

RHETORIC AND FACTS ABOUT CRIME



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The National Police Association's free Law Enforcement education series is designed for home school, classroom, or independent learning. As part of our nonprofit educational mission, it prepares you for careers in public safety. This series is authored by [Chief Joel F. Shults, Ed.D.](#)

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Was Kennedy Right?

In a report on organized crime during his tenure as U.S. Attorney General while his brother was President, Robert F. Kennedy famously said “Every society gets the kind of criminal it deserves. What is equally true is that every community gets the kind of law enforcement it insists on.” If this were said by our current Democrat-appointed Attorney General one could expect a backlash accusing him of blaming victims and ignoring the powers behind the police establishment.

Is Kennedy’s affirmation, made in September of 1963, true today? An internet search of American cities with the highest crime rates does not always show the same rankings, but some cities always manage to hit the top 20. As with all statistics, answers depend on questions. Ranking overall crime rates might differ from homicide rates which might differ from crimes committed with firearms.

The crimes reported to the police that then get interpreted and sent to the FBI for their annual Crime in the United States report are the fodder for most media reports on crime. Murder is the standard for answering the question of violent crime. While most crimes go unreported, murder tends to come to the attention of law enforcement and is considered the most accurate measure of the dangerousness of a city.

The FBI’s report is comprised of eight major crimes, half are crimes against persons – murder, rape, serious assault, and robbery while half are the property crimes

of arson, larceny, auto theft, and burglary. Crime rates are calculated as offenses per 100,000 population enabling rate comparisons by ratio. Other crimes are calculated as well but are less frequently reported by the media and include drug offenses, drunk driving, domestic violence, and other lesser crimes. The accuracy of reporting depends on citizens' trust of law enforcement to respond effectively, and what benefit (such as collecting on an insurance claim) reporting might be to the victim.

Crime rates in some categories can be masked by police agencies intentionally or unintentionally. The FBI statistics have been the standard measure for about a century, so their value is high. Nevertheless, if an agency wants its crime picture to look rosier, some offenses could be written off as a civil matter ("the jewelry was probably taken by a relative so it's just a personal problem"), a judgment on the seriousness of an assault might define the offense as a misdemeanor rather than a felony, and a series of crimes such as a rash of car vandalism can be counted as one offense with multiple victims.

Nevertheless, a few cities have managed to stay in the headlines as dangerous. Memphis is one, Detroit is another, and Milwaukee, Atlanta, and Kansas City are the top five murder cities according to a July article in Time magazine.

Memphis is a 2/3 Black population, and its police department is 52% Black. Mayor Jim Strickland is a white Democrat. The District Attorney for Shelby County which includes Memphis is democrat Steven J.

Mulroy. He has worked with the ACLU on cash bail reform. “When we think of criminal justice reform, we think of Steve Mulroy,” said one county official.

Number two is Detroit, Michigan, 78% Black, with a police department that is %56 Black. Mayor Mike Duggan, a Democrat is a former Wayne County prosecuting attorney. The current prosecutor is Kym Worthy, a Black attorney and Democrat. Although Worthy has stated “I have repeatedly said that I have no issue with no cash bond for lower-level non-violent offenses, traffic offenses excluding drunk driving and domestic violence, civil infractions and ordinance violations,” she also said that recent bail reforms have gone “too far” and “We have recently seen disturbing results when defendants with violent crimes are given inappropriate bonds. I am not at all convinced this is the solution for serious felonies.”

Milwaukee ranks next in murders per capita. Its Mayor is democrat Cavalier Johnson, the first elected Black mayor of the city. His latest budget reduced police staffing and funding, which he has advocated in previous statements. Milwaukee’s racial makeup is about half white and half Black. Although the Chief of Police is Black, only about a third of the police department is non-white. The county’s prosecutor is John Chisholm who was quoted in a 2007 interview saying “You bet my bail reforms will kill people.”

Do these cities get the crime they deserve? The ballot box is available for change. Are they getting the kind of law enforcement they insist on? Again, change comes at the ballot box. Cities with high crime and high

populations of minority citizens are failing those citizens. Or are the citizens failing one another?

Floundering Prosecutors Failing

In police reform language, sometimes accountability seems to mean unforgiving, zero-tolerance criminal prosecution of police officers. The vast majority of times when a police officer's decision is criticized by skeptics the facts, if allowed to be known and explored, weigh in favor of the officer.

An Austin, TX, police officer's trial ended in a hung jury on a charge of murder. Travis County District Attorney Jose Garza, notorious for aggressive prosecution of police officers, has not announced at the time of this writing whether further prosecution will follow.

