## COMPENDIUM: COMMUNITY POLICING AND PROCEDURAL JUSTICE IN JAILS PART 3

# Research Brief

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This project was supported, in whole or in part, by cooperative agreement number 2018-CK-WX-K017 awarded to the National Police Foundation by the U.S. Department of Justice, Office of Community Oriented Policing Services. The opinions contained herein are those of the author(s) or contributor(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice. References to specific individuals, agencies, companies, products, or services should not be considered an endorsement by the author(s), the contributor(s), or the U.S. Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

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#### Recommended citation:

Amendola, Karen L., and Maria Valdovinos Olson. 2023. *Research Brief.* Compendium: Community Policing and Procedural Justice in Jails Part 3. Washington, DC: Office of Community Oriented Policing Services.

Published 2023

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#### Literature Review

#### **Community policing**

According to the Office of Community Oriented Policing Services (COPS Office) of the U.S. Department of Justice, "community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder,

[Community-oriented policing] relies upon collaborative problem solving between the police and members of the community and emphasizes community outreach and engagement.

- Gill et al. 2014

and fear of crime." (COPS
Office 2014, 1). Whereas
more traditional policing
is generally reactive (responding to calls for service),
community-oriented policing

(COP) is proactive and preventative. In the early 1990s, the now-defunct Community Policing Consortium (CPC) noted that "community policing encompasses a variety of philosophical and practical approaches and is still evolving rapidly" (CPC 1994, 1).

By 2004, COP had become widely implemented and continues to be to this day. COP is broadly recognized as being "the most important development in policing in the past quarter century" (Skogan and Roth 2004, xvii).

However, the scientific evidence on the effectiveness of COP has varied in large part because of differences in how it has been defined, interpreted, and operationalized by law enforcement agencies and scholars alike. For example, some have noted that it is difficult to define COP (Weisburd and Eck 2004), with some equating it to the "broken windows" approach<sup>1</sup> (Parlow 2012).

Regardless of how it has been characterized or interpreted, COP involves a range of strategies that can yield a collective public safety mindset under which diverse groups of stakeholders cooperatively address conditions that give rise to crime and disorder. Indeed, Gill et al. (2014) argued that it is more broadly "a philosophy or guiding framework for implementing strategies, and not a strategy in itself." (402)

<sup>1.</sup> Broken-windows policing is based on the premise that there is a link between minor public disorders (vagrancy, public drunkenness, panhandling) and more serious, violent crime. As such, the authors of the study in which the theory was named, Kelling and Wilson (1982), suggested that enforcement of these minor violations would necessarily lead to safer communities.

Nevertheless, in a comprehensive review of the literature on the impact of COP,2 scholars found that COP has limited crime reduction benefits.3 Despite early indications from research conducted by the Police Foundation that COP-specifically foot patrol—led to reductions in fear (Pate et al. 1986), more recently, researchers have questioned the impact of COP on fear reduction and other outcomes. For example, authors of research published by the National Research Council have concluded that the impact of foot patrol on fear reduction is only supported by weak to moderate evidence (Skogan and Frydl 2004), though moderate effects are typical in criminal justice research. Gill and colleagues (2014) similarly did not find evidence that COP reduces fear. These mixed findings may be due, in part, to the varied definitions and interventions referred to as "community policing" in the literature, making it hard to combine findings from across studies.4 In sum, it appears that the evidence about the role of COP in reducing fear is mixed.

Nonetheless, COP has been demonstrated to improve satisfaction and trust in the police, as well as to reduce citizens' perceptions of disorder in their communities (Gill et al. 2014). This is particularly notable as research on police legitimacy and procedural justice (PJ) have underscored the importance of community satisfaction and trust in the police.

