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From Warriors to Guardians: Recommitting American Police Culture to Democratic Ideals

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Executive Session on Policing and Public Safety

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"In Plato's vision of a perfect society — in a republic that honors the core of democracy — the greatest amount of power is given to those called the Guardians. Only those with the most impeccable character are chosen to bear the responsibility of protecting the democracy." [1]

Introduction

Beginning in the 1960s, and more recently fueled by post 9-11 fear, American policing has slowly drifted away from Plato's vision of guardians and Socrates' view of guardian education as expressed in Plato's *Republic*. This view of guardian education is humanistic. It takes shape through criminal justice education that is not only vocational but also stresses ethics, theory and the nature of virtue.[2] As a profession, we have veered away from Sir Robert Peel's ideal, "the police are the people, and the people are the police," toward a culture and mindset more like warriors at war with the people we are sworn to protect and serve.[3] As a nation, we have tended to relinquish some of our sacred constitutional rights in favor of the perception of improved safety and security.[4] Constitutional rights are now viewed by some, including some police,

as an impediment to the public safety mission. Sadly, many have forgotten that protecting constitutional rights is the mission of police in a democracy. As New York University law professor Stephen Schulhofer argues in a review of the Constitution and the police: "The future of individual liberties in this country depends on reinvigorating the system of vigorous checks and balances built into our Bill of Rights."[5] Such a call for reinvigoration of the civil religion of the state has strong historic precedent. As Lincoln argued before the Springfield Young Men's Lyceum in 1838:

> Let reverence for the laws, be breathed by every American mother to the lisping babe ... let it be taught in schools, in seminaries, and in colleges; let it be written in Primers, spelling books, and in Almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors, and conditions, sacrifice unceasingly upon its altars.[6]

Recapturing the Fabric of Community

Despite two decades of aspiring to effective community policing, American law enforcement seems to have drifted off the course of building close community ties toward creating a safe distance from community members, in some cases substituting equipment and technology as the preferred means of gathering information about crime and addressing threats to public safety. In some communities, the friendly neighborhood beat cop — community guardian — has been replaced with the urban warrior, trained for battle and equipped with the accouterments and weaponry of modern warfare. Armed with sophisticated technology to mine data about crime trends, officers can lose sight of the value of building close community ties.

Largely stripped of a nuanced understanding of how communities operate, crime tracking and crime prediction software minimizes the utility of hard-earned intelligence provided by line officers who know their beats. After all, one's ability to glean meaning from algorithms is only as good as its sourcing: the accumulated body of knowledge of officers who have come to understand that there are few "straight lines" in policing — that (sometimes visceral) person-to-person contact is typically not well-suited to statistical models.[7]

Most law enforcement leaders recognize that creating stronger human connections and community engagement will lead to improved public safety and more effective crime fighting. So how do we build the foundation of trust necessary to form a true partnership between the police and the people we serve? The research tells us that, despite three decades of falling crime rates — and improved training, technology and tactics — public trust in the police has not

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improved. Instead, empirical assessments of trust and confidence in the police have remained generally unchanged in recent years.[8]

It turns out that people don't care as much about crime rates as they do about how they are treated by the police.[9]

This phenomenon, known in academic circles as procedural justice, is regularly practiced and understood by effective and respected beat officers. The public knows it when they see it. But neither has likely heard of or used the term. Both beat officers and members of the public would describe procedural justice in action as being a good cop and doing the right thing.

More formally, Tom Tyler of Yale University explains that procedural justice focuses on perceived impartiality during interactions between police and the communities they serve, participation ("voice") from the public during these interactions, fairness, and consistency of treatment. Fairness relates to the protection of human rights and goals to include equal treatment, nondiscrimination, and nonpartisanship.[10]

As Tyler and colleagues explain, procedural justice relates directly to legitimacy. "If legal authorities exercise their authority fairly, they build legitimacy and increase both willing deference to rules and the decisions of the police and the courts and the motivation to help with the task of maintaining social order in the community."[11] Put another way, procedural justice refers to the set of procedures by which agents of social control such as police meet, or fail to meet, standards of consistency, suppression of bias, accuracy of information, mechanisms of rectification, and ethicality of standards in their interactions with the public.[12]

