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REFLECTIONS ON POLICE REFORM
IN THE UNITED STATES

Our analysis of Schenectady rests on a broader foundation of data, including not only the survey data on citizens' satisfaction and their judgments about the procedural justice of the police in their contact, and the interviews with commanders, patrol supervisors, and patrol officers, but also the observations of police-citizen encounters and the direct comparison of subjective experience and officer behavior. So we begin with what we take to be the principal findings from Schenectady, and then we consider the respects in which those findings are corroborated (or contradicted) by the findings from Syracuse.

In Schenectady, we observed moderate levels of procedural justice and low levels of procedural injustice in officers' behavior. These findings are not directly comparable to those of Jonathan-Zamir, Mastrofski, and Moyal, who constructed a single measure of procedural justice/injustice, and whose research was conducted in a suburban jurisdiction that they describe as a "professional, well-trained police agency, with leaders committed to several of the currently

popular progressive police reforms, such as community and problem-oriented policing" (2015, 865). Insofar as comparisons can be drawn, officers in both Schenectady and "Everdene" exhibited procedural justice that varied across the procedural justice domains, and which was overall moderate. In Schenectady, we found low levels of procedural injustice.

The professionalization of police produced not true professionals, however, but rather police bureaucracies (partially) insulated from their political environments (Brown 1981). A Weberian bureaucracy is well suited for industrial settings that apply an assembly-line ("long-linked") technology to standardized raw materials, and where the task environment is homogeneous, the procedures for transforming raw materials into work products are well understood and can be specified in advance. But the same bureaucratic form is not so well suited for policing. Insofar as the bureaucratic structure conflicts with the nature of the work—the "technical core"— it is loosely coupled with what officers do. Michael Brown argues that the bureaucracy has actually made matters worse, in that a punitive system of supervision has amplified the uncertainties with which officers must cope. Notwithstanding these contradictions, however, the bureaucratic form has remained, as constituencies inside and outside policing take for granted that it is appropriate.

Understanding Public Attitudes and Procedural Justice

One implication of the findings reported here for understanding public trust in police and procedural justice is that it is imperative to draw a sharp distinction between procedural justice as citizens' subjective experience and procedural justice as officers' overt behavior. They are different phenomena, even if we can use the same conceptual framework to define and operationalize them. Most previous research has relied on surveys of citizens to measure procedural justice, and most previous research on police behavior has not measured procedural justice. Using survey and observational methods to measure both citizens' perceptions and officers' behavior, respectively, we find the former are not straightforward reflections of the latter. (1-pg.18)

We already knew that citizens' judgments about procedural justice, and their satisfaction, in police-citizen encounters are very much subjective. But we may have underappreciated the degree to which they are subjective. Most survey research is cross-sectional; panel surveys are difficult and expensive to execute. But the handful of panel surveys show not only that subjective experience affects global attitudes toward the police, including trust and confidence, but also and especially that global attitudes have a large bearing on subjective experience. These reciprocal effects are far from balanced. What citizens take away from their encounters with the police in the form of their attitudes toward the police is shaped by what they brought to their encounters much more than by what police do. Citizens' subjective experience with the police is also influenced by broader contextual frames, such as the reputation of the police department and (for blacks) a history of discrimination, and by citizens' related interactions with personnel from other agencies, such as 911 center dispatchers or jail staff in booking facilities. Only a small fraction of the variation in subjective experience is attributable to how officers at the scene actually act. From the relationships between citizens' perceptions of procedural justice and citizens' satisfaction or beliefs about police legitimacy, it is safe to draw only inferences about the connections among these outlooks and not inferences about how these outlooks are shaped by what police do.

In order to describe, analyze, and understand procedural justice as it is enacted by police, it is necessary to observe it directly (in person or through recordings). We cannot rely on citizens' responses to surveys. Systematic social observation is a well-established method for measuring police behavior, and it can certainly be adapted to the measurement of procedural justice by police. Doing so potentially opens an analytic door to answering a wide range of questions about the levels of procedural justice that prevail in police-citizen encounters and the forces that influence procedural justice by police—all of the situational, individual, organizational, and community factors that have been examined in extant research on the use of police authority (see Worden and McLean 2014b).(1-pg.49)

Creating Police Legitimacy.

