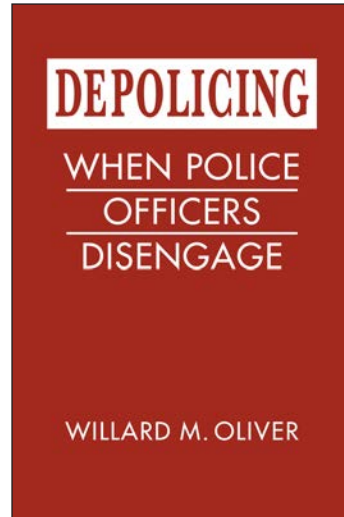


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Depolicing:  
When Police  
Officers  
Disengage

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ISBN: 978-1-62637-755-4 hc



LYNNE RIENNER PUBLISHERS

1800 30th Street, Suite 314  
Boulder, CO 80301 USA  
telephone 303.444.6684  
fax 303.444.0824

This excerpt was downloaded from the  
Lynne Rienner Publishers website  
[www.rienner.com](http://www.rienner.com)

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# 1

## What Is Depolicing?

Writing in 2016, reporter Archita Datta Majumdar dubbed 2015 as the year of “de-policing.” Her article opens, “Ask any law enforcement officer what the best word to describe 2015 was, and the answer would likely be ‘de-policing’” (Majumdar 2016). She attributes the “vitriol toward the police in both social media and the national media” as having “resulted in deadly hesitation in the face of doubt, just when proactive policing is needed” (Majumdar 2016). The sensational language aside, she may very well be accurate in her assertions, for numerous cases from 2015 suggest that police officers are disengaging from proactive policing—not taking the initiative to stop traffic violators, detain suspicious persons, or conduct their own investigations. Rather, they simply take calls for service and handle them with the least amount of effort afforded by departmental policy and law. This is depolicing.

Just five days before Christmas in 2014, two New York police officers, Rafael Ramos and Wenjian Liu, were sitting in their patrol car near Myrtle and Tompkins Avenues in the Bedford-Stuyvesant neighborhood of Brooklyn (Mueller and Baker 2014). Ismaaiyl Brinsely walked up to the front of the officers’ patrol car, pulled out a semiautomatic pistol, and fired several rounds into both officers’ heads and torsos. Both were killed instantly, without even having drawn their own service weapons. Brinsely fled and, as police pursued him, shot and killed himself on the platform of a nearby subway

station. In the aftermath, New York City police officers, the *New York Post* learned, disengaged from proactive police work; traffic citations fell by 94 percent, parking violations fell by 92 percent, and arrests for minor offenses, such as public drinking and public urinating, fell by 94 percent, while overall arrests fell by 66 percent (Celona, Cohen, and Golding 2014). Police officers believed they had lost the support not only of the people but of the mayor and city hall. As America rang in the New Year, there was a general consensus among the media, citizen's groups, and even the Policemen's Benevolent Association that the New York police were depolicing.

The word *depolicing* became more familiar as 2015 progressed, for as former police officer Randy Sutton (2015a) explained in May, "De-policing has occurred before within a few agencies but never on a national scale." That same month, the scope of the problem became more visible with national attention to a case occurring in Baltimore, Maryland. On April 12, 2015, Freddie Carlos Gray Jr. was arrested for the illegal possession of a switchblade knife. He was placed in the back of a police wagon without being seat-belted in—a violation of departmental policy—and then transported to booking. During the trip, he had lapsed into a coma, later determined to have been caused by an injury to his spinal cord. Although how Gray obtained this injury, which caused his death, was unclear, public protests against the police became widespread. The mounting public protests led Baltimore state's attorney Marilyn Mosby to file criminal charges against six Baltimore police officers, including second-degree murder for the transporting officer and "involuntary manslaughter, vehicular manslaughter, second-degree assault, false imprisonment and misconduct in office" for the others (Marbella 2015). Although the officers were later acquitted or the charges against them were dropped, the police department pursued disciplinary measures against them. The public backlash, the criminal charges, and the disciplinary measures negatively impacted police morale in the Baltimore Police Department. Finding that Baltimore citizens and city governance did not support them, police officers engaged in less proactive policing. As in New York City, the rate of arrests and traffic violations declined significantly, and citizens noticed a lack of a police presence (Oppel 2015). Depolicing had come to Baltimore.