Few police leaders would disagree that community trust would improve if police officers routinely employed procedural justice during their interactions with the public. Training in these principles is under way in a number of locations around the nation.[13]

Elaborating on the specific behaviors of a good cop doing the right thing, the theory of procedural justice was simplified and operationalized for training street officers through a model developed in 2011 by then King County, Wash., Sheriff Sue Rahr (and first author of this paper), using the acronym LEED — Listen and Explain with Equity and Dignity. Using the LEED model, officers are trained to take the time to listen to people; explain what is going to happen and how the process works; explain why that decision was made so the equity of the decision is transparent; and leave the participants with their dignity intact.

Positive police contact facilitates public confidence.[14] People tell good cops what is going on in their neighborhoods and work with them to keep it safe. They view good cops as part of their community — one of the key distinguishing characteristics between cops with a guardian mindset and cops who operate with a warrior mindset. The guardian operates as part of the community, demonstrating empathy and employing procedural justice principles during interactions. The behavior of the warrior cop, on the other hand, leads to the perception of an occupying

force, detached and separated from the community, missing opportunities to build trust and confidence based on positive interactions. Police leaders dedicated to establishing practices in their agencies based on procedural justice principles must ensure that their organizational culture is not in conflict with these same principles. As Stephen K. Rice and Karen Collins Rice explain, "Organizational systems, such as training, are nested within cultures that tend to go under-acknowledged but have tangible, and even visceral, impacts on the people working within them and their likelihood for embracing change."[15]

The current culture in some American law enforcement agencies tends toward the warrior mentality. The seeds of that culture are planted during recruit training, when some recruits are trained in an academy environment that is modeled after military boot camp, a model designed to produce a warrior ready for battle and ready to follow orders and rules without question. As Radley Balko points out in his noted book, *Rise of the Warrior Cop,* the warrior mentality threatens Fourth Amendment principles and casts the relationship between officers and citizens as a battle between "us" and "them." Balko pulls no punches in describing the Department of Justice under Attorney Generals William French Smith and Edwin Meese during the Reagan era:

> This would be a rough decade for the Symbolic Third Amendment [what Balko characterizes as strong American resistance to armies policing American streets]. Reagan's drug warriors were about to take aim at posse comitatus, utterly dehumanize drug users, cast the drug fight as a biblical struggle between good and evil, and in the process turn the country's drug cops into holy soldiers (p. 139).[16]

One of the many problems with the military boot camp model used in some academies is that it has little to do with the daily reality of policing. Whereas attention has been focused on the best span of control of supervisors to patrol officers,[17] in reality, few officers working the street have consistent or even regular supervision. No one is giving them orders or making decisions for them, and police executives cannot generate enough rules to cover the variety of situations they will face on the street. Plus, even if we were to create "enough" rules for officers to memorize, the effort conflicts with what cognitive science tells us about limits on working memory: young adults generally can keep no more than three to five items in mind at a time.[18] Given the realities of policing, critical thinking and decision-making, not memorization, should be a top goal of any training strategy.

Another, more insidious problem in a military-style academy is the behavior modeled by the academy staff. Those without power (recruits) submit without question to the authority of those who have power (academy staff). Rule violations are addressed by verbal abuse or physical punishment in the form of pushups and extra laps.

Day-to-day power differentials may be reinforced more subtly. As Chief David Couper relays on his more than 20 years in the Madison (Wisc.) Police Department:

> When I was introduced to the academy class that was already in training before I was appointed, the class stood at attention when I entered the room. In fact, I found that not only did they stand at attention when I entered, but that they did so for every supervisor who came into their class.
>
> A coercive, top-down leadership model had no place within a police department that was seeking highly educated people to come and join it. Some of the people we were trying to attract into a police career were currently in business, law, social work, or teaching. And most of them wouldn't choose to remain in a police department that ran like an 18th century British warship (p. 150).[19]

Upon graduation, we send our newly trained recruits out into the community — they finally have power. Despite the way they were treated during their training, we expect them to treat the powerless people they encounter in the community with dignity and respect. One example of requiring the most from the least experienced has been in New York, where for years newly credentialed officers have been placed in "Operation Impact" assignments in many of the city's most stressed neighborhoods.[20] Why are we then surprised when some officers treat both suspects and citizens with the disdain and detachment they saw modeled by those in power at the academy?

