REIMAGINING PUBLIC SAFETY:
FIRST CONVENING REPORT

JANUARY 2021

INTRODUCTION

On October 23, 2020, the Justice Collaboratory at Yale Law School and the Policing Project at New York University School of Law hosted a virtual convening on reimagining public safety in the United States. Our goal was to bring together a broad, crosscutting, and inclusive group of advocates, community leaders, policymakers, practitioners, and researchers to discuss what a reimagined system should look like and how best to achieve it.

For three hours, the working group participated in small group discussions to identify obstacles, necessary changes, and ideas to identify components of a shared path forward to achieving a holistic vision of public safety in communities across the country. A second convening will be held in January 2021 to solicit input on the same set of questions from policing agencies and relevant researchers. We seek to determine the extent of common ground among relevant stakeholders, as we believe this approach will accelerate the process of achieving a reimagined system of public safety.

The Justice Collaboratory and the Policing Project recognize that many of the challenges highlighted in this summary are familiar, which is why our conversation was geared toward identifying both solutions and processes for implementing change and, importantly, identifying hurdles and ways to overcome them. Our work here is one contribution in a space where many are working. In addition to our own work, there have been many valuable resources provided by others. It is almost certain that there will be some overlap between our efforts and those of others. Nonetheless, we hope that this summary and the forthcoming report will help practitioners and communities in their efforts to meet this moment and move the needle in a thoughtful and sustainable manner.

WHAT WOULD REIMAGINED PUBLIC SAFETY LOOK LIKE?

In advance of the convening, we asked participants to contemplate the call to "defund the police," that followed the May 2020 killing of George Floyd at the hands of the Minneapolis Police Department. We asked how this term should be understood, and whether it should be embraced moving forward.

Responses were varied. Many participants worried that although the defund movement has identified an important need for change, the term itself can be divisive. Many participants argued that future efforts should use clear terminology that highlights changes that need to be made, without alienating potential stakeholders and allies. Some participants, including those from impacted communities, said that many community members have made clear they would feel less safe, at least in the short term, if their police departments faced budget cuts that resulted in

reduced police presence. A smaller number of participants, however, believed that divestment and reduced police presence is an essential step to transform the current model of public safety.

There was much less variation in responses concerning the urgent need for increased investments in the wellbeing of communities that look beyond traditional models of violence reduction through policing. For virtually all participants, a necessary component of reimagining public safety requires considerations of building an environment in which people can live and thrive, and where resources are available to not just reduce violence and crime but also to protect and support physical, mental, social, and economic wellbeing.

To achieve this new vision of safety, the group identified three foundational shifts that must occur:

1. **Ending systemic racism**: All stakeholders need to acknowledge and take proactive steps to end systemic racism. Racism impacts communities far beyond policing and creates profound and enduring inequities, and every level of government must aggressively pursue racial justice as a central goal. Jurisdictions must direct efforts in innovative ways and focus resources on those disproportionally impacted by systemic inequities.

2. **Decoupling public safety from policing**: Public safety must be decoupled from the existing police-first, punitive, and carceral system. Members of communities that experience high rates of violence and the state's typical response to that problem are clear about what defines safety for them. Definitions of public safety must come from these groups. Issues that are front and center include poor educational opportunities, lack of employment, and inadequate social service provision. With a clear definition of what safety requires, it will become more clear which state actors and institutions should address them. Ultimately, this will enable disaggregating the various functions society currently asks police to perform and assigning them to entities best able to perform them. In this way, the scope of policing can be narrowed to achieve better outcomes.

   "We need to recognize that police do not have a monopoly on safety but rather that increasing safety is the job of virtually every part of government and is dependent in the first place on strong cohesion in neighborhoods."

3. **Centering community voices**: Those most impacted by policing must be front and center in creating a new vision for public safety and articulating the steps to get there. These groups must be guaranteed a seat at the table to inform the process and prioritize outcomes. Approaches may vary, but increasing transparency, giving people access to information, and providing the tools to participate in sound decision-making all are necessary. It means that communities' voices will be heard and will guide the path forward.