## Community policing applied to jail management

While many sheriffs and jail administrators have adopted approaches consistent with COP, such as problem solving and collaboration in developing what is referred to as "community programming," these efforts have not typically been showcased or

Jails are communities unto themselves, reflecting the larger community in which they are embedded. Sheriffs and jail administrators have, for a long time, been applying the components of COP through programming consistent with COP principles.

described as being oriented toward PJ nor representative of COP. Instead, these terms have typically been applied to policing and in some cases to the patrol function in sheriff's offices. More importantly, there is an absence of practice-based tools to aid sheriffs and jail administrators in implementing programs and strategies that are consistent with COP or those focused on PJ.

Traditional policing methods such as broken windows lead to high levels of incarceration and high financial costs (Parlow 2012). Emphasizing that cities and counties spend about \$100 or more per

<sup>2.</sup> Based on 25 reports containing 65 independent tests of community-oriented policing, for which 37 tests met the necessary criteria for inclusion in the meta-analysis.

<sup>3.</sup> More recent research has demonstrated some crime reduction benefits for foot patrol, but those benefits appear to be dependent on the type, timing, duration, and dosage of foot patrol (Ariel, Weinborn, and Sherman 2016; Groff et al. 2015).

<sup>4.</sup> Gill and colleagues (2014) conducted what is known as a meta-analysis, in which effects demonstrated across studies are combined mathematically to draw broader conclusions about a body of work.

day to house inmates (regardless of whether they have been convicted of a crime), Parlow (2012) affirmed that "it is no wonder, then, that many localities are rethinking an incarceration-dominated approach to community policing." (1,218). In examining a program in Milwaukee County, Wisconsin, Parlow suggested that some communities are motivated by the need to provide social services support to those in jail to reduce recidivism and incarceration costs through alternatives to incarceration (e.g., house arrest with electronic monitoring). Such programs have been demonstrated to significantly reduce incarceration costs in Cook County, Illinois; Dallas County, Texas; and Scottsdale, Arizona, among others, along with work release, transitional halfway housing, and other alternatives to incarceration for low-level offenders. The Milwaukee program and others like it were funded by the National Institute of Corrections (NIC) to encourage evidencebased decision making in the criminal justice system, which alone is an important advancement.

At the same time, none of the programs above are specifically described as rooted in the philosophy or practices of COP. This is surprising considering it has been more than 20 years since a sergeant from the Fresno County (California) Sheriff's Department insightfully asserted that jails "should be identified as the missing piece of the community-policing paradigm" (Kurtze 2000, 16). In particular, this sergeant emphasized the way in which jails fit the COP paradigm by noting that "inmate intervention and education programs provide our communities with an opportunity to have a real impact on crime and the causes of crime." (18).

Not surprisingly, then, evaluations of COP in jail settings have been largely absent from the scientific literature. However, in 2017, researchers from the National Police Foundation (now National Policing Institute)—through funding from the California Endowment—engaged in a partnership with the Los Angeles County Sheriff's Department (LASD) to examine the effectiveness of a COP strategy with one group of inmates in their Men's Central Jail and to conduct a process evaluation of another established program in the women's jail which incorporated the principles of COP.

In the first case, the sheriff invited jail staff to present their ideas for a COP approach for reducing grievances and improving safety. The selected program was named the Town Sheriff model. This approach consisted of an appointed "town sheriff" (a deputy) whose role was to listen to inmates' concerns, engage them in town halls and discussions, and attempt to address their concerns and grievances in the moment rather than waiting for the grievance process to run its course. Because community engagement and problem solving are key aspects of COP, this approach was seen as a clear COP strategy. In comparing data collected in the period before the program was implemented to data collected six months later, we found that the proportion of formal grievances filed by inmate residents decreased by 64 percent during that time and that a much higher proportion of grievances (171 percent more) were being successfully addressed—increasing from about one every three days to one every day (Amendola, Valdovinos Olson, and Thorkildsen 2019). While the study had some limitations, it demonstrated that a COP approach in jails can be quite effective. A more

complete description of this approach is provided in one of the case studies in this compendium at <a href="https://cops.usdoj.gov/RIC/ric.php?page="https://cop