According to the lead author's experience working with police academies across the nation, much recruit training focuses on physical control tactics and weapons, with less attention given to communication and de-escalation skills. The reasoning for this approach is the sacred mantra of officer safety. We train relentlessly — as we should — in physical tactics for the high-risk, low-frequency attacks.[21] Less instructional attention is focused on human behavioral science. Yet seasoned cops and statistics tell us that the officer's intellect and social dexterity are often the most effective officer safety tools. For the sake of safety, voluntary compliance should be the primary goal in resolving conflict, with physical control reserved for those who present an immediate threat and cannot be managed any other way.

Don't misunderstand — we are not advocating a reduction in tactical training or equipment.

Officer safety is critical, and we must maintain vigorous instruction on physical control tactics and weapons. Those skills will always be necessary for dealing with individuals who refuse to comply and present an immediate threat. But we need to significantly increase the level of training and importance placed on communication skills and human behavioral science if we truly care about the safety of our officers. As Lt. Jim Glennon of the popular Calibre Press tactical training programs explains in

his engaging book, *Arresting Communication,* "Mastering the skill of communication provides an officer with deep insight into what the public wants, who they are, and what their intentions might be."[22]

This leads to another great conundrum for leaders. A "physical control as last resort" maxim places immense importance on officer discretion, an orientation that can run counter to longstanding tendencies to regulate officer actions through operational control in the form of complex policies, rules and procedures.[23] To reduce the need for officers to use physical force, it may be necessary to increase their discretion and to trust their critical thinking and decision-making skills.[24]

What stands in the way of adopting a training model and culture that supports the development of critically thinking leaders with enhanced skills in managing human behavior? Tradition. Some perceive moving away from the boot camp model as coddling recruits, making them weak and diminishing officer safety. Worse yet, it could be perceived as "soft on crime," a political death knell to leaders since the 1960s.

However, there appear to be no clearly logical or evidence-based reasons that we should train police officers as we do soldiers. Although police officers wear uniforms and carry weapons, the similarity ends there. Their missions and rules of engagement are completely different. The soldier's primary mission is that of a warrior: to conquer. The rules of engagement are decided before the battle. The police officer's mission is that of a guardian: to protect. The rules of engagement evolve as the incident unfolds. In war, collateral damage is expected and accepted. Not so in policing. On the battlefield, the soldier acts on orders from a superior. In the community, the officer is the leader, rarely operating with the luxury of direct supervision.

Why aren't more police executives clamoring to train police officers to be more independent, critically thinking leaders? Because it is not consistent with the culture that exists in many American police agencies. The hierarchical, top-down control model remains the predominant structure both in the station and on the street. We do not encourage the rank and file to question authority. We cling to the belief that fear of punishment for rule violations leads to greater rule adherence and better police performance. Many still believe that an abundance of rules leads to fewer mistakes and greater accountability. Though well-intentioned, this style of leadership has the unintended but powerful consequence of conveying a distrust of officers by their leaders. It is no wonder that one of the hallmarks of law enforcement culture is the reciprocated distrust and disdain of police leadership by rank-and-file officers.

As David Bayley explains, "Authority is very much top-down, but perhaps for good reason. Policing needs to be accountable to law and morality, so supervisors double-down on discipline so as to minimize mistakes, they hope. Not only do officers not trust the community, but senior

officers don't trust their officers. They don't know how to minimize mistakes except by minimizing discretion."[25]

This culture is mirrored on the street when police actions focus primarily on aggressive enforcement (zero tolerance) in the belief that fear of arrest is the best way to prevent criminal behavior. Just as it does internally, this overfocus on enforcement conveys the same level of distrust between those in power (police) and those under their authority (the public). Just as we measure internal organizational success by employee adherence to rules, we measure external operational success through crime rates and arrest statistics. We do both to the detriment of building trust and legitimacy, because they ignore what the research tells us and what the public and the rank and file tell us. Both the public and rank-and-file officers want to be treated fairly by those in authority. We should not be surprised that we end up with poor morale among our officers echoed by the lack of trust from the community.

