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Why Police Reform Won't Die Under Trump

By **Samuel Walker** | 3 hours ago

Will police reform survive the Trump administration?

The stakes could not be higher. The national police crisis that began with the events in Ferguson, Mo. in August 2014 provoked a remarkable burst of new thinking and reform in policing that holds the promise of ending the historic conflict between the police and the African American community.

Some commentators have already argued (<http://thecrimereport.org/2016/11/21/cops-trump-and-the-threat-to-police-reform/>) that the Trump administration will derail the positive developments now underway. As evidence, they cite calls by Donald Trump and his surrogate Rudy Giuliani for more aggressive use of stops and frisks, as part of a return to old-style “tough” anti-crime police tactics.

In its 2015 report, The President's Task Force on 21st Century Policing (https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf) condemned this style of policing as ineffective in controlling crime and damaging to community relations.

There is a more hopeful scenario, however.

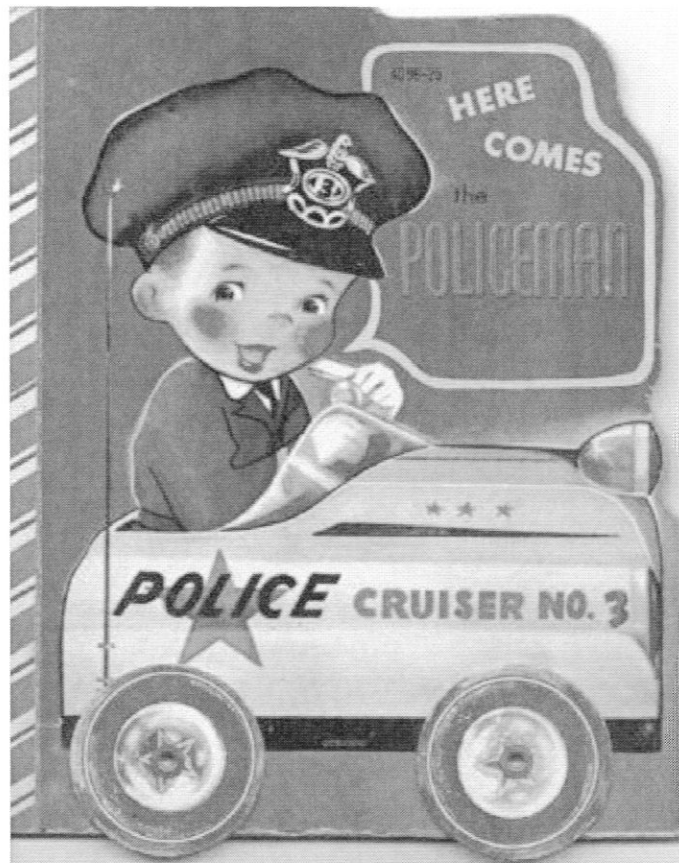
De-escalation, procedural justice, greater police openness, and other new reform measures have been embraced by many police leaders across the country, and have acquired an impressive degree of momentum. These chiefs recognize that the new reforms make sense, and will reduce unnecessary use-of-force incidents and the resulting community polarization.

The best evidence of the commitment to reform among police leaders are a series of reports issued by the Police Executive Research Forum (PERF), a respected association of chiefs and police commanders. The discussion and recommendations in these reports touch on the details of routine day-to-day police-citizen encounters.

In the PERF report on de-escalation (<http://thecrimereport.org/2016/10/16/perf-presses-de-escalation-with-skeptical-police-chiefs/>), for example, chiefs and police commanders explain how training officers to use this tactic in encounters with citizens can reduce needless uses of force, without jeopardizing either public safety or their personal safety.

De-escalation is part of new thinking about tactical decision-making .by officers

The commissioner of the Cambridge, Massachusetts police explained how they now train officers in “disengaging from a



Cover of 1951 vintage children's book. Illustration by Joe Haupt via Flickr

situation and not escalating it.” Other chiefs add that it’s OK to just “step back” in many encounters.

De-escalation is part of new thinking about tactical decision-making by officers. In many situations, officers have the capacity to shape the outcome of potentially dangerous encounters. An LAPD Deputy Chief told a PERF conference that “We teach a concept called ‘distance plus cover equal time’.”

Time “gives you the ability to communicate with the suspect,” make a tactical plan, and call in additional resources. These decisions can often avoid the need to use force.

And in a direct challenge to the traditional aggressive norms of the police subculture, the chief of the Woburn, Massachusetts, police department explained that they teach their officers that “there is no shame in tactically retreating and calling for back up.”

The 2016 PERF report on *Guiding Principles on Police Use of Force* (<http://www.policeforum.org/assets/guidingprinciples1.pdf>) took the remarkable step of urging police departments to go beyond the prevailing Supreme Court standard on the use of force (“objectively reasonable”), and “hold themselves to a higher standard.”

The chief of the Washington, DC police department explained at the PERF conference on training that “the question is not, ‘Can you use deadly force?’” but “Did you absolutely have to use deadly force?”

This is certainly the first time in history that police chiefs argued policies that are more restrictive than what the Supreme Court requires.

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These new ideas do not come from the ABA or the ACLU. They come from police leaders, and therefore command the respect their peers across the country.

The Trump administration will undoubtedly end Justice Department civil rights investigations of local police, and the resulting consent decrees. That is unfortunate but not fatal. The future of policing in America lies with local police chiefs and not the U.S. Justice Department.

The hopeful scenario I have sketched here is by no means inevitable. Police history is filled with examples of important reforms simply faded away.

But I am guardedly optimistic.

The right ideas are there. They are supported by respected voices in the police profession, who recognize that these reforms are best for the police, for the community, and for the nation.

Samuel Walker is Professor Emeritus of Criminal Justice at the University of Nebraska at Omaha, and the author of 14 books on policing, civil liberties and crime police. His new blog can be read [here](http://samuelwalker.net/) (<http://samuelwalker.net/>). Readers’ comments are welcome.