The case involved officer Christopher Taylor and suspected drug dealer Michael Ramos whom Taylor fatally shot in 2020. Police had responded to an apartment complex where a 911 caller had directed officers with a report that Ramos was doing drugs in a parked car and had a gun. Ramos began to drive away as officers arrived when Taylor, believing that Ramos was going to strike fellow officers with the fleeing vehicle, fired to stop Ramos.

Several videos showing Ramos' trajectory, testimony that the caller was lying about the gun, and the fact that no other officer chose to fire their weapon, were all used by prosecutors to claim that Taylor was not justified in using deadly force. The jury, however, apparently aware of the dynamics of such a situation that officers faced that day, could not unanimously agree. Defense attorneys who understand and can communicate the

milliseconds for decision-making in a time of deadly chaos can help a jury give the benefit of the doubt to the officer.

In Aurora, CO Nathan Woodyard, a police officer involved in the stopping of Elijah McClain in 2019, was found not guilty on charges of reckless manslaughter and criminally negligent homicide in McClain's death. Officers had responded to a report of a suspicious person wearing a ski mask on an August night and acting "sketchy". Woodyard was the first officer to contact McClain and in a subsequent struggle applied a carotid hold. McClain was given a shot of Ketamine by EMS personnel for "rapid tranquilization in order to minimize time struggling", according to reports.

The 23-year-old McClain was placed in an ambulance suffered a heart attack and died a few days later. The defense argued that it was the Ketamine overdose that caused the death and not the officer's actions.

A federal jury could not reach a verdict in the trial of former Louisville, KY officer Brett Hankison in connection with the shooting of Breonna Taylor in what has been labeled as a botched "no-knock" drug raid at her boyfriend's apartment in 2020. After Taylor's boyfriend, Kenneth Walker, fired a shot as the officers entered, hitting one of the officers in the leg, three officers shot back. Hankison fired 10 times but did not hit Taylor. He was charged with using excessive force that violated the civil rights of Taylor, her boyfriend, and the next-door neighbors where a stray shot entered their home causing no injury. He had previously been acquitted on state charges of endangerment.

The ACLU laments on its website that “In the 12 years between 2005 and April 2017, only 80 officers have been arrested on murder or manslaughter charges for on-duty shootings, according to work by Philip Stinson, an associate professor of criminal justice at Bowling Green State University in Ohio. The Washington Post reported that between 2015 and 2017 police shot and killed 2,884 people. Police shoot and kill numerous people every year and are hardly ever held accountable.” Context seems irrelevant to critics like the ACLU. Could it be that relatively few officers are criminally charged because the vast majority of police shootings are legally justifiable? Could it be that the scrutiny in use of force cases, despite the often trumpeted falsehood that there is no accountability, digests and analyzes the facts that clear officers in most cases?

Thankfully juries and appellate courts often see what prosecutors don’t want to see when cops are charged for actions in the line of duty.

Are Bad Habits Fueling the Crime Wave?

Colorado Attorney General Phil Weiser sounded like the parent of a pre-schooler saying some people picked up “bad habits” during the COVID isolation. He made the statement during a closed-door public safety roundtable held in Pueblo, Colorado, a community of 120,000 suffering from the same challenges of violent crime and police staffing seen throughout the country.

The rhetoric of political responses to the uptick in lawlessness rarely includes the term “personal responsibility”. It seems that the term is reserved for mask mandates and vaccinations. In the politics of crime, the blame doesn’t focus on people choosing to kill, steal, and destroy. It’s the gun. It’s the bad cops. It’s the drugs. It’s the prison system. It’s the economy. It’s the pandemic. Of course, when it comes to the pandemic, all the blame goes to personal responsibility on the ignorant, selfish dolts who don’t want to wear masks and get a third vaccine poke. Murder me it’s not really your fault. I catch COVID, dammit why did you do that to me?

The largest teacher’s union decries the “school to prison pipeline” perpetuated by school resource officers picking on marginalized students, and mean immigration officers making families comply with the law. A Manhattan District Attorney announced that as long as an armed robber doesn’t actually pull the trigger of the gun they are pointing at the convenience store clerk’s head, the robbery will become a misdemeanor theft. As long as a burglar targets only sheds and storage

lockers, there may be no prosecution at all. Drug dealers have to be involved in additional crimes to face prosecution. DA Alvin Bragg just doesn't like to see anyone sent to prison, bless their hearts.

