

# Procedural Justice: Policies and Practices

## Voiceover

00:00

This is *The Beat*—a podcast series that keeps you in the know about the latest community policing topics facing our nation.

## Kimberly Brummett

00:08

Hello and welcome. My name is Kimberly Brummett, and on behalf of the COPS Office, I'd like to introduce you to Mark Neufeld, Superintendent of the Criminal Investigations Division, Edmonton (Canada) Police Service, who is here today to discuss procedural justice. Superintendent, welcome.

## Superintendent Mark Neufeld

00:26

Thank you.

## Brummett

00:27

What do you think are the most important issues regarding procedural justice?

## Neufeld

00:32

Well that's a good question, Kimberly. To me I would say the most important issue is actually practicing it. Sometimes in policing, we talk a lot about how certain values or issues are important to our profession. But then we don't walk that talk. So don't get me wrong. I'm not devaluing the discourse or conversation about procedural justice. I know that's important. But I think magic happens when discussions lead to decisions and then decisions ultimately lead to actions that end up having a positive impact on both the community and the police. So in my humble opinion, it's critical that police agencies execute on the concept of procedural justice by implementing practices and processes and even some policies that support it. And this needs to permeate every business line within our agency. So that necessarily includes areas, I think, such as a recruitment and selection; our training, both at the recruit level and our in-service training; leadership and supervision and how that all gets done; promotions and transfers; and, I think, even things like the behaviors we recognize and reward, the behaviors that we discourage and maybe at times punish—speaking really of our discipline system—what things we celebrate as an organization. Generally, practices that promote procedural justice—and again really we're talking just about just respect, fairness, and dignity,—have to be present in our moment-by-moment interactions with one another as well as the moment-by-moment interactions we have with members of our community. I think every interaction is an opportunity to make things either a little bit better or a little bit worse. And ultimately, it comes down to a choice for every individual employee of the police service—and those are both sworn and nonsworn—about which way they want to move that needle. The results of those moments of truth really do matter, and each one impacts the way that the

community experiences their police and the extent to which they do or do not support us and the valuable services that we strive to provide them.

## **Brummett**

02:16

So how do you begin to implement procedural justice internally?

## **Neufeld**

02:20

Well, it's interesting because I think behaving in ways that promote procedural justice can be done by every person in the organization at any level. And unfortunately I think sometimes people don't appreciate the impact they can have as individuals starting right now and right where they are. So we shouldn't ever underestimate the power of our sort of individual humanity and the ability we have to improve our organizations and the trust that the community places in us. But that said, implementing procedural justice, I think, has to be a priority at the top.

Over and over, I know—in Canada, we see in our employee engagement survey and the like—we hear from the boots, or the members on the streets who are interacting with the public, that the suits, or the members of our executive, don't practice procedural justice. And sometimes I think they're right. Front line officers understand the notion of legitimacy of police in the context of their senior leaders. And they feel that the authority of some senior leaders—and I'm talking typically of leaders who perhaps aren't perceived to treat others as well—that the authority of those leaders is positional only and therefore it's not legitimate. So what they also need to recognize is that this is precisely how the public views us as police generally. If we don't treat them well and with respect, then they don't view us as legitimate either. As a result, they won't support us in the work that we do. So really this happens, this view of policing and legitimacy happens both internally and externally. So the suits then have to be committed to this and they have to be prepared to make the first move. So to do that I think the executive has to do some work together really to develop a shared understanding of what procedural justice is and maybe even what it isn't, and what they're committing to; because without this, we won't know how to breathe life into the commitment that we make. And you know, frankly, there may even be some people on the team who either can't or won't commit themselves [to] fully implementing practices around procedural justice and some of those people may have to go.

The way in which all staff can contribute to implementing procedural justice must be made clear to them. And on-task behavior then has to be reinforced through our rewards and recognition. And off-task behavior has to be addressed through education and even, where necessary, the informal and formal discipline system. We have to develop systems where we have good progress and when we have progress we have to celebrate and profile the wins. And again, just going back to systems, I think systems and processes have to be built that reinforce and encourage procedural justice and those have to be institutionalized to ensure that it actually sticks. So I think, you know, a challenge for us is that the inclination may be to pull away from this because in police agencies, you know, we all have too much to do and not enough time to do it. So it really isn't necessarily expedient. If in your organization you're not currently taking the time to listen and build relationships and consult and explain, it's not going to be

expedient to take extra time to do that. So I think there will be a pull for many agencies to sort of move away from this. In the longer term, I think it is far more efficient and far more effective to do it. It's not going to be easy. It requires a determined long-term commitment. But I think if we stick with it, it's well worth it in the end.

## **Brummett**

05:22

So kind of leading off of that, what is the benefit of institutionalizing procedural justice within an organization for the communities that law enforcement serves?

## **Neufeld**

05:31

Well, I think the potential benefits to both the community and the police are enormous. But as the question suggests, I think procedural justice has to be firmly established within an organization if the members of that organization are ever going to practice it effectively during their interactions with the community. What I'm getting at is there's really no room for a double standard. If we in policing expect our front line officers to treat the public with courtesy and fairness and respect, then certainly we have to ensure that our folks are being treated in that same way internally. I guess it's kind of the old adage from the private sector: If you look after your employees, your employees will look after your customers. And that's really important.

So whether it's treating someone with respect and fairness internally around an HR process or a disciplinary matter or promotions or transfers or whether it's a front line officer demonstrating patience and transparency towards a citizen, you know, by taking time to explain the reasons behind an action or decision, human nature is such that we all know and we all recognize when we're treated justly. We interact far more positively with those who treat us with respect. And the whole principle of reciprocity suggests that we get what we give. If we create that virtuous sort of culture, and we give compassion and respect both internally and externally, I think we'll receive it back from the community in spades.

## **Brummett**

06:44

How does procedural justice help build trust and confidence in law enforcement?

## **Neufeld**

06:49

Well, to build on what we've talked about, I think when we treat each other well, we develop relationships of trust and we can collaborate more effectively with our communities. When we take the time to listen and ensure that we understand the perspectives of and the challenges faced by our partners, I think we find typically that we make better collective decisions that better address the issues that we face. And we all know that in 2014, a lot of those issues are very complex.

You know I often think of the irony of some processes like mediation. I've heard lately a number of presentations where mediation and restorative justice and these types of processes are touted as great

systems for informally resolving conflicts and concerns that come up in policing. And make no mistake, they are. But what would it look like if we practiced giving respect and active listening and the giving of empathy and the showing of compassion before we made decisions or took actions. The very same skills and processes—all of which, frankly, are rooted in procedural justice—that we use after the conflict exists could be used proactively to avoid those types of situations in the first place. It's often we talk here in Edmonton about the fact that most of what we really need to do and know we probably learned in grade three. It's really quite simple but somewhere along the way, we're in a very busy, very complex business, in our quest to become more efficient and effective, we may have forgotten some of them. It's really about getting back to basics once again and I think it will do exactly that. It will build trust and confidence in law enforcement. It will increase our legitimacy and the quality of our interactions with our customers, and I think at the end of the day, both the police and the community will enjoy and benefit from the results.

### **Brummett**

08:23

Thank you so much, Superintendent, for your time and expertise today.

### **Neufeld**

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You're very welcome.

### **Voiceover: *The Beat Exit***

08:29

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### **Voiceover: Disclaimer**

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