Changing the Police Culture From Warriors to Guardians

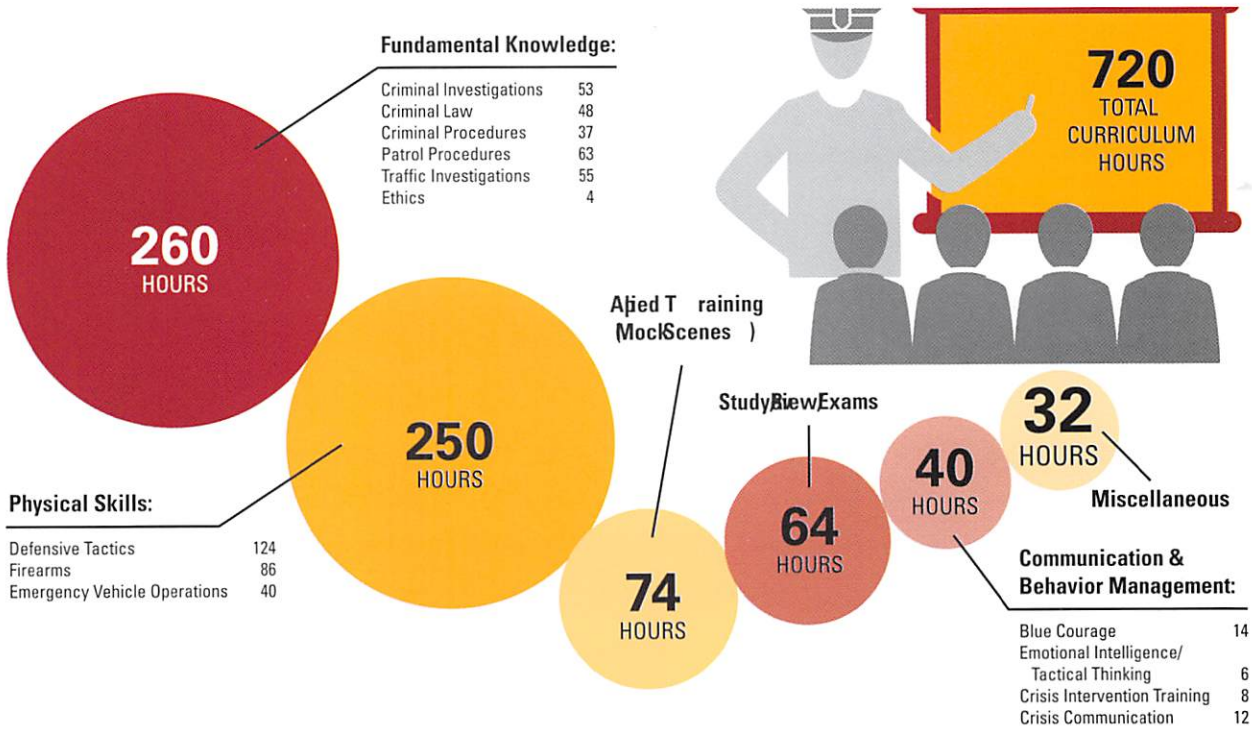
Perhaps it is time to reassess the predominant mindset of our profession, to change our culture — or rather recommit our culture — to democratic ideals. Perhaps it is time to revisit the wisdom of Plato and Sir Robert Peel and strive to become the trusted guardians of democracy. This will not be easy. In the first author's 35 years of experience, there are two things cops hate: the way things are, and change. When we add the emotional implications of changing culture, we must be prepared for strong resistance. That resistance will be intensified because we are challenging the very core of the warrior identity that many have embraced in the popular culture of policing. Furthermore, we are challenging the strict paramilitary organizational structure that is a hallmark of many police agencies. The challenge seems insurmountable.

There is good news. Change is afoot, and instructive examples are emerging around the country. One such transformation in training is taking place at the Washington State Criminal Justice Training Commission (WSCJTC). This transformation began in 2012, when Sue Rahr took over as the Executive Director. She brought with her the hard lessons from the street, the courts, and the political arena after serving 33 years with the King County Sheriff's Office, the last seven as the elected Sheriff. The following summary chronicles the transformation that occurred from 2012 to 2014 and continues today. This example is instructive for law enforcement leaders who are ready to transform their agencies from a culture of warriors to a culture of guardians.