A program in San Francisco will pay people identified as violence-prone as much as \$500 a month to not shoot people. Even police reform advocate Al Sharpton is complaining that they are locking up toothpaste at the drugstores because of rampant theft of even low-dollar items. Journalist Tom Zytaruk has observed, "Criminal recidivists are trained to know that despite all the finger-wagging and stern admonishments enunciated by judge after judge, this forgiving criminal justice system of ours, predicated on the concept that human beings are inherently good, keeps reinforcing the message that somehow society has failed the offenders rather than the message that they themselves are personally accountable for the choices they make." I came across Zytaruk's comment as one of the very few results that popped up on an internet search for the words personal responsibility and crime. The concept is not creating much chatter among policy wonks and politicians' speech writers. And Zytaruk is Canadian.

But don't take too much personal responsibility like buying a gun or determining to protect your home or family. That would be paranoid, promote violence, and give testimony to your belief that the government can't protect you 24/7.

During the aforementioned Colorado roundtable, Weiser also said "A lot of the concerns we talked about were young people who may have gotten some of these

bad habits, may not have the same family and community connections. I also think the availability of both drugs and guns are fueling more violent crimes.” Drugs light up and force themselves into the veins and lungs. Guns leap into the hands of young people and create an irresistible vibration that causes assaults and robberies. In a discussion about doubling murder rates, increased domestic violence, and even higher fatality rates due to reckless and drugged driving, Weiser couches the topics in the category of “bad habits”.

Could it be that politicians attacking law enforcement has become a bad habit? Could it be that letting violent criminals roam the streets on no-bail release, easy probation, and lax prosecution has become a bad habit? Could it be that blaming everything but the individual has become a bad habit? Maybe Weiser is right, we have picked up a few bad habits.

Don't shoot – here's the money

If we haven't had enough forehead slapping, eye-rolling, what the heck moments in the past year, here's another: paying people not to shoot other people. Saying "Don't shoot, here take my money" sounds more like a robbery than a social program, but some social engineers think it will save lives. In San Francisco, an organization called the Dream Keepers Initiative is offering to pay high-risk individuals \$300.00 per month not to shoot. If they work with their life coach and jump through some more hoops, they can get an additional \$200.00 a month.

In case you've never heard of the Dream Keepers Initiative, you can quickly find them mentioned in news reports regarding the defunding of the San Francisco Police Department. Mayor London Breed made headlines in 2020 by pledging to take 120 million dollars from the SFPD budget and "reallocate" the funds to Black communities.

A similar program was deemed to have some success in Richmond, California where homicides by firearms decreased by 55% and other shootings reduced by 43% since the program began in 2010. Richmond's program actually involved police partnerships. It also showed violence reduction during a time when the murder rate was declining nationwide for half of that decade.

An inherent problem of the cash reward program is the set of assumptions on which it is based. One is that the program in Richmond actually worked. The causes of crime are always in dispute, especially when expected

crime doesn't happen because everyone wants to take credit for prevented crime. Things that don't happen are hard to measure, and an essential truth necessary to interpret statistics is that just because one thing happened and another thing happened after that, doesn't mean the first thing caused the second thing. In research, only when a researcher can isolate the one thing being studied from all other influences can they establish direct causation. This always requires additional assumptions that nothing else happened that was not noted or measured.

That's a complicated way of saying "it ain't necessarily so". Another assumption being made by the San Francisco program is that however they conduct their program will yield good results even though there are many differences in management, budget, population, and measurement of the program. You can bet that as long as the money is rolling in (sucked from the police budget), the reports will always claim wonderful success.

Another question unsolved by professional criminologists is whether violent crime is rational. In other words, do offenders make a "pro" and "con" list to determine if their lawbreaking is worth the risk. Does a young person deemed at risk of murder determine that a monthly allowance and some coaching is better than expressing their rage through violence? Maybe.

But what about the inherent unfairness. The well-behaved, non-criminal, self-controlled population get nothing. Leftist thinking is always classist thinking. If somebody has something, they don't deserve it. If a

population has nothing they deserve to get some of what someone else has. Within the limits of charity and helping, Americans are very tolerant and supportive of programs that help build opportunity. This program seems to reward at-risk behavior rather than merely prevent undesirable behavior.

The program reminds me vaguely of President Obama's Cash for Clunkers program. In order to manipulate the market and boost car sales, \$3 billion went to buy people's old cars with the hopes that they'd buy a new one and help the carmakers. Instead, new car sales actually slumped as the clunker owners bought cheap used cars with their cash. New car makers suffered a downturn of \$3 billion in sales. The lesson, never learned by politicians, is that throwing money at a problem to change human behavior seldom works the way we hope.