In the latter case, we examined the process by which the LASD implemented "gender responsive programming" in the women's jail-Century Regional Detention Facility (CRDF). This program was also rooted in the philosophy and key components of COP in that it involved problem solving and organizational transformation. For example, a key component of the program was the careful selection and assignment of a Gender Responsive Advocate who also served as an inmate liaison custody assistant for the facility's pregnant residents (50 on average, with as many as 70 on any given day). Jail command staff recognized that the high-risk nature of this population and their unique needs required additional efforts to ensure their safety, health, and wellness while in custody. Previously, the jail had housed all incarcerated persons who were pregnant in the same dorm module on the assumption that doing so would allow for better monitoring of their health. CRDF command staff noted, however, that "it quickly became clear this housing policy interfered in meeting the unique rehabilitative needs of each woman because they were being assigned to a dorm module based on their pregnancy status rather than the root issue(s) that led them to incarceration in the first place" (Valdovinos Olson and Amendola 2019).

Accordingly, CRDF command staff used a problemsolving approach, consistent with COP, to determine the best course of action by developing programming and providing services to ensure the safety, health, and wellness for both residents who were pregnant and those who had recently delivered babies. A detailed description of that program is provided in another case study in this compendium at <a href="https://cops.usdoj.gov/RIC/ric.php?page=detail">https://cops.usdoj.gov/RIC/ric.php?page=detail</a> &id=COPS-W0977.

As both programs in the LASD relied on COP as an underlying philosophy or set of strategies, the evaluations led to the conceptualization of this compendium project.

## Police legitimacy and procedural justice

Police legitimacy refers to the extent to which members of the public see the police as a legitimate source of authority and are willing to accept that authority (NIJ 2013). One way that police legitimacy is achieved is through PJ: allowing community members to have a voice, treating community members with dignity and respect, treating people in an unbiased manner, and demonstrating trustworthiness in motives (Sunshine and Tyler 2003; Tyler 1997; Tyler 1990). The PJ approach is based upon research demonstrating that complying and cooperating with authorities is driven by a belief in the legitimacy of the authority, not by "threat of force" or "'fear of consequences" (Schulhofer, Tyler, and Hug 2011, 338). According to the Center for Court Innovation, PJ also includes being helpful and providing understanding (Swaner et al. 2018). Some have also conceptualized PJ as "listening and explaining with equity and dignity" or what have come to be known as LEED principles (Rahr, Diaz, and Hawe 2011). Some of the actions that reflect PJ are demonstrating concern, fairness, and empathy (as opposed to "toughness"), as well as ensuring individuals have a voice. In this sense, PJ, COP, and legitimacy go hand in hand.

Evidence about the benefits of PJ in policing has been very favorable. For example, in 1997, Paternoster and colleagues found that domestic violence arrestees who perceived that their arresting officers treated them in a procedurally just manner were less likely to engage in violence later. Similarly, evidence has mounted in the first part of the 21st century on the importance of police legitimacy in gaining compliance, cooperation, and rule adherence in policing (Hinds and Murphy 2007; Mazerolle et al. 2013). Researchers have found, for example, that when police treat community members with disrespect, those individuals are less likely to comply with police requests<sup>5</sup> (Mastrofski, Snipes, and Supina 1996; McCluskey, Mastrofski, and Parks 1999) than if the police had treated them with respect or are more likely to respond to police with disrespect themselves (Dai, Frank, and Sun 2011).

Studies have also established linkages between PJ and a variety of other arms of the criminal justice system including courts (Baker 2017; Casper, Tyler, and Fisher 1988; Farley, Jensen, and Rempel 2014; Tatar, Kaasa, and Cauffman 2012), community corrections (Taxman 2006), and prisons (Beijersbergen et al. 2015; Bierie 2013; Jackson et al. 2010; Reisig and Mesko 2009; Steiner and Wooldredge 2018). For example, a study by the Center for Court Innovation revealed that all five dimensions of PJ were associated with defendants' perceptions of global judicial fairness and fairness in judicial decisions (Farley et al. 2014). While this report focuses on local jails, as opposed to police, courts, or prisons, the previously mentioned studies do engender support for applying procedural justice in jails.

