

# **An Urgent, Objective and Thoughtful Perspective for the News Media**

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The news media has an important role and huge responsibility in the health of our democracy, the founding fathers knew the huge value in public transparency. The police, politicians, corporations, and all other institutions need and benefit from oversight. The media more than ever has a duty to be the critical filter and the opportunity to be the light under the lampstand to illuminate the facts in a fact-free society. Because our culture has been altered by vast changes in technology by the Information Age.

In 2011, University of Chicago study found that America's college graduates "failed to make significant gains in critical thinking skills and complex reasoning during their four years of education." The study also showed they also failed at the development of dispositions associated with civic engagement.<sup>1</sup> This provides a window to see into the problem of our super information age where data is so much more available than ever before, but many choose to use no filter to separate fact from fiction or more troublesome, even care.

Thus, we are prisoners to the subjective flavor of the day that fits our beliefs, mood or ideology. The drive to sift, weigh or test information has vanished both in journalism and within our society. We just as soon confirm our existing beliefs that evaluate the other side. "The fusing of entertainment, news, punditry, and citizen participation is a chaotic mess that does not inform people so much as it creates the illusion of being informed."<sup>2</sup>

Author Salman Rushdie provides great context, "We have a dysfunctional relationship with reality, in the information age, truth and untruth exist at the same level of authority and it is difficult for people to judge which is which, and so if you don't have a firm grip on the truth, then you leave yourself open to phenomena that comes from that same damaged reality were living in." <sup>3</sup> More than any time in history, journalist have an obligation to the facts and the truth, stability and institutions depend upon it. Especially the institution of law enforcement and the peace officers who put their lives on the line every day to protect the rights and liberties of people, and to protect from people in a dynamic and complex environment where authority and order conflict with crime and disorder.

We always hear about disproportionate arrest and enforcement, but how about those underclass victims who are trapped in those demographic and geographic locations froth with crime, violence and fear. They deserve police presence and protection in an environment where the police can legally and procedurally operate within the realm of proactive prevention, mitigation, and reduction of such disproportionate victimization.

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<sup>1</sup> Arum, R. (2015) College graduates: satisfied, but adrift. The state of the American mind, West Conshohocken, PA, Templeton p 73

<sup>2</sup> Nichols, T. (2017) The Death of Expertise. Oxford University Press. New York, N.Y.

<sup>3</sup> Rusdie, S. (2017) Fareed Zakaria, Inside Public Square CNN Interview November 19<sup>th</sup> 2017

Race is a myth, it remains a social construct, subjectively determined by differences and ignorance. Many hang their hats on a “them and us” mentality versus the intangible fact that American is not any single race or ethnic sect, America is an idea. Central to this idea is the reliance upon individual freedom and rights under the absolute premise that everyone, no matter their race or ethnicity has value.

America, not unlike any other civilization in the world, has a history of treating people in terrible and unforgivable ways. Slavery, Indian removal, Chinese exclusion, Jim Crowe, Japanese Americans internment. I understand how people of color view and fear the police based on their exposure to stories and living within that context. Moreover, I would be very naïve to believe that my life experiences would be consistent with everyone else’s. A central part of my skills as a peace officer that served me well on the streets and as a leader was my ability to be empathetic toward that opposite perspective or view.

Our post 60’s history has lighted a path toward progress and a constant progressive movement forward. Even today in our quest to achieve fairness and equality, we are not there yet, there remain fringe factions not in tune with the responsibilities of humanity or the realities of life that define the American character, but they are few and far between. The future must provide the education to see through the filters of fear and into the reality of the human condition. Differences must yield to the thoughtful perspectives of commonalities. We must embrace the virtues of dignity, respect, tolerance and empathy over judgement rooted in self-centered subjectivity.

We get closer every day, because of our common faith, interest, and love. Moreover, we are a country of laws, not men. Dr. King never lost faith in the constitution and the team of lawyers from Howard University who would win cases there. This is our fire bell in the night that is heard around the world, our American system of jurisprudence that guides and shapes our democracy. We must trust our courts to do right by us, as the foundation of just process and results. These same objective and fair courts have a history of holding the police accountable just like the police serve to hold the public accountable.

Further, as every generation has become more diverse, empathetic, and inclusive that demonstrates the strength in American values and character. And, so have the police. Our ranks are more diverse, our training more meaningful, and our hearts stouter than ever. You see being a peace officer is a calling. As police officers, we are motivated by the passion to serve and protect—guard and rescue the sheep and run off (or catch) the wolves. We never start by degrading or hating people as officers. We have a rich history of being killed for those we don't know, regardless of their race, sexual preference, religious beliefs or the size of their bank account.<sup>4</sup>

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<sup>4</sup> Edwards, J.B. (2013) Eliminating Racial Bias in 21st Century Policing. Law Officer.com, August 5<sup>th</sup>.