One might hope that the promised millions siphoned from police budgets would at least be used for the real common denominators of crime which is fatherlessness and family instability. But those efforts might be politically incorrect because it implies that single mothers are less than and that fathers make a difference all of which entangles the "gender doesn't matter and probably doesn't even exist" crowd up in knots. Let's keep blaming society, genetics, economics, and racism - anything but personal responsibility - and keep the easy money flowing

Turns Out Armed Robbery Isn't That Big of a Deal

Words and facts matter, unless they don't. Take New York Times writer Charles M. Blow's definition of "infraction", which encompasses robbery and counterfeiting. In an editorial appearing in the Denver Post on April 18th, 2021, Blow related the often-told story of Michael Brown "A Black teenager accused of an infraction in a convenience store just before his life was taken." What Blow defines as an infraction Missouri criminal statutes define as robbery in the 2nd degree. "A person commits the offense of robbery in the second degree if he or she forcibly steals property and in the course thereof causes physical injury to another person. The offense of robbery in the second degree is a class B felony."

The facts of this "infraction" involved Brown reaching across a convenience store counter and grabbing cigars then leaving without paying. The shopkeeper steps out from the counter to get between the not-so-diminutive Brown and the exit door. Brown grabs the shopkeeper by the neck and shoves him back against a rack of potato chips. When the shopkeeper recovers, he attempts to stop Brown again, but Brown turns and looms above him in a bear-like intimidating posture. But hey, infractions happen.

Blow's apologetics for felons includes George Floyd "a Black man accused of an infraction in a convenience store". Again, a shopkeeper is the victim and calls the police. According to the U.S. Department of Treasury

possession of counterfeit United States obligations with fraudulent intent is a violation of Title 18, Section 472 of the United States Code and is punishable by a fine of up to \$15,000, or 15 years imprisonment, or both. Floyd was attempting to purchase cigarettes with a suspected fake \$20 bill. Another “infraction”.

Blow seems incensed that the police responded to a counterfeiting complaint. Apparently, Minneapolis Police do not have a category of felonies not worth investigating, so they investigated. A jury has convicted the arresting officer for murder arising out of force that he was not authorized to exercise. Whether appeals and further proceedings will sustain the jury’s interpretation of the facts or not, this was not a case of brutality based on an unnecessary arrest for an insignificant crime. The initial contact was completely legal, justified, and legitimate. The calculus a police officer makes is not “what if this litterbug or jaywalker resists arrest and the resistance escalates to the point where I have to use physical force?” The question is “is there reasonable suspicion of illegal behavior which I am obligated to investigate”?

Eric Garner is cited by Blow as another in-custody death (usually referred to automatically as murder by reporters) based on a minor offense of selling untaxed cigarettes. Garner was not killed because he was selling untaxed cigarettes, and officers were under no obligation to turn their eyes from such a minor offense. Whether New York’s minimum price laws and high cigarette taxes are good, they are the law and the laws are enforced by armed government agents. The NYPD officers arresting Garner were part of a designated

enforcement effort to crack down on the unauthorized sales. In fact, in 2019 FedEx paid a civil settlement of over \$35 million for their role in facilitating the importation of untaxed cigarettes into the city. As a prohibited item, like liquor during prohibition, the profit on the black market for cheaper untaxed cigarettes has attracted organized crime.

Blows list of barely lawbreakers included the more recent case of Daunte Wright in Minnesota. Wright's case was notable due to a fatal shot mistakenly fired by an officer who thought she was deploying a Taser. The lethal moment is still under investigation, but the reasonableness of the initial contact should not be minimized. The probable cause for contacting Wright was an expired license plate. While minor, enforcement proper registration is well established as a legitimate law enforcement responsibility. In addition, license irregularities are associated with stolen vehicles and other criminal activity.

Wright's mother reported that Wright called her during the stop and said he was stopped for having an air freshener. Obstructed vision from items on the windshield or dangling from the rearview mirror is sometimes used as a reason for a traffic stop, but only Wright's mother made this claim which, even if true, would have been a legal contact. The stop was good and the warrant was quickly confirmed. Wright was accused of what Blow would apparently describe as another infraction. Two female victims reported that Wright and another man blocked their way. Wright then allegedly pulled a black handgun "with silver trim out from either his right waistband or his right coat pocket," pointed it

at the woman, and demanded \$820 which he knew the woman had according to court documents. When the victim asked if he was serious, he allegedly told her, "I'm not playing around." Wright then allegedly choked the woman while trying to pull the cash out from under her bra, where she had tucked it away.