"The question of legitimacy is a big one right now for law enforcement, but I think that extends to alternative models of public safety. If the solutions are not grounded in local context and direct participation from communities throughout any given location, there will be significant challenges."

OBSTACLES TO REIMAGINING PUBLIC SAFETY

We asked participants to identify the most significant obstacles to designing and implementing a reimagined public safety system. The group stressed that these challenges have been indelibly worsened by the global COVID-19 pandemic and by a noticeable increase in gun violence in 2020, both of which have disproportionately impacted the very communities most in need of a reimagined approach to public safety. This context will continue to shape the trajectory of reimagining public safety efforts, particularly given the fiscal challenges that governments, non-profits, and individuals face.

Challenges raised in all of the discussion groups included:

1. **Systematic means of incorporating community voices**: Systematic, representative community engagement can be challenging for governments and many of the institutional actors working on reform efforts. Although community voices must be central in conversations to reimagine public safety, this is not a simple or straightforward task. Community meetings or other approaches do not necessarily express the popular will. For example, even neighbors living on the same block may have conflicting views about the role and number of police officers they may want in their neighborhood. Traditional modes of community engagement typically have revolved around in-person outreach and relationship-building, which has been severely limited by the pandemic, so engaging underrepresented voices is even more difficult now.

2. **Lack of data**: Public data on municipal budgets, police agency operations, and 911 calls for service is often inadequate or inaccessible.

3. **Lack of evidence about workable alternatives**: There is a dearth of evidence on alternative approaches to providing holistic public safety and a lack of infrastructure to support evaluations of alternatives that do exist. In addition, evaluating necessary changes requires a good understanding of municipal budgets, police agency operations, and 911 calls for service, and educating the public about this is no easy matter. Even experts in municipal governance often lack the full picture.

4. **Institutional and financial obstacles to moving to alternatives**: Shifting away from a deeply entrenched system in which policing agencies are called upon as the de facto round-the-clock responders is difficult. Not only is there limited evidence for alternatives but shifting resources and developing new systems to deliver public safety is not a simple task. There often are legal and capacity constraints, as well as the challenge of working within existing bureaucratic machinery and limited financial resources. Communities and local institutions are grappling with how these changes could occur on a very practical level, and how other entities or responders can realistically replace the current system.

> *"For better or worse police have the capability to respond 24/7, in a command structure that, more or less, can be deployed in a minute. Other services are delivered in a more imbalanced manner."*

5. **Lack of integrated alternatives to police response**: Most alternative models address only one piece of the larger vision for reimagined public safety (such as mental health crises, homelessness, or access to emergency social services). At present, there is no integrated system that responds to public safety holistically.

6. **Local control over relevant funding may be limited:** Public safety funding sources exist across many levels of government. Local municipalities cannot control how funding is allocated for services at the state or federal level.

7. **Path-dependent budgets**: Budget processes typically are structured around historical precedent, so even when residents share their opinions, it can be difficult to achieve significant changes on a year-to-year basis.

8. **Police resistance to change**: Some policing agencies may be culturally resistant to change. Participants highlighted that this challenge could make reforms more difficult to implement as many frontline officers see reimagining public safety efforts that include decreased funding for their agencies as competing with their own professional needs and safety.

9. **Change is a long-term proposition**: People are focused on short-term wins, but the changes needed to truly reimagine public safety are systemic and will require a long-term approach. Political will is critical to any successful effort, but this is notoriously difficult to build and sustain over the long term.

> *"We cannot get this done in five years or otherwise fail to recognize that this will be an iterative effort during which we can and should see meaningful change over five years, but which will likely take 20-25 years to accomplish."*

POTENTIAL SOLUTIONS

Recognizing the long history of injustice and inadequate safety in many communities of color across the United States, the group discussed the need to improve existing systems while simultaneously embarking on a project to create and test alternative models. Although many participants acknowledged that the police likely would have a role and range of responsibilities even in jurisdictions that are undergoing a reimagining exercise, others advocated for the dissolution of policing as we know it.

