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**Civics 101**

**Episode 125: Police**

**Nick Capodice:** [00:00:01] My knowledge of the police growing up in a very white New Hampshire town was that the police were friendly and they came to school and I did DARE. And I would watch Abbott and Costello routines. There were like hey if you're ever in need of need help give me a hand go ask a policeman. They're going to help you out.

**Hannah McCarthy:** [00:00:16] I know I went to DARE too. But I think that that was my only experience of ever speaking face to face with a cop. I still haven't to this day.

**Nick Capodice:** [00:00:26] So what do you want to know about the police?

**Hannah McCarthy:** [00:00:28] I want to know who governs what the police are allowed to do? Are there federal regulations? Are there state regulations? Is it just you know units of policy by municipality who makes these decisions where does the money come from and how has the police force in this country changed over the years?

**Nick Capodice:** [00:00:53] We're talking today with Norm Stamper. Norm was the past chief of Seattle's police department and an officer in San Diego. He's also the author of two books first To Protect and Serve: How to Fix America's police, and Breaking Rank: A Top Cop's Exposé of The Dark Side of American Policing.

**Hannah McCarthy:** [00:01:14] So I guess let's start with brass tacks here what is the official role of the police department in the United States?

**Norm Stamper:** [00:01:23] Well the whole purpose behind policing is to help achieve public safety and neighborhood health so police are identified properly as a crime fighting agency. But they also provide many many other services that are associated with quality of life issues in any given neighborhood.

**Hannah McCarthy:** [00:01:43] And is a police force constitutionally mandated? How did we decide that we needed to have one?

**Nick Capodice:** [00:01:52] No there is no mandate for policing anywhere. And in fact one of the interesting phenomenon of American policing as it we have 18,000 law enforcement agencies in this country and each is pretty much a stand alone agency fairly independent from tiny rural police departments to big urban NYPD has got 35,000 police officers. Most police departments have a handful if not just one or two officers and there are no federal regulations that are you know universal amongst all 18,000.

**Nick Capodice:** [00:02:28] Are they completely on their own?

**Norm Stamper:** [00:02:31] One of my favorite themes here is as we do have these 18,000 law enforcement agencies but we have one Constitution and every single police officer are nearing 1 million in this country. And all of those agencies are duty bound to abide by the Constitution. And yet we have no national standards very different from the British after whom we model ourselves. But it's it's very problematic I think and if you're looking at Civics 101 approach to policing it's important to point out that each of these police departments operates with its own its own basic policies and procedures.

**Nick Capodice:** [00:03:11] Well let's go to about how we started. Where did we get this notion of how we run our police departments?

**Norm Stamper:** [00:03:19] Before industrialization, before the Industrial Revolution, communities, neighborhoods had kind of a hue and cry approach to public safety. Somebody notices that a barn is on fire clangs a bell runs through the dirt roads of a little community and arouses people and gets them out there to help fight that fire or chase down somebody who's rob somebody. And as we moved from from an agrarian and rural environment to an urban industrialized environment we began to organize and the early organizing efforts were fraught. There were there were a lot of problems associated with that and we learned about the British. The British in 1829 through the Metropolitan Police Act created the very first Western democracy organized police force. Representatives from New York and Philadelphia and Boston and other big East Coast cities and Midwest cities traveled to Great Britain to study the Metropolitan Police Act and they came back with you know a skeleton vision really of how to structure a police department. But they failed to include some safeguards that turned out to be a pretty glaring omission that caused from the very beginning of a life of this institution a lot of problems.

**Hannah McCarthy:** [00:04:50] So what were the safeguards that the United States failed to include in their idea for a police force?