It takes some digging to find out about the facts in those court documents. The false reports that the stop was based on an air freshener, or that Wright didn't know he had a warrant (even though everyone knows if you're charged with robbery and don't show up to court, there will be a warrant), and the arrest based solely on the license plate violation are all visible. Some articles will refer to a warrant. Most will not use the words robbery, gun, and choke as part of Wright's criminality.

Discussions about what we want our armed government agents to do are appropriate. Maybe we shouldn't send them after tax dodgers or expired plates. But we do, and that's not the fault of the police. When offenders resist, the underlying offense alleged becomes irrelevant. Blow ends his column with the words "rage is the only language I have left". Apparently, that leaves little room for the language of truth.

How Politicians Scared People to Death

We often hear the rhetoric of war. How easy it is to send our men and women into harm's way to another place where we do not have to hear the sounds of combat or breathe the foul air in a distant land. While politicians debate the reasons and strategies and budgets from the comfort of their soft leather chairs people are hurt and killed with every passing day as the work of the battle is carried out on the front lines.

Those same comfy chairs are warming the rears of the anti-police crowd as citizens are dying in the homes and streets of our own country. There has not been such a dramatic increase in murders in modern American history. The upward trend began in 2014 and, in 2020 jumped a dramatic 30% from 2019. We have not reached the total number of murders from highs in the 1980s that then trended down dramatically in the 1990s, but the murder rate – the number of murders per 100,000 persons – is rising and the final 2021 numbers will not be better.

We can talk coldly about murder rates, but the brutality of murder is not abstract. The increase in murders from 2019 to 2020 is 4900 humans. That is just the increase. The total for 2020 is 21,570. Visually stack those additional victims one on top of another and you have about a mile-high tower of death.

Now imagine that just one of those victims had been able to call for help and first responders were on the way. Imagine a citizen seeing the police headed to the

scene who thinks that the police should not be driving so fast, should not be armed, should not be involved, or perhaps should not even exist. This person obstructs the police, blocking the roadway intentionally and recruiting others to block other paths to slow or stop the response. Seconds tick away. The 911 caller dials again asking where the police are. Should the person who kept the police from being able to respond be held liable for the failed rescue and intervention on behalf of the murder victim as a killer saunters away?

Most readers would be angry and frustrated at the person or persons who blocked law enforcement. Shouldn't we be just as angry at the politicians and activists who have done exactly that while 4,900 of our fellow citizens lay dying? Shouldn't we be outraged when politicians remove basic protection of law enforcement while deriding the millions of citizens who bought more guns in 2020, then have the audacity to blame gun ownership for the rise in murders?

For those who remember the headlines after the 2014 death of Michael Brown of a trend toward "de-policing" after harsh social critique of policing. It bears repeating that Brown's death was justified by every legal and evidentiary measure through multiple examinations by multiple agencies. Nevertheless, the narrative of police brutality and racism held, and still holds, the headlines. Officers across the country were making the decision to lay low, reduce contacts to a minimum, abstain from proactive policing, and avoid anything that could end a career with one edited, falsely narrated viral video. It is here that we see crime rates rising again.

In the ensuing years, and of course, since the Floyd death, law enforcement has been restrained, attacked, reduced in numbers, subjected to senseless laws and policies, and pursued by overzealous prosecutors. Could murder rates skyrocketing have been predicted? Prevented? Are the anti-police pundits going to make an honest observation about the permission they have given to the criminal mind by demonizing the essential element of law and order represented by the police? Will they point to great successes in communities where police presence has diminished? Will their calls for the replacement of police officers result in less crime now that no one is afraid of getting caught or prosecuted? The questions are not merely rhetorical, and the answers are coming faster and faster as the utopian ideologies fall to reality. Staffing is being restored, school resource officers are being begged to return, bonuses are being offered in cities where leadership abandoned their police officers, and Minneapolis decided they need the cops after all.

That's no consolation to the thousands of murder victims and their loved ones whose killers thought that it was ok to kill and not ok to have quality law enforcement.

Police ice cream trucks are nice. Where are the police reforms to improve actual crime fighting?

During the Clinton White House years, the concept of Community Policing (CP) was embedded within the U.S. Department of Justice as the Office of Community Oriented Policing Services. Inevitably and irresistibly reduced to the acronym COPS, the office and the concept were the culmination of presidential candidate Bill Clinton's platform during his run that led to his 1992 election as President.

