

Constitutional Policing: Ethics and Integrity

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.

John Wells

00:08

Hello and welcome. My name is John Wells, and on behalf of the U.S. Department of Justice, COPS Office, I'd like to introduce you to Chief Noble Wray, former police chief of Madison, Wisconsin. Chief Wray is here to today to discuss his perspectives on constitutional policing. Thank you for making the time to join us.

Chief Noble Wray

00:22

Thank you.

Wells

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Chief Wray, after 30 years of policing, nine years of which of as Chief of Police of Madison, Wisconsin, how do you see policing evolving?

Wray

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Where I see policing evolving or needing to evolve is that, if we can close the gap on the issue of constitutional policing—and what I mean by that is, I've always been one that talked about this country being a tale of two different cities. Whenever you go into any city, people experience the Constitution from a policing standpoint, from two different perspectives. Even though law enforcement, I believe, by and large, uphold the Constitution and are guardians of the Constitution, but because of the complexity built into enforcing the laws, areas of hot spots, areas of high crime, as well and implicit bias and in some instances, explicit bias, I think African Americans and people of color experience policing from two different perspectives, which has resulted in higher use of force complaints as it relates to, you know, African Americans being involved. It's also resulted in disparities in most cities. You have racial disparities in many categories. But it's also resulted in—and probably what is more important—the widening of the trust gap between our law enforcement agencies and our communities of color.

Wells

01:46

So much of your work focused around racial disparity and fair and impartial policing. What lessons have you learned that you wished you knew 30 years ago?

Wray

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I wish I knew more about implicit bias. I did not have a real good understanding about implicit bias until I went to Stanford University back in 2004 and I saw Professor Jennifer Eberhardt do a presentation on Shoot-Don't Shoot. That was very early on in understanding implicit bias. The reason why I wish I would have had that information early on is because I think we have, for the last 30 years, spent so much time—and rightfully so in many instances—dealing with overt explicit bias, and we've devised systems for that, and we've put both systems in place. And that's fine, but that has always historically been a small percentage of people and, in this particular instance, been a small percent of officers that have overtly engaged in explicit bias. What I've learned here lately, which I wish I could have known early on, is that we're all human and we all have biases and we all have these unconscious biases. It comes from how we're raised, where we come from, what we're used to, who are "our" groups that we hang around with. And what's exciting about this though, is that there are things and strategies that we can do in the field of policing, to mitigate or reduce or override those. So I wish I would have known more about that coming in.

The other thing I wish I would have known more about—or we could have placed more emphasis on as a profession or—I would say the last 10 years, 10 to 15 years, is that we've paid a lot of attention to what goes on the uniform, or what goes on in a squad, but we have failed to really think about or really support what goes on inside of that uniform; what we need to support in terms of mental health, building character, allowing for support, things like the nobility of policing, helping officers to understand that their role in society is a great role. It's an important role. It is a job this society needs desperately. So that's one of the other things.

The last thing that I wish that I had known more about in coming into this are ways of developing real authentic relationships between the police and the community. And what I mean by that is those relationships where the person, the police officer, gets to know the citizen as a person and then vice versa—and then the value and the importance of not just doing it because it's a community-policing strategy, not just doing it just because you think it will build trust, but doing it because it is the right thing to do. When Sir Robert Peel said the police are the public and the public are the police, and we do this on a 24-hour basis, it is that we are interwoven with the community, we are connected with the community. And there are so many times when we're trying to get the community to understand what we're doing. The more connected we get, the less intentional we have to be about explaining our actions.

Wells

05:04

Implicit bias is so deeply ingrained in our everyday lives. What recommendations do you have for law enforcement to address this in their officers?

Wray

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The first thing is that I would get training in the area and understanding it and various levels within the department. At the beginning, you need it at the top of the organization and at the top of the organization along with community members so that the community understands that you understand this it is an important issue. And what's exciting about this is that, once the community gets involved and they know it, they have a better understand of what a police officer has to do because they also have implicit biases and they understand the challenges. Then from there, it is important to build a comprehensive plan around understanding implicit bias and the impact of implicit bias. And that includes everything from training and strategies as to how to override it, insights as to the impact that it will have, accountability measures, policies, procedures, hiring, and recruitment. And the focus when you're doing this in not necessarily on I'm hiring and recruiting for implicit bias. No. What you're hiring for is the values and virtues of someone who would engage in fair and impartial policing.

Wells

06:32

In the wake of the events of Ferguson, Missouri, what can the community and law enforcement do together to discuss and collaborate on addressing issues of race, disparity, and equity?

Wray

06:41

The first step is that this is something law enforcement has to take the lead in; not take the lead in and not involving and working with the community, but there's a sense right now within this country after visiting a number of different departments, some level of defensiveness. It's almost like who's going to blink first, is it the police or is it the community? But because we are "guardians of democracy," or guardians of, you know, the Constitution and constitutional policing, and we know we have a caretaker role in that regard, we need to make the first move and do a couple of things.

One is acknowledge those things that we could do better in. Acknowledge the fact that there is implicit bias. Acknowledge the fact that there are systems in place that have adversely affected communities of color. You have to acknowledge that straight up. That doesn't mean that we have not done the right thing in the last two or three decades in reducing crime and working in communities, problem solving. I believe that community policing has been one of the greatest things that the public sector has done in the last two to three decades and that's with any other public sector entity. So the policing profession has a lot to be proud of. But we have to first acknowledge what is decades of mistrust before we get anywhere else.

Then secondarily, we always see our law enforcement officers as well as our law enforcement agencies more on a local level. And we should always deal with it on a local level. That's where we should resolve these issues, at a local level and it's going to take time to resolve these. However, there is a national response to this as well. There's a national acknowledgement because what takes place in Ferguson impacts what takes place in Madison, Wisconsin. What takes place in Florida impacts what takes place in Mississippi, and that's why we're seeing the demonstrations take place nationwide. So we have to deal

with the national response, and we have to deal with it in a way where its acknowledging and healing, coming up with real strategies, and we must move away from what I refer to as the anger response. And what I mean by the anger response is that anger is important for a short period of time to get people mobilized and focused. But if we just have anger and it's not a sustained effort to deal with some very long entrenched problems, we will be back here in five years and 10 years. This will not be resolved overnight. And so we have to have a consistent, long range plan as to how to address this and, probably more important than anything else, we're going to need to get the people involved in this that are most impacted by the issues. And what I mean by that is that generally when we respond to this national crisis, we get citizens that are usually well educated, economically advantaged, that have insights and can talk about the problem. But the people that are impacted, the people that are experiencing these issues related to injustice, the day-to-day grind on the high contacts with police officers and sheriff's deputies, that's who I'm talking about. Somehow, they have to be able to come to the table because they will have the two groups that have the most insight on this, are the people that are most impacted by it and the police officers that are out there working with them on a daily basis. If we can't involve them on a long term sustained basis, I don't see us being able to resolve this.

Wells

10:37

Do you have any closing remarks before I wrap it up?

Wray

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I'm glad the COPS Office is doing this! [Laughs]

Wells

10:43

Thank you so much, Chief Wray.

Wray

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All right, thank you.

Wells

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Thank you for your time and expertise.

Wray

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No, thank you.

Voiceover: *The Beat* Exit

10:48

The Beat was brought to you by the United States Department of Justice, COPS Office. The COPS Office helps to keep our nation's communities safe by giving grants to law enforcement agencies, developing community policing publications, developing partnerships, and solving problems.

Voiceover: Disclaimer

11:05

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