Transforming Police Training in Washington State

The WSCJTC sets training standards, issues peace officer certifications, and conducts all mandated basic and advanced training for police, local corrections and a wide variety of other criminal

Figure 1. Basic Law Enforcement Academy Curriculum



*Elements of the Communications and Behavioral Management training have been extensively integrated into the Fundamental Knowledge and Physical Skills blocks of training and must be demonstrated in Mock Scenes.

justice system professionals. The Commission oversees the training of approximately 10,000 police officers and deputies from across the state, serving in 39 counties, 243 cities and a variety of tribal and state agencies. Each year, more than 600 police recruits receive 720 hours of basic training in programs that last 5 months. Figure 1 shows the courses and hours of training.

Before 2012, basic training was conducted according to a paramilitary "boot camp" model that employed a deterrence strategy to maintain discipline and control. Referred to as a "tune-up," starting the first day, training officers yelled at and berated new recruits for failing to complete drills designed to be impossible. Recruits were required to brace (salute) and remain silent whenever they encountered an academy staff member. Minor rule violations resulted in physical punishment in the form of extra pushups and running laps.

Despite the offering of behavioral and communications instruction in the classroom, the majority of the five-month training regimen emphasized physical skills training accompanied by a steady stream of fear-provoking stories about officers killed in the line of duty. Few classes

effectively integrated communication skills and physical tactics. Physical control was emphasized over de-escalation. Conquering was emphasized over serving.

Most of the posters and visual aids in the classrooms carried themes related to deadly threats on the lives of officers. Skulls and crossbones were featured prominently. The lobby was decorated with display cases featuring the "tools of the trade." Legacy mementos from previous classes reflected a consistent theme of warriors, battles and survival. Noticeably absent from both the physical environment and curriculum was any reference to service and the noble and historical role of policing in a democracy.

What changed? The first change was the elimination of the protocol requiring recruits to brace. The new protocol requires recruits to initiate a conversation any time they come in contact with a staff member, taking care to make eye contact, show respect and address the person as "sir" or "ma'am."

The artificially imposed fear and humiliation from the "tune-up" day has been replaced by coaching. The standards for physical performance remain high, and training officers still push the recruits far beyond their physical limits. But, rather than screaming and berating the recruits, the training officers vigorously coach and encourage them to keep pushing. Instead of trying to instill a sense of fear, training officers strive to build a sense of camaraderie and pride for the success of the whole team.

The displays containing the "tools of the trade" in the main lobby were replaced by a large mural depicting the United States Constitution, framed by the following words in large relief: ***"In These Halls ... Training the Guardians of Democracy,"*** as shown in Figure 2. This theme has been replicated in several locations across the campus. Posters depicting the pride and honor of policing have been interspersed with the more traditional posters about officer safety. Speeches delivered at graduation ceremonies emphasize the nobility and higher purpose of policing and the distinction between the roles of warriors and guardians. During the first week, each recruit is presented a pocket-sized book containing the Constitution and the Declaration of Independence. A vigorous discussion about civil rights and the important role of policing in our democracy follows the presentation.

Behavioral and social science programs have been integrated into the 720-hour curriculum. Although intertwined, each of these programs has a distinct purpose that supports the others and contributes to better officer safety and improved public trust — two areas that, in the past, have been incorrectly viewed as mutually exclusive. They are:

- *Blue Courage.* Developed through a Bureau of Justice Assistance grant, this motivational program instills pride and supports values about the nobility of policing and

Figure 2. A 6' x 9' Mural of the United States Constitution

the importance of maintaining physical, emotional and spiritual health. It has also been implemented at the Arizona Law Enforcement Academy and is currently being introduced to the rank and file at the New York Police Department and many other agencies across the nation.