The true issue we all are haunted by and have yet to face is the real culprit of a problem identified in specific terms in 1968 with the report from the Kerner Commission regarding the problems of poverty and isolation in some African American and Hispanic communities. Poverty is the real story, the real culprit and narrative worth coverage. Not peace officers who serve as the street level bureaucrats that are charged with the application of laws and public policy.

With poverty comes crime and victimization and with crime and victimization comes fear and disorder. It is an absolute travesty that human beings find themselves trapped in a society where opportunity and hope are stifled, and disproportionate crime and victimization are fueled by poverty. These conditions create an environment for stereotypical assumptions as to human behavior and conduct. "There is nothing more painful to me at this stage in my life," Jesse Jackson once told an audience, "than to walk down the street and hear footsteps and start thinking about robbery—then look around and see somebody white and feel relieved."<sup>5</sup>

The die is then cast, that police respond to calls and go where the crime is. That is our job, to preserve the peace, not cause violence. No peace officer in their right mind wants to use force, we all deplore it. Moreover, often it's us that get hurt. Former Chief Edward Flynn of Milwaukee says it best, "As government agencies across the board try to deal with problems in high-poverty areas, "the police are uniquely singled out for negative attention" because it is their job to enforce the law." Flynn went on to state, "Stories beat data," alluding to "critical incidents" in which officers are accused of wrongdoing. Such episodes "become the reality,"<sup>6</sup> A statesman, political icon and national hero provides a very interesting perspective regarding this whole matter. Dr. Andrew Young stated, "many of the things we think of a racial now...a lot of the police violence, the conflict between the rich and the poor that comes out, is much more related to poverty than race."<sup>7</sup>

Now, to the heart of the matter, today's media has endorsed a frightful, divisive and false narrative that has and continues to have a profound negative impact on the public and the police. Race is used as the ingrained culprit of every police use of force. Such has caused movements against the police throughout our nation. This division between the police and people of color has caused a chasm where trust, unity and work must take priority.

In law enforcement, like any other profession, we are forced to recruit officers from humans. As a result, officers like doctors, lawyers, preachers and journalist have emotions, make mistakes and are prisoners of the human condition. We all also have a limited few who are simply crooked. However, the majority of all professionals in all professions do right and take pride in themselves and their job, and peace officers are no different.

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<sup>5</sup> Carpenter, Siri, (2008) Buried Prejudice: The Bigot in Your Brain. Scientific America, April 2008

<sup>6</sup> Flynn, Edward, (2018) Symposium Washington D.C., March 15th 2018 CNA, Arizona State University and Urban Justice Policy Center

<sup>7</sup> Young, A. Interview April 1<sup>st</sup>, 2018, ABC, This week with George Stephanopoulos

Former Dallas Police Chief David Brown says it best, “We’re asking cops to do too much in this country, every societal failure, we put it off on the cops to solve. Not enough mental health funding, let the cops handle it. ... Here in Dallas we got a loose dog problem; let’s have the cops chase loose dogs. Schools fail, let’s give it to the cops. ... That’s too much to ask. Policing was never meant to solve all those problems.”<sup>8</sup> Many peace officers are experts in the practice of de-escalation already, and engage in its benefits every day, while a small group may believe that escalating a conflict can help bring it to a resolution because the officer can maintain their advantage of safety or exercise control over the given situation. The intent remains the same, to gain compliance without resorting to force.

Modern law enforcement has come to rely more and more on evidence-based practice and empirical study. Our public and private universities have become bastions of credible research honed to objective standards and criterion. The research is there for anyone with a passion for education and truth. Unfortunately, in our information age with the lightning speed of communication and competition in the context of a technological world that tends to be networked toward groups that are ideologically driven social media and earned media sells what is interesting and sensational better than what is factual.

So, let’s examine the academic research and the factual implications we have yet to hear in the media.

First, most police citizen contacts every day in America, result in no problems and no use of force. An estimated 500,000 persons (**0.2% of the population age 12 or older**) were hit, held, pushed, choked, threatened with a flashlight, restrained by a police dog, threatened or sprayed with chemical or pepper spray, threatened with a gun, or experienced some other form of force. Of the 500,000, about 400,000 were also handcuffed.<sup>9</sup>

Second, a Bureau of Justice Statistics (BJS) analysis of national data on citizen complaints about use of force found that in large departments (those with 100 or more sworn officers), the complaint rate for police use of force was 6.6 complaints per 100 sworn officers. Of these complaints, 8 percent had sufficient evidence to take disciplinary action against the officer.<sup>10</sup>

Third, regarding the police killings narrative, first and foremost, instead of focusing on who and how many we do shoot, why don’t we look at the facts regarding who and how many we could legally shoot but did not. The results of an important study to this point indicate that approximately 10 percent of the police officers sampled had been in a situation where they could have legally used their firearm but chose not to.