## Procedural justice and legitimacy in prisons and jails

The idea that PJ may be useful in correctional settings (both state prisons and local jails) is not new. Indeed, Sparks and Bottoms (1995) suggested that in prisons, "supplying meaningful rationales for the exercise of power" and "procedural fairness" (60) increase legitimacy and are consistent with shared moral beliefs.

Interestingly, there is also some limited research on the impact of internal PJ on correctional officers themselves. Lambert and colleagues have examined a range of outcomes and have found that correctional officers treated with PJ internally appear to have lower levels of stress and burnout and were less inclined to leave their jobs (Lambert, Hogan, and Allen 2006; Lambert et al. 2010) than officers whose departments did not treat them in a procedurally just manner. Similarly, those who perceived higher levels of internal PJ also had higher levels of job satisfaction and organizational commitment (Lambert, Hogan, and Griffin 2007), as well as greater reported life satisfaction (Lambert et al. 2010), than those who perceived lower levels of internal PJ.

Indeed, Baker and colleagues (2021) acknowledge deged that "the vast majority of extant knowledge on incarceration comes from research on prisons," noting that "while some of this research may be generalizable to jails . . . the experiences of those incarcerated in jails are qualitatively different from those incarcerated in prisons." (189) Despite the 16 percent increase in the number of jail inmates (compared to a 1 percent reduction in the number of prison inmates) between 2020 and 2021 (Office

<sup>5.</sup> The converse has also been found; officers who were more respectful in encounters were more likely to obtain compliance.

Clearly, COP and PJ can be adapted as a framework for improving legitimacy, health, and safety in jails and correctional facilities.

of Justice Programs 2022), we know relatively little about experiences of individuals being held in jailespecially regarding their perceptions about procedurally just behaviors toward them by jail personnel. To fill this gap, researchers at the Center for Court Innovation sought to examine the extent to which incarcerated individuals perceived that jail staff listened to them and took their needs into account, as well as whether they treated them in a fair and respectful manner. The researchers surveyed 807 individuals in two cities and conducted in-depth interviews with more than 100 more (Swaner et al. 2018). Among those participants, 73 percent had spent time in a jail previously (and others had spent time in a prison or both in a jail and in a prison) for an average of 22 days.6 Less than half reported that correctional staff treated them with respect (49 percent), listened to what they had to say (45 percent), or took their needs into account (44 percent). Interestingly, this did not differ from the findings for police; "Less than half (47 percent) stated that they had a positive experience with the police." (9)<sup>7</sup>

In addition, 62 percent of those surveyed reported that correctional staff were too quick to use force. Moreover, when asked about their satisfaction with various officials and the court system, respondents reported their lowest rate of satisfaction for "people who run the jail" (15 percent), compared to police and prosecutors (24 percent each), the court system (25 percent), defense attorneys (34 percent), and judges (38 percent). However, it is important to note two inherent biases in this question that may account for this low rating for jails. First, the researchers defined each group collectively (e.g., police, prosecutors, etc.), except with respect to jails, where they used the term "people who run the jail" rather than "correctional staff," rendering interpretation of this finding difficult as most inmates probably have little interaction with those who "run the jail." Second, because jail is typically perceived as the punitive portion of their justice involvement, we may expect individuals to hold those responsible for detention in lower esteem as they are seen as the ones taking away their freedom.

Another 2021 study in a Florida county jail demonstrated a greater connection between correctional officers' use of PJ and the commitment of those in custody to follow rules. Baker et al. (2021) explored that association using three-question surveys<sup>8</sup>

<sup>6.</sup> According to the Bureau of Justice Statistics (BJS), the expected average length of stay in jails nationwide was 26 days in 2019 (Zeng and Minton 2021) but ranged from 10 days (for jails with average daily inmate populations of fewer than 50) to 36 days (for jails with average daily populations of 2,500 or more). Expected average length of stay is reported as the average daily (jail) population divided by the number of annual admissions multiplied by the number of days in the year.