By the end of 2015, the term *depolicing* was more prevalent across the country, including in such places as Chicago, where circumstances were similar to those in both New York and Baltimore. The Chicago Police Department found itself under investigation by the federal gov-

ernment in December of that year, and police officers felt city governance no longer trusted them, as exemplified by the requirement that every officer complete a new two-page report after every stop-and-frisk (US Department of Justice 2015; Konkol 2016). Again, the statistics related to police activity revealed Chicago police officers were doing the “bare minimum”; they were depolicing (Konkol 2016).

The evidence that led Majumdar (2016) to call 2015 the “Year of Depolicing” led many others to the very same observation. Doug Wyllie (2015), editor in chief of PoliceOne.com, a police news website, noted, “In some cities, the practice of proactive policing is in danger of becoming lost to history.” He explained that not only have individual officers depoliced, but depolicing has shown up in agency-wide directives. He cites one agency in Greensboro, North Carolina, as issuing a directive that police “no longer initiate traffic stops for minor infractions such as broken headlights or tail lights,” despite the fact that the policing of such minor infractions has thwarted crime and led to the capture of criminals (Engel and Calnon 2004). He also suggests that New York mayor Bill de Blasio, by ending the stop-and-frisk practices that originated under Mayor Rudy Giuliani and Police Commissioner William Bratton, caused a form of agency-wide depolicing (Mac Donald 2014).

In 2015, political commentator Colin Flaherty called depolicing the “scariest word of the year”: “This is what cops and their superiors are calling it as they systematically withdraw from stopping, checking, investigating, frisking, pulling over, interrogating, and arresting black people.” Flaherty’s interview with a Chicago police officer suggests something larger than race was involved. “Ten years ago, when we stopped a suspect in a black neighborhood, that person had two choices: run or comply,” the officer explained. “But now more and more suspects are refusing to comply with lawful orders to take their hands out of their pockets, or produce a driver’s license, or answer simple questions about what they are doing in that neighborhood with a bulging backpack at 1:30 a.m. And they know we can’t or won’t do anything about it. Defiance is now the rule.” According to Flaherty, as police officers lose legitimacy in the eyes of the public, they lose the ability to command respect. When faced with such confrontations, fearing that the public and city governance will not support them, police officers disengage; they depolice.

The year 2015 even drew the director of the Federal Bureau of Investigation, James Comey, into the fray when he suggested that depolicing was creating a national problem. On October 23, 2015,

Comey gave a speech at the University of Chicago Law School in which he discussed the surge in violent crimes in the nation's 50 largest cities. "What could be driving an increase in murder in some cities across the country, all at the same time?" Comey asked rhetorically. "In today's YouTube world, are officers reluctant to get out of their cars and do the work that controls violent crime? Are officers answering 911 calls but avoiding the informal contact that keeps bad guys from standing around, especially with guns?" (Wagner 2015). Comey added, "I don't know whether that explains it entirely, but I do have a strong sense that some part of the explanation is a chill wind blowing through American law enforcement over the last year" (Schmidt and Apuzzo 2015). Although he never used the term *depolicing*, Comey suggested that officers were disengaging in proactive police work because of the negative views toward the police permeating America that year.