**Norm Stamper:** [00:04:57] Well Sir Robert Peel who was the home secretary took seven years to convince a reluctant parliament to go along with the idea of an organized police force. During those seven years of political maneuvering the Home Secretary and parliament went back and forth on what we need to do to make sure that our police force doesn't come across as tyrannical as militaristic as aloof or distant from the community. So they built in safeguards to ensure that that would not happen and the Americans essentially were bad students. They think they came back to this country and they created almost overnight a political spoils system where nepotism ruled. If a mayor appointed a police chief and gave that chief the authority to select police officers very often it was brothers or sons or cousins or uncles and so forth and corruption developed almost immediately in most of those big city law enforcement agencies.

**Nick Capodice:** [00:06:06] Moving into the current day, I'm curious about how we're training officers and there's been a lot of talk about the militarization of police recently. How does the training differ between the military and the police?

**Norm Stamper:** [00:06:18] I think it's very important that your listeners understand that training does play take place in a classroom of course that takes place in a variety of other settings where we set up mock scenes and do simulations and the like. But it also takes place in the front seat of a police car and it takes place in the locker room. And by far the more powerful form of instruction takes place informally always has been the case probably always will be the case. Military training on the other hand starting with basic training is all about learning how to follow orders and obviously to engage in tactical operations to become familiar with equipment and weapons and the like. But the distinction is so terribly important for an American police officer. The training ostensibly is about helping police officers forge these true partnerships with the community an emphasis on interpersonal communication on listening skills on developing patience and restraint on learning how most effectively to defuse tense situations and particularly when weapons are involved. One of the distinctions we can't draw is that between the military and the police is that the police in our society tragically are surrounded by guns. There are more guns than people in this country. So we have a responsibility to equip our police officers to handle everything from a home invasion robbery to a drive by shooting them one minute and two trying to console parents who have lost a child overnight to a crib death. It's no exaggeration to say that from one minute to the next police officers can go from one very different kind of task duty or responsibility to another.

**Nick Capodice:** [00:08:17] And are police officers currently trained in the sort of de-escalation tactics?

**Norm Stamper:** [00:08:22] They are. But I think it's important to point out that a recent study revealed that the average police officer gets about eight hours of what some might call de-escalation training. It could be as simple as interpersonal communication but without the real emphasis on de-escalation. That's a whole body of knowledge. It implies a set of skills. It takes a lot of practice. But they spend much more time firing their weapons and undergoing defensive tactics training. And they do de-escalation. Not that the former is a bad thing. That's a very important necessary thing but it's also vital that we teach police officers how to slow things down how to calm things down when they arrive at a scene. You've probably seen YouTube footage of police officers literally screaming at the top of their lungs sounding like they're out of control. Now what they're trying to do of course ironically is to achieve control is to bring stability to that chaotic scene. But too often they're actually escalating tension and creating a more dangerous situation.

**Hannah McCarthy:** [00:09:40] Now what kind of culture is cultivated within the police force between this kind of disproportionate type of training that happens and then this schizophrenia on the job experience?

**Norm Stamper:** [00:09:52] That's a really vital question that police administrators and civic activist and civic leaders and rank and file police officers are all asking especially these days in light of recent events. The culture of American policing as a product I'm convinced of the structure paramilitary bureaucratic top down to many agencies in my view treat their frontline professionals like dependent or delinquent children. The disciplinary system is very primitive and very black and white and oftentimes insulting to police officers who engage in such sensitive and delicate and demanding work. So we need to look at that and we need to understand how this sort of rigid top down communication decision making system within the paramilitary bureaucracy affects attitudes and behavior of police officers. So I look at it this way the structure produces that culture and then the culture gives rise to the behavior. And if we're not happy with the behavior I think we what comes to my mind as the Laquan McDonald shooting in Chicago, the Walter Scott shooting in North Charleston South Carolina, or Philando Castile and Minnesota a number of controversial police incidents typically resulting in death are are... It just seems to me that we need to look at those events study those events investigate certainly those events and draw conclusions and let the chips fall where they may. But we shouldn't just fixate on the individual event. We should ask ourselves where does that behavior come from. Why is it that the police officer is shouting and screaming at an individual whose attention he wants. But who is more likely than not escalating and inflaming passions. And what is it that we can do systemically to produce different kind of behavior.

