



TRAINING BULLETIN

Los Angeles Police Department

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CONTACTS WITH THE PUBLIC – PART II PROCEDURAL JUSTICE

“Respect for People” and “Service to Our Communities” are fundamental core values of the Los Angeles Police Department; both require our Department to adapt to the changing needs and expectations of the multiple and diverse communities of Los Angeles. The effectiveness of law enforcement in a vibrant urban environment is most often dependent on the willingness of the public to comply with the law, to participate in their communities, and to partner with law enforcement in the larger public safety mission. This is known as police legitimacy.

The purpose of this Bulletin is to educate the Department on the principles of procedural justice to increase police legitimacy and to create greater public trust and confidence. Through these coordinated efforts and in partnership with our multiple and diverse communities, it is expected that the Department’s mission to reduce the incidence and fear of crime can be accomplished.

PROCEDURAL JUSTICE DEFINED

Procedural justice refers to the perception of fairness, respect, and dignity for every individual within the justice system. Most community members are first introduced to the justice system through their contact with law enforcement as a stakeholder, witness, victim, suspect, or arrestee. The high visibility of officers and the significance of those first encounters can shape community perceptions and level of trust over generations.

Procedural justice can be defined as a consistent method of operation in which community members are treated fairly, with dignity and respect, in every law enforcement encounter. It is a principle that, when embraced, promotes positive organizational attitudes, bolsters good relations with the community, enhances officer safety, and allows the organization to embrace continuous improvement.

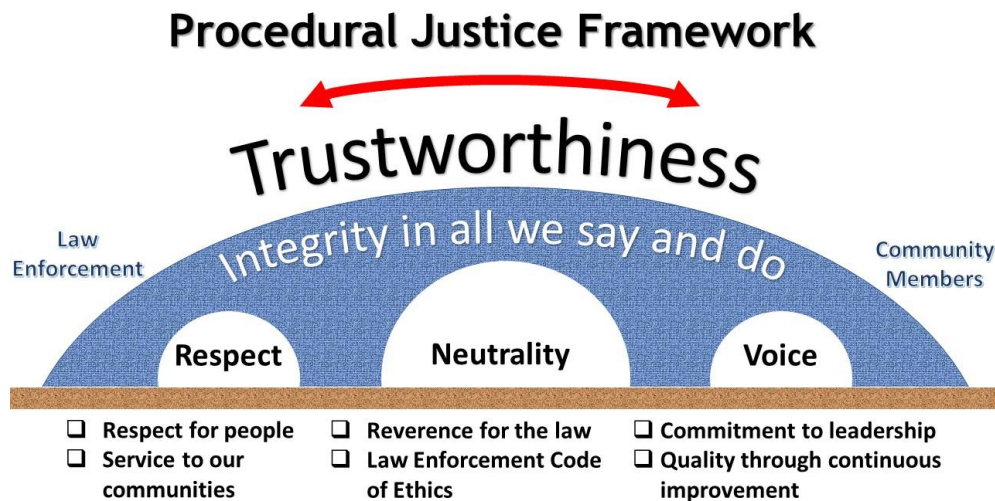
Procedural justice places an emphasis on how law enforcement services are rendered. Officers are not limited in carrying out the scope of their responsibilities as peace officers. Instead, they should look for opportunities to invest and enhance public trust in non-traditional ways. The proper application of procedural justice will likely result in

people believing that they have been treated fairly. What people think of the justice system is tied more to the perceived fairness of the process and how they were treated rather than the actual outcome.

INTERNAL AND EXTERNAL PROCEDURAL JUSTICE

There are two co-existing types of procedural justice: Internal and External. Both are needed to fully implement procedural justice. As officers practice it in their contacts with the public (external procedural justice), it should be fully applied within the daily operations of the Department (internal procedural justice). In effect, how we treat each other within the Department will ultimately impact how we treat the community.

Consider a bridge as a metaphor for procedural justice. The overarching goal of utilizing procedural justice principles in all interactions, internally and externally, is to build and sustain trust. Every police encounter has the opportunity to expand trust-building equity within the community through respect, neutrality and voice—the arches that support the bridge. The Department Core Values and the Law Enforcement Code of Ethics have been incorporated as they are consistent with the embodiment of each of the procedural justice tenets.



PROCEDURAL JUSTICE TENETS

There are four tenets that create the fundamental framework for operating in a procedurally just manner: Trustworthiness, Respect, Neutrality, and Voice. While procedural justice should be viewed as a guiding principle, it can be helpful to think of the tenets as tools that, when combined, build mutual respect and trust between officers and the community.

Trustworthiness

The ultimate goal of every encounter between Department members, sworn and civilian, and community members should be to increase Trust. This can be accomplished even in small ways by simply ensuring that a community member understands the reason behind the Department's actions. Every Department member should understand that educating the public on law enforcement procedures is an effective means for demonstrating a willingness to be transparent and building community trust.