The now maligned reforms that Biden championed as the author of a comprehensive 1994 Violent Crime Control and Law Enforcement Act while head of the Senate Judiciary Committee were a direct response to the fear of crime evident in the 1980s.

The campaign for President between incumbent George Bush and Arkansas Governor Bill Clinton was centered around the economy and foreign policy, but a significant issue was violent crime to which Bush gave little attention and Clinton had a developed platform. Inner-city crime was spilling into the suburbs with carjackings of soccer moms in their SUVs blamed on gang violence fueled by the crack cocaine epidemic. Fear of crime was more intense than the actual crime rate, which had already begun to fall before the 1994 crime bill. Crime indeed reached new statistical lows after the legislation.

Focal points of the Biden bill were funding for new prisons, sentence reform, establishment of the Police Corps (a short lived indoctrination program), promoting community policing, and increasing the number of police by 100,000. The tenants of CP were active partnerships between the police and the community they served, and a focus on solving problems preemptively rather than making arrests a priority.

If millions were poured into law enforcement to produce a community policing philosophy that was intended to connect police more closely to the public, where are the fruits of this push? We should have all been holding hands and singing around the campfire by now instead of seeing hundreds of riots across the land about police practices, unprecedented prosecution and persecution of police officers, and (rapidly fading) calls to reduce police budgets?

President Biden is once again going to the Community Policing well in his policy approaches. In a proclamation last year for a completely otherwise uncelebrated “National Community Policing Week” Biden stated “Community policing – the practice of law enforcement professionals working side-by-side with members of their communities to keep neighborhoods safe – is a critical and proven tool used by law enforcement agencies across our Nation to improve public safety and forge strong, valuable relationships. During National Community Policing Week, we recommit to building bonds of trust between our law enforcement officers and the communities they serve and encourage community policing practices across our Nation.”

In claiming that this style or philosophy of policing works, the President is offering funds from the American Rescue Act for activities that reduce crime (caused, of course, by COVID and guns) and restore trust between the police and the public. No rational argument could prevail against the idea that increased trust and partnerships for crime prevention should be encouraged. The problem is that CP has never been well-defined or practiced in a uniform manner. There is no template for it and few accurate measures. It sounds like a great idea – if we can only figure out what it really is. Midnight basketball? Ice cream trucks operated by the police? Neighborhood mini-stations in convenience stores and malls? Foot patrol? Civilian advisory panels? Graffiti cleanup? Changing uniforms and logos? Spending more time on calls to talk to victims? All of these have been tried under the label of community policing. Many practices that were already in place got re-labeled as CP in order to get grant funding.

CP requires line officers to have discretion in responding to calls for service, which is not in line with the top-down decision-making and strict policies of today's law enforcement. CP also requires teamwork in a law enforcement culture that is based on lone officers dealing with issues most of the time. CP requires close relationships where close relationships can be a doorway to favoritism and corruption. These are not arguments against community policing, but some realities that are often overlooked as challenges to CP as a universal remedy for anti-police sentiment.

Perhaps the President should limit the federal government's role in molding local law enforcement

into a one-size-fits-all centralized, rather than micromanage with purse strings. If the public wants federal subsidy of their law enforcement efforts, one might suggest that the one thing we know builds trust and confidence in law enforcement is quality, effective police work that prevents crime and catches criminals. Where is the money for that?

Small Number of Offenders Magnify Crime

Like a white dot on a field of black, our attention is inevitably drawn to the outlier, the loudest, the brightest flash, and the thing that creates the most fear and unknown. We are built like that because noticing things that are out of place has survival value to our primitive brain parts.

Some years ago I was asked to serve as a judge for a writing contest for middle schoolers submitting papers on school bus safety. A disturbing majority of young writers included the phrase “millions of students are killed or injured in bus accidents every year”. The National Traffic Highway Safety Administration reports that “The school bus is the safest vehicle on the road—your child is much safer taking a bus to and from school than traveling by car. Although four to six school-age children die each year on school transportation vehicles, that’s less than one percent of all traffic fatalities nationwide.” We are so used to hyperbole that we have infected our children with a shadow of constant dangers.

I had a colleague who, during the heyday of missing children and stranger danger awareness, had taught his children to simply scream and run anytime they encountered a stranger. We lost track of each other as our careers diverged, but I always wondered how those poor kids turned out.