<sup>7.</sup> It is important to note that this sample was not representative, as it relied on just two jurisdictions and the researchers used a convenience sample; they surveyed people leaving three courts as well as a few from a soup kitchen, a general educational development (GED) program, and a re-entry office.

<sup>8.</sup> Three is the minimum number of survey items recommended (see Marsh et al. 1998), but for more complex constructs with multiple dimensions, more questions are necessary.

purported to assess PJ<sup>9</sup> and found that in-custody individuals who believed officers treated them in a procedurally just manner were more likely than their less satisfied counterparts to believe they should follow rules and orders in the jail. Consistent with past studies in prisons, the researchers also found that inmates who had reported past misconduct were less likely to be committed to following the rules. Baker and colleagues concluded, "Detention officers in jails who behave in a more procedurally just manner will promote rule-adherence among the individuals incarcerated in the jails." (197) Overall, however, there is a great need for more research on legitimacy and PJ in jails.

#### **Primary objective**

Providing guidance and information on innovative ways to implement COP principles in jail settings will provide substantial short- and long-term benefits for jail communities and the broader society in terms of increased safety and quality of life for those who live and work in jail settings. This compendium provides an exchange of ideas among sheriffs who operate jails and strategies on how to implement promising innovations in building respect, communication, and legitimacy in those settings. More specifically, objectives include the following:

 Expanding sheriffs' knowledge and increasing awareness of how COP philosophy and practices are or may be applied in the jail settings

- 2. Collaborating with sheriffs' offices (via focus groups) to identify innovative COP strategies in use or proposed for use in jail settings
- 3. Working with selected sheriffs' offices¹0 to gather input on promising practices and assessing the extent to which proposed or existing COP innovations might address current needs and serve as models for other jurisdictions facing similar problems and inmate needs
- 4. Enhancing the skills of personnel in sheriffs' offices to implement evidence-based or other innovative strategies to reduce disorder and criminal activity, increase safety of correctional personnel and justice-involved individuals, and improve perceptions of justice and legitimacy for both groups

Through these objectives, our hope is that this COP and PJ Compendium will facilitate the implementation of strategies aimed at effective jail management to improve health, safety, and quality-of-life outcomes for those in the jail community (justice-involved individuals, staff, and other service providers), as well as to promote rehabilitation, facilitate successful re-entry, and reduce recidivism.

<sup>9.</sup> Items were designed to assess procedural justice, e.g., "officers at this facility treat inmates fairly and with respect" and commitment to institutional rules, e.g., "I feel an obligation to obey the orders of correctional officers".

<sup>10.</sup> We recognize that our focus groups included a limited number of sheriffs and their personnel, and as such we acknowledge that there are many other sheriffs' offices and jail administrators who use similar or other innovative practices. The programs and practices identified in this compendium are from a small subset of agencies from which our examples were derived.

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#### About the Authors

Karen L. Amendola, PhD, is Chief Behavioral Scientist at the National Policing Institute, where she has worked for more than 25 years. She has worked with numerous law enforcement agencies at the local, state, and federal levels. Just a few examples include Arlington, Texas; Charlotte, North Carolina; Chicago; Detroit; Newark, New Jersey; Seattle; Travis County, Texas; and Washington, D.C. Dr. Amendola recently completed a study with the Los Angeles County Sheriff's Department on community policing and gender responsiveness and has worked with other sheriffs' offices on the *Hiring in the Spirit of Service* initiative. With her colleagues, she recently developed a work-family conflict scale published in *Policing: An International Journal (2021)*. Currently she is the lead investigator (with her peers) on a study of organizational stress and its impact on police officers and sheriffs' deputies.