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<sup>8</sup> [www.washingtonpost.com/news/post-nation/wp/2016/07/11/grief-and-anger-continue-after-dallas-attacks-and-police-shootings-as-debate-rages-over-policing/?utm\\_term=.6ff42b89efb5](http://www.washingtonpost.com/news/post-nation/wp/2016/07/11/grief-and-anger-continue-after-dallas-attacks-and-police-shootings-as-debate-rages-over-policing/?utm_term=.6ff42b89efb5)

<sup>9</sup> [www.bjs.gov/content/pub/pdf/puof.pdf](http://www.bjs.gov/content/pub/pdf/puof.pdf)

<sup>10</sup> [www.nij.gov/topics/law-enforcement/officer-safety/use-of-force/pages/welcome.aspx](http://www.nij.gov/topics/law-enforcement/officer-safety/use-of-force/pages/welcome.aspx)

Furthermore, police officers exercised restraint in deadly force in 93 percent of the situations in which they could have legally fired their weapon. Rather than an excessive use of force on the part of these officers, great restraint on their part was displayed.<sup>11</sup>

Now, let see where further, in depth research takes us regarding these issues with other important studies.

Research revealed that the patterns of police officer involved shootings are not consistent with the national rhetoric that the police are killing Black people because of their race and that officer-involved shooting fatalities are increasing; fatalities are generally stable across both years and the evidence shows those who are attacking are more likely to be killed.<sup>12</sup> It is only now – after more than 10 years of research – that we have reached a point where we feel somewhat confident commenting on police work, Subsequent work with police officers presents a more complex pattern. Although police are affected by target race in some respects, they generally do not show a biased pattern of shooting.<sup>13</sup>

Another body of research revealed that “there was no evidence that target race biased a police officer’s ability to correctly shoot armed targets and to not shoot unarmed targets. Our accuracy results seemingly bode well for police officers in that implicit racial biases affected the speed of responses but not behavior. <sup>14</sup> Yet, on the most extreme use of force – officer-involved shootings – we are unable to detect any racial differences in either the raw data or when accounting for controls.<sup>15</sup> Most profound are the studies that suggest a counter bias relationship where officers hesitate to pull the trigger on minority suspects. These results found that when examining shooting errors, researchers found that officers were significantly less likely to shoot unarmed Black suspects than unarmed White suspects.<sup>16</sup>

This is not to say that problems exist between police use of force and the disproportionate applications as it relates to minorities. Those problems do exist. Much improvement can be instituted toward racial equality and fairness by all institutions in our country. Procedural just policing is a huge concern and valid need, also implicit bias does have a role in anyone’s judgement of another, in race, gender, age and many other paradigms. However, the science suggests such is not significant when it

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<sup>11</sup> Anthony J. Pinizzotto, Edward F. Davis, Shannon B. Bohrer and Benjamin J. Infanti, 2012, Law enforcement restraint in the use of deadly force within the context of 'the deadly mix'. *International Journal of Police Science & Management* Volume 14 Number 4

<sup>12</sup> Jon M. Shane, Brian Lawton, and Zoë Swenson, 2017, The prevalence of fatal police shootings by U.S. police, 2015–2016: Patterns and answers from a new data set. *Journal of Criminal Justice* Volume 52, Sept. 2017, Pages 101-111

<sup>13</sup> Carrell, Joshua, et al. (2014), *The Police Officer's Dilemma: A Decade of Research on Racial Bias on the Decision to Shoot*. *Social & Personality Psychology Compass*: 201-213. 2014

<sup>14</sup> Sadler, Melody S., et al. (2015) *The World Is Not Black and White: Racial Bias in The Decision to Shoot in a Multiethnic Context*. *Journal of Social Issues* 68.2: 286-313

<sup>15</sup> Fryer, R (2016) *AN EMPIRICAL ANALYSIS OF RACIAL DIFFERENCES IN POLICE USE OF FORCE*, Harvard University July 2016

<sup>16</sup>Lois James, Stephen M. James and Brian Vila, (2016) *The Reverse Racism Effect, Are Cops More Hesitant to Shoot Black Than White Suspects?* *CRIMINOLOGY AND PUBLIC POLICY*, May 2016

comes to the ultimate use of force, an officer involved shooting case. Far more significant is demeanor, behavior and most important suspect compliance.