**Nick Capodice:** [00:12:05] We wanted to look at one specific incident which was to look at something such as Ferguson what happened with Michael Brown in Ferguson and if you could tell us how did we get there. But it sounds like you're saying we shouldn't be isolating these specific incidents but we should be looking at the culture at large?

**Norm Stamper:** [00:12:21] I suppose what I'm really saying is yes of course we must look at the individual events but once we've sealed up that investigation has now been completed we need to ask ourselves what led to the tragic outcome what led to in this case an 18 year old young man dying at the hands of police. Is there a way that that could have been prevented. And to my way of thinking almost all almost all controversial police shootings that we've been exposed to in the last several years could have been prevented. Now look at the Michael Brown incident where we have an 18 year old kid who talks back to a police officer who tells him to get up on the sidewalk. Profanities are exchanged. Wasn't just one sided and the officer gets hooked. He's been provoked. So he puts his car in reverse and backs up at a very reckless rate of speed circles around an entraps himself with Michael Brown and his companion standing right next to the door. The driver's side door this police car. And then Darren Wilson tells the grand jury later that he felt that he was trapped and that he felt that he was being assaulted by I think he used the word demon. He said he he looked like the Hulk but he was sitting behind the wheel of his car trapped in his vehicle. He had his gun out. Having not seen a gun but fearing for his life nonetheless because of Michael Brown's menacing demeanor and and his proximity which he the officer had actually brought about felt that as he put it to the grand jury that his life was in danger and the consequence of course was another one of these controversial police killings. One thing we don't look at nearly enough is the tactics that the officers used that set up this fatal outcome. And that's critically important because every time we break down one of these incidents we critique it, we debrief it, we place it into the larger context of our training or supervision and our tactics, we have the opportunity to prevent next one. And I think what we learned in Ferguson was that we had a an entire police department indeed an entire city that was engaged in systemic discrimination. There was raw racism. We saw that and some exchanged e-mails and some notices and so forth that circulated within the organization and city home. And we saw that that police officers were engaged in what's commonly called policing for profit. And the Department of Justice report for anyone interested in this aspect of policing would do well to read the report says that the city manager indeed supported by the City Council was putting pressure on the police department to generate more revenue. How do you how does the police department generate revenue? Tickets and arrests. So that's that's an unholy alliance between the police department and the city fathers and it's also sending exactly the wrong message to police officers.

**Hannah McCarthy:** [00:16:05] Given the current aggregate climate of the nation's police departments, What do you see as the reasonable foreseeable future?

**Norm Stamper:** [00:16:14] There are a lot of practical intermediate steps that can be taken and they're still fairly ambitious. One recommendation I've made we need to have a set of unifying standards that will help us answer the question what's a professional law enforcement agency, what's a professional police officer? And on the strength of those standards we ought to certify agencies and license cops. And if you can't or won't play by the rules then you're going to lose your certification or your license. The police officer who shot and killed Tamir Rice in Cleveland Ohio had been fired by the Independence Ohio Police Department 19 minutes away by car a couple of years prior to the time that Cleveland picked him up. And why did they fire him? Because he fell apart on the on the pistol range because he was an emotional wreck. He may have been a nice guy. The deputy chief who wrote up his termination package essentially said we regret that you didn't make it but you're not police material. We can't afford you the community cannot afford you. And so they fired him. And yet Cleveland hired him and then a short time later he shot and killed a lonely 12 year old boy on a snowfield in Cleveland. Those kinds of images ought to haunt us because not only has that 12 year old been denied the rest of his life, not only has his family been torn apart and the community reduced to collective grief, we have a situation in which easily that controversial shooting didn't didn't need to happen could have been prevented. So we need to set the standards and we need to enforce them. And you can't lose a job in Ferguson and get hired in New York or San Diego and hired in Seattle or wherever.