As an industrial/organizational psychologist, Dr. Amendola conducts research on officer safety, eyewitness identification, dog encounters, psychological measures, shift schedules, and community policing training and evaluation. She currently serves on the American Psychological Association's Presidential Committee on Use of Force against African Americans and recently served as the Chair of the Division of Experimental Criminology of the American Society of Criminology (2018–2019). Dr. Amendola is also a member of the American Society of Criminology, IACP, and the Society for Police and Criminal Psychology. With her colleagues, she won the prestigious Outstanding Experimental Field Trial for her examination of the impact of 8-, 10-, and 12-hour shifts and the impact of hours on health, safety, performance, and quality of life.

Maria Valdovinos Olson is a Senior Research Associate at the National Policing Institute and doctoral candidate in sociology at George Mason University. Ms. Valdovinos Olson's primary area of research focuses on issues of safety, health, and wellness in the administration of justice, and she has expertise in policing, jails, and re-entry. She is currently co-principal investigator on a National Institute of Justice-funded project investigating the adverse impacts of organizational stress on officer health and wellness.

Her portfolio of work spans the areas of safety and wellness in policing and corrections, community policing in the United States and Mexico, and the impact of a procedural justice intervention on crime hot spots and police legitimacy. Recent work on gender responsive programming in jails, impact of restorative justice programming on recidivism, and development of a work-family conflict scale for police officers and their families has been published in, respectively, *Women and Criminal Justice*, *Journal of Offender Rehabilitation*, and *Policing: An International Journal*. Ms. Valdovinos Olson earned her BA from Northwestern University and her MA in sociology from George Mason University.

# About the National Policing Institute (formerly known as the National Police Foundation)

The **National Policing Institute** is a national, nonpartisan, nonprofit organization dedicated to pursuing excellence through science and innovation in policing. As the country's oldest police research organization, the National Policing Institute has learned that police practices should be based on scientific evidence about what works best, the paradigm of evidence-based policing.

Established in 1970, the National Policing Institute has conducted seminal research in police behavior, policy, and procedure and works to transfer to local agencies the best new information about practices for dealing effectively with a range of important police operational and administrative concerns. Motivating all the National Policing Institute's efforts is the goal of efficient, humane policing that operates within the framework of democratic principles and the highest ideals of the nation.

To learn more, visit the National Policing Institute at https://www.policinginstitute.org/.

#### About the COPS Office

The **Office of Community Oriented Policing Services (COPS Office)** is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.

Community policing begins with a commitment to building trust and mutual respect between police and communities. It supports public safety by encouraging all stakeholders to work together to address our nation's crime challenges. When police and communities collaborate, they more effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Rather than simply responding to crime, community policing focuses on preventing it through strategic problem-solving approaches based on collaboration. The COPS Office awards grants to hire community policing officers and support the development and testing of innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders, as well as all levels of law enforcement.

Since 1994, the COPS Office has been appropriated more than \$20 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing. Other achievements include the following:

- To date, the COPS Office has funded the hiring of approximately 130,000 additional officers by more than 13,000 of the nation's 18,000 law enforcement agencies in both small and large jurisdictions.
- Almost 800,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations and the COPS Training Portal.
- Almost 500 agencies have received customized advice and peer-led technical assistance through the COPS Office Collaborative Reform Initiative Technical Assistance Center.
- To date, the COPS Office has distributed more than eight million topic-specific publications, training curricula, white papers, and resource CDs and flash drives.
- The COPS Office also sponsors conferences, roundtables, and other forums focused on issues critical to law enforcement.

COPS Office information resources, covering a wide range of community policing topics such as school and campus safety, violent crime, and officer safety and wellness, can be downloaded via the COPS Office's home page, https://cops.usdoj.gov.

Jails are communities in and of themselves, whose members are the individuals incarcerated and the correctional staff employed there; they are also part of the broader communities in which they are located, where the correctional staff live and to which the incarcerated population will eventually return. Community-oriented policing is as important in jails as it is in towns, cities, and counties; this compendium of community policing and procedural justice practices and programs, developed by the National Policing Institute and the National Sheriffs' Association, features research and promising practices as well as eight successful programs operated by seven sheriffs' departments that will be illuminating for other agencies nationwide.



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