JCPD must keep abreast of new developments. A very recent example is an app that allows citizens to submit anonymous crime tips and receive alerts.[xv] Geographic hot spot profiling and surveillance technologies must be leveraged to ensure that the JCPD is using the best equipment that is available, but they also can't tie deployment down to one spot at the expense of other places, or simply be used to move crime around.

These are some of the steps we will take to implement community policing. Most importantly is that from day one, from the mayor to the Chief to the patrolman, the JCPD will embrace a community policing philosophy that enthusiastically reaches out to Jersey City to build a strong relationship and develop trust.

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[ii] Linda S. Miller, Karen Matison Hess and Christine Hess Orthman COMMUNITY POLICING: PARTNERSHIPS FOR PROBLEM SOLVING at 4 (6TH ED. 2011)

[iii] Charlie Beck and Connie Rice, *How Community Policing Can Work*, THE NEW YORK TIMES (August 12, 2016).

[iv] Sarah Lawrence and Bobby McCarthy, *What Works in Community Policing,* CRIME AND DELINQUENCY (November 2013)

[v] Id.

[vi] Miller, *Supra* at 89.

[vii] Lawrence, *Supra* at 3, 25 CRIME AND DELINQUENCY 236 (1979)

[viii] Herman Goldstein, *Improving Policing: A Problem Oriented Approach*

[ix] www.popcenter.org

[x] Lawrence, *Supa* at 7.

[xi] Catherine Clifford, *Jersey City tops list of the 25 most livable US cities*, CNBC (Nov. 1, 2016), http://www.cnbc.com/2016/11/01/jersey-city-tops-list-of-the-25-most-livable-cities-in-the-us.html.

[xii] See Terrence T. McDonald, *What we know about the federal probe of Jersey City police*, THE JERSEY JOURNAL (Jan. 16, 2017).

[xiii] *Discussions on the President's task Force on 21st Century Policing*, COMMUNITY ORIENTED POLICING SERVICES U.S. DEPT. OF JUSTICE

[xiv] Miller, *Supra* at 187.

[xv] Rachel Dovy, *Baltimore PD App Aims to Get Community and Cops Talking*, NEXT CITY (January 29, 2017)