Although 2015 may have been dubbed the "Year of Depolicing," this has not been a temporary phenomenon. As recently as April 2017, depolicing was again in the news in California, where police arrests were down throughout the state. According to James Queally, Kate Mather, and Cindy Chang (2017) in "Police Arrests Are Plummeting Across California, Fueling Alarm and Questions," arrests by the Los Angeles Police Department (LAPD) dropped 25 percent between 2013 and 2015. From 2010 to 2015, felony arrests were down 29 percent, and misdemeanor arrests were down 32 percent. One LAPD officer explained, "Everyone is against whatever law enforcement is doing, so that makes an officer kind of hesitate to initiate contact. A lot of guys will shy away from it because we've got dash cams, we've got body cams. . . . We don't want it to come back on us" (Queally, Mather, and Chang 2017). Another officer added, "Not to make fun of it, but a lot of guys are like, 'Look, I'm just going to act like a fireman.' I'm going to handle my calls for service and the things that I have to do" (Queally, Mather, and Chang 2017). Yet another said, "Suddenly, you feel like you can't do any police work, because every opportunity that you have might turn into the next big media case" (Queally, Mather, and Chang 2017). Each of these sentiments describes the phenomenon of depolicing. Depolicing is still around.

In the same article, Queally, Mather, and Chang mention a January 2017 Pew Research Center study titled *Behind the Badge* (Morin et al. 2017) that suggests the phenomenon may remain a problem. In a survey of police officers, the Pew researchers found fully 93 per-

cent had grown more concerned about their safety, while 76 percent believed “officers in their department have been more reluctant to use force when it is appropriate” and 72 percent felt that officers in their agency were “less willing to stop and question people who seem suspicious” (Morin et al. 2017, 65). Pew concluded that this finding at least “raises the possibility that many officers are responding to these incidents by ‘de-policing’—that is, by not fully carrying out their law enforcement responsibilities” (Morin et al. 2017, 65). There is, in sum, nothing to suggest this problem is going away.

## Depolicing Defined

As *depolicing* is a relatively new word within the policing lexicon, clarification of the term is in order. What exactly is depolicing, and how is it defined?

Other terms are often used to describe the same phenomenon. Examples include “passive law enforcement” (Tizon and Forgrave 2001), “tactical disengagement or detachment” (Warner 2005, 83), and “selective disengagement” or “tactical disengagement” (Films on Demand 2001); Senator Orrin Hatch (R-UT) once called it “retreat” (Bridegam 2005, 101). More recently, the phenomenon has been associated with the “Ferguson effect,” the hypothesis that as officers disengage (depolice), a rise in crime will follow (Mac Donald 2016b; Wolfe and Nix 2016).

According to the *Encyclopedia of Law Enforcement*, in an entry written by Heather Mac Donald (2005), the “phenomenon known as depolicing” is “a result of the intense criticism that accompanies [controversial] incidents,” which leads “many officers [to back] off of assertive policing” (133). In other words, something critical, controversial, or unpleasant and external to officers leaves them angry, frustrated, or in despair, causing them to disengage from proactive policing so as to avoid more of the same. As the phenomenon itself is clearly rooted in the individual officer, we need an understanding of how police officers themselves define it.

In one of the earliest articles on the phenomenon, political pundit John Leo (2001) interviewed a Seattle police officer, who characterized depolicing in this manner: “Parking under a shady tree to work on a crossword puzzle is a great alternative to being labeled a racist and being dragged through an inquest, a review board, an FBI and U.S. attorney investigation and a lawsuit.” Once again, withdrawal or

work avoidance is an alternative to proactive policing, in this case potentially because of a perceived rather than a direct threat.

Many police officers have described similar types of behavior, without placing a name on the phenomenon. For instance, William Dunn (1996) of the Los Angeles Police Department suggested after the Rodney King video came out that many LAPD officers “have all but given up on doing any effective police work. Many of them will only respond to radio calls, and that they do slowly” (185). Another Los Angeles police officer explained how at one point in his career he “did as little as [he] could. Had as little contact with citizens as possible. . . . It didn’t make any sense to do anything—any real police work. Not patrol” (Barker 1999, 129). And outside Los Angeles, Chicago police officer Martin Preib (2010) once described how “more and more cops were less willing to enter the worst circumstances of the city; that is, less willing to be the police” (95). In all three cases, the officers disengaged, stopped policing proactively, and did the bare minimum to get by, suggesting that depolicing is not necessarily a new phenomenon.