School shooters rivet our attention and create fear. The images and horror are justifiable fodder for worry. But

their rarity is seldom cited among dramatic news coverage of each event. There are over 130,930 K-12 schools. School shootings happened at 34 of them in 2021 with 15 deaths and 53 injuries. Too many, yes. Too tragic, yes. Coming to your school? Less likely than a lightning strike to your head.

In the same way, researchers find that a small percentage of criminal offenders are responsible for a disproportionate amount of crime. Allowing our justice system to detect, prosecute, and immobilize these chronic criminals can have a huge impact on the crime rate.

There is plenty of research on both humans and animals that shows the physical changes in our body as we look for and prepare for something to go wrong. The object of our attention is literally magnified in our imagination as it is in our eyes and other senses. Our visual focus zeros in on that thing and narrows our vision to exclude other sensory inputs. It is what we ordinarily call tunnel vision.

Our other senses, too, have the capacity to enlarge a sensation whether by sight, touch, taste, smell, or hearing. If we are annoyed by snoring, chewing, or a dog barking, those sounds begin to dominate our consciousness. Our ears tingle while tip-toeing through a dark abandoned house and amplify every creak of the floor. The touch of our finger on a tiny splinter feels like there is a railroad tie under our skin.

Even if not in full fight or flight panic mode, our bodies undergo subtle changes as a little squeeze of adrenaline

gets us ready for trouble. Our thinking process shifts from quite rational to edgy with possible danger as the neurons for fear fire more frequently and begins taking over our thoughts. When we hear the phrase “living in fear”, it can be very true.

There is statistical evidence of this on a cumulative social level. When measuring crime, researchers ask not only whether persons have been actual victims, but they ask how safe people feel. Two trends emerge. One is that the fear of crime is never at the same level of actual crime. People are generally more fearful of being a victim of crime than the statistical probability of victimization would predict. Conversely, people tend to report that their block or neighborhood is safer than surrounding neighborhoods. After all, don't we hear residents interviewed by local reporters after some event saying “it's usually pretty quiet”?

The only thing more dangerous than awareness of risk is the denial of risk. This, too, is the brain's over-reaction to information, pushing back against the danger-finding brain to cover the discomfort that caution causes. By focusing on the rarity of unexpected violence, this article in no way encourages disregarding their reality. For this reason, we look to our friends and neighbors for support, remain vigilant, and support our local law enforcement as they engage in prevention and response to violence.

Marijuana Reform Theater

I don't know what act the President is in when it comes to criminal justice reform theatre. His schizophrenic rhetoric makes it hard to pin down what he believes about justice. And perhaps that is a skill from decades as a politician that he brings to the White House. From talking about strengthening community policing through funding with puppet strings attached while still appeasing the Defund the Police crowd, to wiping out drug convictions with the stroke of a pen, the President who is often accused of mumbling still manages to talk out of both sides of his mouth. The latest bold move for the President is a paint-roller application of his pardon power to those convicted in federal court of possession and use of marijuana.

An interesting side note that appeared in one report on the pardon is that the White House acknowledged that no one was actually currently in federal prison for simple possession of the drug. Reminds me of the old joke: "Why don't you see elephants hiding in trees? Because they are very good at it!" If we're not seeing masses of people sent to prison for marijuana possession, it must be because we're not looking hard enough.

One of the arguments frequently heard in the debate about marijuana legalization and decriminalization is that it is unfair to be sending people to prison for possession of marijuana. Possession of personal use amounts of marijuana will get a person to jail almost never these days. The proliferation of so-called medical

marijuana legalization has made detection and enforcement of marijuana laws remaining on the books very difficult, so marijuana legalization has diluted other drug enforcement efforts.

There is certainly room for debate and reevaluation of law enforcement's role in dealing with marijuana. At a time when sugary drinks are being criminalized, cigarettes have been demonized, and cheeseburgers are blamed for climate change, the increasingly potent marijuana plant is being elevated. We were relieved when we found out that Bill Clinton didn't inhale, amused when Obama hinted that he was kicked out of Disneyland for smoking pot, and forgiving when Bush 43 talked about reforming from his drinking and drugged partying.

We've recognized the power and tragedy of drug addiction and have abandoned theories about choice in favor of mental health and socio-economic inequities. Efforts are underway to legalize psychedelic drugs in the hopes of relieving some categories of mental illness. When it comes to medicine, we are told to trust science, but we see the imprint of political maneuvering behind every decision.

What do we want out of our society as reflected in what we tell our law enforcement officers? We've seen largely unreported but dramatic ill effects of marijuana legalization. The idea that it's just weed and we need to stop sending people to prison and if it's legal nobody will want to do it and we can send people to treatment instead of jail....etc etc etc hasn't slowed marijuana use or addiction.