Current research to test whether suspect race and demeanor affect officers' perceptions of the threat of violence and importance of exercising procedural justice while interacting with suspicious persons, find that suspect race fails to exert a statistically significant effect on either outcome. However, demeanor does—such that officers perceive a greater threat of violence and indicate it is less important to exercise procedural justice with disrespectful suspects<sup>17</sup>

The media would serve everyone well by dwelling on suspect compliance, poverty and funding the police at levels to provide the resources for recruiting and staffing solid candidates, supporting the numbers needed for community policing operations to develop community relationships instead of having to run from call to call for service. More funding for specialized training opportunities that focus on organizational just leadership.<sup>18</sup> Where officers supervisors promote fair processes, voice, and explain decision-making.

The media's sensationalism that is put forth by painting a picture of a false narrative causes huge problems with trust and legitimacy in our country. The focus on the police as killers feeds the fanaticism throughout the country that impacts everyone from the poverty-stricken underclass to the cop on the beat trying to do their job. Studies show the media influence has a negative effect on front-line law enforcement officers responsible for proactive discretionary policing. The results, along with substantive literature on the topic, provide a clear representation of the effects of negative media and leadership influence on police discretionary activity nationally.<sup>19</sup>

There is now a movement by the Cato institute and others to eliminate qualified immunity protection from peace officers.<sup>20</sup> Should this proposition, fueled by the same false narrative and information bias regarding the same, receive support then police and the public will suffer from a terrible vacuum. Qualified immunity is shield that prevents police from civil liability when they exhibit reasonableness under clearly established law. This same shield serves as insulation from frivolous claims of misconduct by actors involved in the same nefarious activities that forge the issue at the time. Our courts have the means and methods in place to hold police accountable without stripping them of the lawful lead way to reasonable discretion in their mandate to their duties.

The media must lead the way in reporting this within the factual context to provide an accurate illustration of the public stakes involved in leaving peace officers, who operate in such a dangerous, dynamic and complex job where decisions must be made in milliseconds have tremendous consequences. We must all understand what is required to demonstrate that focuses on the broad

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<sup>17</sup> Justin Nix, Justin T. Pickett, Scott E. Wolfe and Bradley A. Campbell, (2017), Demeanor, Race, and Police Perceptions of Procedural Justice: Evidence from Two Randomized Experiments. *Justice Quarterly*, 2017 Vol. 34, No. 7, 1154–1183

<sup>18</sup> Scott E. Wolfe, Jeff Rojek, Victor M. Manjarrez, and Allison Rojek, (2017). Why Does Organizational Justice Matter? Uncertainty Management among Law Enforcement Officers. *Journal of Criminal Justice*. Volume 54, January–February 2018, Pages 20-29

<sup>19</sup> Justin Nix and Justin T. Pickett, (2017), Third-person perceptions, hostile media effects, and policing: Developing a theoretical framework for assessing the Ferguson effect. *Journal of Criminal Justice* Volume 51, July–August 2017, Pages 24–33

<sup>20</sup> [www.cato.org/blog/ending-qualified-immunity-cops-matter-life-death](http://www.cato.org/blog/ending-qualified-immunity-cops-matter-life-death)

notion of excessive police use of force in our society is treating the symptom, when we should focus on treating the disease of poverty.

We have a responsibility to serve and protect the God given natural rights and legally prescribed constitutional rights of everyone and we must trust our institutions under that umbrella to do it. The media has a duty to provide factual oversight and public transparency, even if it does not fit into the passions of the day. The media must provide context in our perspectives as an intelligent, objective, and orderly society. The press must resist the temptations of popular opinion or ratings now and take a deeper and wider view of what's important in the long run. They must recognize what's important today, without jeopardizing the future of people tomorrow. They just like the police have a responsibility to individual integrity.

"Fanaticism and ignorance is forever busy and needs feeding. And soon, with banners flying and with drums beating we'll be marching backward. Backward! Through the glorious ages of that 16th century when bigots burned a man who dared bring enlightenment and intelligence to the human mind"  
<sup>21</sup> Only when education eliminates ignorance can we begin to build a future that remains so dependent upon our just, secure and orderly existence as a nation for everyone by everyone.

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<sup>21</sup>Kramer, S, character, Henry Drummond (aka. Clarence Darrow), portrayed by Spencer Tracy in *Inherit the Wind*. (1955) Broadway at the National Theatre.