Respect

Displaying respect for another person shows awareness of the value of every individual. Treating a person with dignity validates that individual as a human being. Respect is one of the most critical components cited by community members in determining whether they have been treated in a fair and impartial manner. When Department members show respect and dignity for others, it demonstrates that we are embracing our own core values. The LAPD Core Value, Respect for People states:

“We believe in treating all people with respect and dignity. We show concern and empathy for the victims of crime and treat violators of the law with fairness and dignity. By demonstrating respect for others, we will earn respect for the Los Angeles Police Department.”

Neutrality

Officers must recognize how the use of body language and tone of voice comes into play when trying to convey neutrality. Officers must remember that their decisions can only be neutral when guided by the evidence and the law. While the challenges of police work can often times be taxing, every Department member should practice a fresh approach to each situation, displaying a neutral tone and objectivity toward others. When decisions are explained and the use of facts and legal principles are consistently applied to all, it demonstrates that law enforcement actions are based on the law and not personal bias.

Voice

Being heard and understood is a fundamental human need, especially in a crisis, and sometimes listening can diffuse an emotional situation. By utilizing the tools related to active listening, Department employees should be able to engage and listen to others as they voice their concerns, offer explanations, or provide information. Additionally, having a voice in the process increases the personal investment of the person involved and allows the officer to ensure that mutual goals are being accomplished. Being heard is one of the ways in which people feel respected in the process, even when the outcome is not favorable for them.

PROCEDURAL JUSTICE EXAMPLE

Traffic Stop

These tenets related to procedural justice are already present in many areas of Department practice and can be applied in almost every interaction. A frequent example can be seen in how the Department trains on traffic stop procedures where an officer provides:

1. A positive introduction (**Respect**);
 - Salutation, identify yourself
2. An explanation of why the person was stopped (**Neutrality**);
 - Reason for the stop
3. An opportunity for the person to explain their situation (**Voice**);
 - Ask a question such as, “Did you know your brake lights are not working?”
 - Allow the person to tell you why they agree or disagree with your reason for the stop, if they wish to do so.
4. Any questions regarding additional information needed (**Neutrality**); and
 - “Is this your vehicle?” . . . “Do you have a license?”
5. A concluding description of the process and next steps (**Trustworthiness**).
 - Explain action(s) taken

The logical progression of the interaction allows the officer to ask for additional information while maintaining neutrality and respect.

Note: Officers must remember that trust and a sense of fairness or non-bias can be quickly lost when they unnecessarily ask a person if they are on probation or parole. Therefore, such questions should only be asked when appropriate, depending on the information that is collected (Step 4).

With the ongoing demonstration of procedural justice principles, individuals frequently respond with greater confidence and trust toward law enforcement. The importance of this trust interaction is significant, not only for the peaceful resolution of the immediate situation, but also for other officers who may be responding to the needs of this community member in the future.

While not every situation may follow a textbook format, there are some responses that have been shown to escalate the perception of bias and thereby, undermine community trust building. Most often this occurs when officers feel as though they are being challenged. This is demonstrated when officers:

- become defensive
- engage in arguments or
- react to questioning by directing people out of the vehicle

Conversely, officers who are confident in their knowledge of the law (see Contacts with the Public, Part I: Legal Considerations) and how it has informed their response to an incident, are less defensive, more empowered to educate instead of argue, and more willing to acknowledge that giving others a voice does not diminish their authority.

COMMITMENT TO LEADERSHIP

The LAPD Core Value, “Commitment to Leadership” will be fundamental to ensuring that procedural justice principles are infused into LAPD practice both internally and externally. It should not go unnoticed that cultivating trust is a key component of all leadership and every Department employee should look at their own contribution to building trust. Over the years, there are certain key behaviors that have been observed in those who are considered to be High-Trust Leaders:

The 13 Behaviors of High-Trust Leaders:

- 1) Talk Straight
- 2) Demonstrate Respect
- 3) Create Transparency
- 4) Right Wrongs
- 5) Show Loyalty
- 6) Deliver Results
- 7) Get Better
- 8) Confront Reality
- 9) Clarify Expectations
- 10) Practice Accountability
- 11) Listen First
- 12) Keep Commitments
- 13) Extend Trust

“Nothing is as fast as the speed of Trust.”

Stephen M.R. Covey, *The Speed of Trust*

CONCLUSION

By allowing the concept of procedural justice to guide every interaction that we encounter, we can develop a stronger bond within the Department and with the public, based upon fairness and mutual understanding. In turn, trust should increase resulting in greater public support. Ultimately, such support bolsters our legitimacy, increases our effectiveness, improves officer safety and allows us to partner to cultivate safer, stronger and healthier communities.

Field Training Services Unit
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