The promise of marijuana as a cure for PTSD and a good alternative to hard drugs has yielded very limited success. Whatever good, validated research can find for positive uses of marijuana as a remedy for illness should be happily embraced just as any medical advancement should. But so far, the plusses don't seem to outweigh the minuses. We can count the dollars from tax revenue on marijuana sales but we cannot count the dollars spent on the shadowed cost of widening marijuana use.

The National Institute on Drug Abuse estimates that 30% of those who use marijuana may have some degree of marijuana use disorder, more among those who started using before age 18. We all know about the dramatic rise in the potency of marijuana. What we don't know is the effect that more widespread use of these more potent kinds of marijuana available in many different means of ingestion has done for traffic crashes, workplace productivity, and mental illness. Despite the image of the laid-back pot user, research is clear that marijuana use is associated with paranoia and psychosis.

Untaxed and illegal marijuana growing operations and sales have not been slowed by legal marijuana. Major environmental damage from unauthorized grows, whether on private land or our national forests, consists of diverted water use and harsh chemicals used in the process. Because of high taxation on legal pot, the import of unlawful marijuana production results in ongoing smuggling and trafficking even in states like Colorado and California with a long history of tolerance and decriminalization of marijuana.

Research on both the possible benefits and the known harms of marijuana use needs to continue despite the misguided belief that marijuana is a basically harmless, natural weed. We also need a clearer understanding of the true impact of drug enforcement on the criminal justice system. Biden seems not to understand that while almost no one spends time in any jail for mere possession of the drug, plea bargains may reflect this as the offender's conviction even if the individual committed much more serious offenses.

The President's bad habit of taking executive action to sprinkle favors like fairy dust such as this pardon effort without looking at individual cases (not to mention transferring college debt to all working Americans and releasing oil reserves to bring down prices before the mid-term elections) is pre-election theatre. Some may benefit and some injustices might be righted, but we will never really know. The pardon power of the President was to right wrongs that slipped through the justice system or to present a clean slate to those who deserve it in some extraordinary way, not to gain applause and votes as this move clearly was.

A review of our drug policy is a good thing, but we can only hope that we are tracking the outcomes so that we don't throw the baby out with the bongwater.

Criminal Heroes – What Will History Say?

Someday a student will read about the middle of this decade, wondering who its heroes were. The names Michael Brown, Eric Garner, and Freddie Gray will be cited as persons behind a catalyst of violence and murder that marked an epidemic of hatred directed at the institution of policing and individual police officers. The student will note that a few laws were changed and more training was required. The student will also note, if they are astute, that the number of officer involved shootings did not significantly decline since they were rare to begin with.

The student will read about black neighborhoods scorched by riots. Small businesses destroyed. Tax dollars strained to rebuild and neighborhoods abandoned. He will ask why those labeled as demanding justice brought ruin to their own community. He will see Brown described as a gentle giant and not as a man fleeing a strong armed robbery and proven to have attacked Officer Wilson, Garner as just trying to make a living selling cigarettes and not his organized crime affiliation and criminal history, and Gray, with a long rap sheet for narcotics and in possession of a switch blade when taken into custody, as having had “scrapes with the law”. The strain to make these habitual criminals into heroes will not be obvious to him.

He will read that journalists and commentators place these men in the same category as those who marched with MLK, and the victims of vicious lynchings of KKK terror. He will read that the violence was necessary for

reform, and that the cry of black lives matter was as noble as the call of I have a dream. He will read that calling these men thugs was the worst kind of racism. Only in the smallest of footnotes will he read about the professional agitators and criminal gangs that joined local masked rioters to hurt and destroy.

He will read that the police were the greatest enemy of black citizens. He will probably not read that while cities burned over these men, bodies of black citizens murdered by black killers every year would stack as high as the Empire State Building. Those black lives didn't quite matter as much. He will not know what resources sucked into the repair caused by rioters would not be available to address the legacy of poverty in black neighborhoods where families of color worked hard and desperately to overcome institutionalized racism from cradle to grave. No, the focus was on that police contact. Was it poor prenatal care? Fatherless families? Third rate educational opportunities? No, it was that cop. The easy answer.

If the student of history desire truth he will find it. And he will wish we had found it in the moment.

But we did not.

About The Author



This series is authored by [Chief Joel F. Shults, Ed.D.](#) Joel is a retired police chief. He is an award-winning writer, college professor, trainer, and first responder chaplain.