- *Justice Based Policing.* This program, developed by the King County Sheriff's Office with funding from the Office of Community Oriented Policing Services, teaches the principles of procedural justice using the LEED model (Listen and Explain with Equity and Dignity).
- *Crisis Intervention Training.* This program teaches recruits to recognize behavioral cues associated with mental illness and traumatic brain injury and helps recruits develop strategies to de-escalate conflict and gain compliance. More than half of the "mock scenario" training and testing activities have been modified to include options and requirements for using crisis intervention techniques.
- *Tactical Social Interaction.* Academy personnel worked in partnership with Defense

Advanced Research Program Administration (DARPA) researchers to create a program that teaches students specific, measurable actions that increase rapport between strangers and lead to positive social interaction. Although the program was developed to train Marine recruits how to conduct peacekeeping missions in foreign villages, it has shown great utility for police officers and is currently being adapted for both basic and in-service training.

- *"The Respect Effect."* Lessons from the book by Paul Meshanko about the neuroscience behind the acts of respect and disrespect to either motivate or antagonize[26] were integrated into the basic academy curriculum. At the same time, the entire WSCJTC staff completed the program as a demonstration of the effectiveness of this organizational strategy to begin cultural transformation.

What has not changed? Moving away from the "boot camp" model has not led to softening of the training. Recruits still must demonstrate a high level of proficiency in defensive tactics and firearms. In fact, additional firearms training time and tools have been added, and the defensive tactics program has been expanded to include more realistic and challenging scenarios.

Discipline standards have not been relaxed. The use of formal titles and deference to senior officers and staff are still required. The changes made at the academy do not resemble previous experiments with "non-stress" academies, nor has the environment been changed to mirror a community college. The military protocols that have been retained (marching and formal flag ceremonies) are focused on patriotism and honor rather than power and submission. Behavioral strategies and decision-making have been integrated into physical control scenarios to better reflect the reality of policing.

A five-year longitudinal study of the effectiveness of the new training is now under way, having been launched in the fall of 2014. Researchers will follow cohorts of recruits for five years, conducting interviews and administering surveys at various intervals. The study is designed to determine if the guardian philosophy, the Blue Courage program and the Tactical Social Interaction program positively influence officers' attitudes about their job and the public. It will also measure whether or not officers trained under those programs are more likely to use crisis intervention strategies and de-escalation skills in the field than officers trained under the old warrior philosophy.

Conclusion

As this paper was being written, media images of officers atop armored personnel carriers, dressed in military fatigues and armed with rifles, have proven to be a powerful catalyst for vigorous discussion about the militarization of police in this country.[27] This debate should generate introspection by police leaders about cultures created within police agencies. This introspection should lead to a robust conversation with community members to assess whether police

cultures reflect the values and expectations of the communities they serve.

Author Note

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Chief Michael Davis, Director, Public Safety Division, Northeastern University

Mr. Ronald Davis, Director, Office of Community Oriented Policing Services, United States Department of Justice

Ms. Madeline deLone, Executive Director, The Innocence Project

Dr. Richard Dudley, Clinical and Forensic Psychiatrist

Chief Edward Flynn, Milwaukee Police Department

Colonel Rick Fuentes, Superintendent, New Jersey State Police

District Attorney George Gascón, San Francisco District Attorney's Office

Mr. Gil Kerlikowske, Director, Office of National Drug Control Policy

Professor John H. Laub, Distinguished University Professor, Department of Criminology and Criminal Justice, College of Behavioral and Social Sciences, University of Maryland, and former Director of the National Institute of Justice

Chief Susan Manheimer, San Mateo Police Department

Superintendent Garry McCarthy, Chicago Police Department

Professor Tracey Meares, Walton Hale Hamilton Professor of Law, Yale Law School

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Mr. Sean Smoot, Director and Chief Legal Counsel, Police Benevolent and Protective Association of Illinois

Professor Malcolm Sparrow, Professor of Practice of Public Management, John F. Kennedy School of Government, Harvard University

Mr. Darrel Stephens, Executive Director, Major Cities Chiefs Association

Mr. Christopher Stone, President, Open Society Foundations

Mr. Richard Van Houten, President, Fort Worth Police Officers Association

Lieutenant Paul M. Weber, Los Angeles Police Department

Professor David Weisburd, Walter E. Meyer Professor of Law and Criminal Justice, Faculty of Law, The Hebrew University; and Distinguished Professor, Department of Criminology, Law and Society, George Mason University

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