If future research replicates our findings from Schenectady concerning the relationship of citizens' subjective experience to officers' procedural justice, then our interpretation of survey-based measures of the quality of police performance in citizen encounters must be more circumspect. From this analysis it appears that subjective assessments do not reflect officers' performance very well. The survey-based procedural justice index varied with the nature of the contact (a call for service or a police-initiated contact) and the forms of authority that police exercised, but it varied with procedural justice mainly insofar as officers behaved in procedurally unjust ways, and overall procedural justice and injustice together accounted for little of the variation in citizens' judgments. Encounters in which officers performed very well in terms of conforming to principles of procedural justice—such as explaining their actions or listening to citizens—were not much more likely to yield positive assessments by citizens than encounters in which officers did not exhibit procedural justice. As a source of information about how well officers perform in procedural justice terms, it appears that citizen surveys—even surveys of people involved in recent contacts documented in police records— are of very limited utility.

That citizens' responses to surveys do not reflect officers' behavior very accurately does not mean that the measures derived from citizen surveys are useless. Whether they are firmly or only weakly rooted in officers' actions, citizens' perceptions are real, and their consequences are real too. Public trust is important for police. We think it likely that police departments benefit from higher levels of public trust and confidence. Police officers may benefit when their departments enjoy higher levels of public trust, insofar as citizens are more likely to be compliant in individual police-citizen encounters, and more likely to be cooperative in providing information and otherwise "coproducing" community safety by working with police. Efforts by a police department to build its stock of public trust can be expected to redound to the department's advantage and its community' s benefit.

But it does not appear that police can do much to "create" legitimacy through the procedural justice of their day-to-day

interactions with citizens. Officers can detract from public trust at the margin by acting with procedural injustice. But they add if at all only imperceptibly to public trust by acting with greater procedural justice. For example, and more particularly, when police conduct a stop, and when they conduct a frisk or search during that stop, the citizen's subjective experience is unlikely to be affected for the better when the officer takes affirmative steps to be procedurally just. In general, police may be able to influence, but they do not control, any of the outcomes that really matter crime, disorder, citizen satisfaction because these are also influenced by many other. (2-pg.267)

Successful efforts to influence public trust will consist mainly of measures other than managing the procedural justice of street-level behavior.

That public trust does not turn to a meaningful degree on managing street-level procedural justice might be good news, insofar as what gets measured does not always get managed, at least not in an institutionalized organization. In a bureaucracy even a paramilitary bureaucracy in which the task environment is ambiguous and uncertain, mid-level managers and frontline workers must interpret agency mandates against the imperatives of the work as they understand them. This can result in loose coupling between the practices that management espouses and the practices that are applied on the street and that represent, in the aggregate, the service delivered by the agency. In an agency that publicly espouses an approach that highlights the value of procedural justice, but in the absence of reliable measures of actual performance in those terms, there might well be a wide divergence between the public pronouncements by the agency and its day-to-day performance on the street. But it would be a divergence about which agency managers could remain blissfully ignorant. The public pronouncements might add to the department' s legitimacy, in that they signal an appreciation by department leaders that it is important. But the decoupled technical core would continue unaffected.

We hasten to add that we do not mean to imply that the adoption of structures that serve institutional purposes therefore do not and cannot serve more conventional technical-rational purposes in an

organization, and even if the structures serve only more symbolic purposes, it does not follow that their adoption was an act of administrative duplicity. We do not doubt that when police executives adopt community policing, or early intervention systems, or Compstat, for example, they do so in good faith to achieve the instrumental benefits they promise, but structural features of policing and police organizations undermine these measures.(3-pg.99)

The conclusion of this material is that even the most developed country in the world has undergone a long way in reforming the police, so Ukraine should take an example from its foreign colleagues, not repeat their mistakes, and improve the system of the Ministry of Internal Affairs of Ukraine.

<div align="center">List of references:</div>

1. Public Security and Police Reform in the Americas 2006. John Bailey, Lucia Dammert. University of Pittsburgh Press, 2006. Pages: 322.

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