In addition to active police officers, several retired police officers have tried to define depolicing. Seattle’s Mike Severance, for example, provides a good description when he explains, “In the simplest terms, officers aren’t doing proactive police work. They’ll respond to their calls, you know, if something heinous happens. . . . [I]f they observe an armed robbery in progress, an officer’s going to do what needs to be done. But you’re not going out looking for the bad guys” (Kaste 2015). Another retired officer, Randy Sutton, formerly of the Las Vegas Metropolitan Police Department (2015a), defined depolicing as “the conscious decision on the part of police officers to only provide the minimal amount of police service required of them. In other words, handle your calls, write a ticket or two and do nothing proactive.” These definitions merely describe the phenomenon, however, necessitating further investigation into what causes officers to disengage.

The cause of depolicing discussed perhaps more than any other centers on race. The previous quote by Colin Flaherty (2015) tied police disengagement to race by stating that it occurs when the police stop enforcing the laws against black citizens. Others attribute the phenomenon to race, but in a different way; for instance, Frank Rudy Cooper (2003) defined depolicing as “a police response to criticism of police tactics toward racial minorities,” which manifests as a “systematic underpolicing of those communities” (1). If police officers are crit-



icized for heavy enforcement against blacks, they disengage to avoid further criticism. Another commentator, Robert McNamara (2009), defines depolicing as a “law enforcement strategy in which police avoid accusations of racial profiling by ignoring traffic violations and other petty crimes committed by members of visible minorities,” adding that “in a sense, depolicing is the opposite of racial profiling” (32). And Assistant U.S. Attorney General Ron Susswein (2005) relates depolicing to racial profiling when he writes how some officers “have come to believe that it is in their best personal and professional interest simply to look the other way, ignoring legitimate and constitutionally permissible indications of criminal activity because they are afraid of being accused of engaging in racial profiling. This form of timidity is sometimes referred to as ‘de-policing’” (10).

Other issues have been cited as causing police officers to withdraw. M. M. Rosen (2005) defines depolicing as stemming from “a decline in support of the efforts of law enforcement from municipal authorities, usually as a reflection of worsening popular perceptions of a local police department” (140). Others have cited depolicing as a reaction to riots, civil suits, or federal government consent decrees (Leo 2001; Warner 2005; Williams 2001). Most of these assertions are, however, merely speculation and based on anecdotal evidence rather than empirical studies. What’s been missing are studies aiming to assess whether there is any basis to the speculation, which is in part the intent of this study. In order to proceed, this study needed a working definition of the term *depolicing*, so the basic concept was defined as disengagement from proactive police work by police officers due to some external stimuli, real or perceived, as a means of dealing with a real or perceived problem.

## The Present Study

There are many important reasons to study depolicing. Depolicing could impact the physical and mental well-being of individual police officers manifesting the behaviors associated with depolicing, signaling withdrawal, despair, and depression. Further, a police officer exhibiting these signs may influence other police officers to depolice, which could collectively put at risk the health and safety of all officers in a unit, on a shift, or in an entire department. Moreover, from a larger, societal perspective, police officers who depolice may threaten the public safety of a community. If police officers disengage,

criminal behavior may remain unchecked (recently termed the *Ferguson effect*), sending a signal to the criminal community that the police no longer care.

In order to understand the lived experience of law enforcement officers, I interviewed 60 police officers and sheriff's deputies from across the United States beginning in the summer of 2014 and ending in the summer of 2016. (For a full account of the methodology employed in this study, please see Appendix 1.) I asked them three main questions:

1. Is depolicing real, and if yes, how pervasive is it?
2. What causes depolicing?
3. How should depolicing be handled?

The rest of this book provides an overview of depolicing in the literature (Chapter 2) and its many concepts (Chapter 3), then goes on to discuss what the interviews revealed about the officers' views of its nature and scope (Chapter 4), causes (Chapter 5), and solutions (Chapter 6). The final chapter (Chapter 7) presents a summary of the findings.