> *"Our national blueprint for this change must chart a path for how this transition can happen while the two systems are working together and co-operating. Let's find ways to affirm what we want and show they work to make the old system un-needed or irrelevant, invest resources and programs before you divest from what's not working."*

Participants agreed that creating alternative response models will require cross-sector collaboration, including community members, government, public health officials, policing agencies, the business sector, and philanthropists. A new system will also require coalescing around a common vision for public safety and outcomes that will indicate progress and achievement, which could take many forms. Milestones and results must be documented to facilitate the adoption and scaling of alternative approaches.

Above all else, the group recognized that there is no single solution that will work for every jurisdiction, but there are many commonalities that can inform learning paths and continuous reform efforts. To further the goals discussed at the beginning of the convening, and in response to the challenges highlighted, participants identified the following concrete actions that hold promise for moving jurisdictions along the path to reimagining public safety:

1. **Educate the public**: Public education and engagement are necessary to foster transparency. This should include providing comprehensive information in an accessible format, including about police activities, service demand, and municipal and state budgets.

2. **Establish an open and transparent process for change**: Establish public-facing processes to challenge the status quo, while ensuring that community perspectives play a leading role in reimagining public safety efforts. Community engagement must be the cornerstone of any process to build a new vision for public safety. Building broad public support for reforms may take time, but involving many voices is essential to meaningful change.

3. **Engage with all stakeholders**: Many groups have a stake in the status quo and may be resistant to change. Engage with social service providers, police officers, law enforcement leaders, and government representatives as part of a process to build stakeholder buy-in and create successful mechanisms for implementing reforms.

4. **Consider reforms of existing police service while pursuing strategies for reimagining public safety**: Many participants acknowledged that some form of the existing police service would continue to exist, if only in the short term, thus requiring the need for immediate reform both to regulatory structures and police operations at the local, state, and federal levels. An array of reform measures were discussed, including:
   - Aligning police training and recruitment practices with the demonstrated needs of communities;
   - Improving recruitment strategies to focus on critical skills (i.e., good communicators or empathetic individuals with social science backgrounds, etc.) and diversity (candidates who are representative of the communities they serve);
   - Implementing mandatory mental health counseling for officers;
   - Developing a national database of misconduct and decertification;
   - Restricting collective bargaining provisions, such as "first-in, last-out" clauses to ensure that personnel reform efforts do not disproportionately impact younger officers;
   - Setting a floor in collective bargaining agreements to balance transparency and officer due process related to complaints, allegations of misconduct, and discipline or separation; and
   - Improving training resources and requirements for de-escalation, conflict mediation, implicit bias, and procedural justice.

5. **Establish a national resource hub of publicly available data, research, and best practices**: This information clearinghouse should be a valuable tool for policymakers and communities to equip themselves with the necessary tools to engage in a robust reimagining exercise. While this may not be possible in the short-term given data and available evidence constraints, it is important to construct a community of best practice moving forward.

6. **Undertake demonstration projects**: Fund "test cities" or pilot sites supported by interdisciplinary teams to design and evaluate new approaches to public safety. Build cross-city coalitions that enable learning and best practice sharing, and ensure any findings are widely distributed.

7. **Undertake robust political organizing and advocacy:** It is essential to ensure that policymakers at all levels of government implement solutions that will further the long-term goals of communities engaged in reimagining their system of public safety.

WHAT'S NEXT?

The October 2020 conversation provided an excellent starting point for discussion and illuminated many points of consensus. However, constructing a framework for reimagining public safety also requires the input of policing agencies, which are tasked with responding to crimes and myriad requests for service in most cities and towns across the U.S.

The Policing Project and the Justice Collaboratory will next convene another group of thought leaders from policing agencies, unions, academia, and government to solicit their perspectives on the same set of issues. Through this project, we will seek to identify areas of common ground and produce a working document intended for practitioners, community members, and government officials to provide resources in navigating their ongoing efforts to reimagine and transform public safety.