Prevent Tragic Police and Citizen Encounters

Bobby Vassar, J.D.

The current debate over the tragic deaths of Michael Brown and Eric Garner provides us a lens through which to view the broader problems of our juvenile and criminal systems. In both respects, we find ourselves focusing on what might be the proper “responses” to failings in these systems. As the debate moves from the streets to policy forums, the best focus for all concerned would be on preventing the need for a response as opposed to which response. While requiring police to wear body cameras and to receive better training, including training for proven community policing strategies, should reduce the incidences of tragedies arising from antagonistic encounters between police and citizens suspected of criminal activity, we can all conclude that it would be better for all concerned to prevent the need for a response in the first place.

Police unions and other police supporters suggest that the simple way to prevent the kind of tragedies reflected by the Brown and Garner cases, and others, is for anyone the police engages or arrests to be more compliant. While this may be true as a general proposition, requiring or expecting Americans to have a “police can do no wrong” perspective is not justified by our culture or history. Such a “police state” notion is incompatible with our constitutional framework of individual rights and freedoms premised on the belief that we should be suspicious of government and resistant to government suppression of our rights. Demonstrations by citizens citing fundamental principles such as innocent until proven guilty beyond a reasonable doubt, civil disobedience and even the common law right to resist an illegal arrest, as displayed in the recent armed stand-off by Cliven Bundy and others at his ranch, reflect that such principles are very much a part of current day societal beliefs. Yet, history and recent incidences have shown that such principles may hold little sway where minorities, Black males in particular, encounter the police. That’s why most parents of young Black males have “the talk” with them, premised on the logic of an old traffic warning: "You could be right - DEAD right!" Thus, all can agree that it is much better to prevent such encounters than to rely on either citizens or the police to engage each other with the right perspective and decorum.

Fortunately, there is a substantial and growing body of science and evidence in the field of prevention science that shows we can prevent problematic police encounters with at-risk youth, particularly with young Black males whose circumstances put them more at risk of such encounters. A focus on science-proven crime and delinquency prevention strategies for at-risk children have shown a dramatic reduction in juvenile and criminal justice involvements by those who participated in such strategies as compared with similarly situated children who did not. Prevention does more than reduce crime; it leads to healthier youth development, as well as being a proven strong complement to economic interventions that can lead to productive lives.

However, prevention is not the end all and be all for all hostile police-citizen encounters. Prevention seems quite applicable in cases of likely criminal behavior preceding an encounter—no matter who’s at fault during the confrontation—as the criminal behavior might never have happened in the first place. However, when an innocent citizen is confronted by hostile police behavior, prevention may be irrelevant.

There is another key advantage to using preventative interventions. They have proven to be much less costly than the current default approach of waiting for problems or crimes to occur and responding to them. Examples of such cost-effective strategies include the Nurse Family Partnership Program. Every dollar spent on such programs can return $7-10, much of which comes from a reduced need for prisons and their criminal justice activities (e.g., link). Programs targeting youth offenders have saved taxpayers up to $32,915 per youth offender (e.g., link). Multiple treatments for youth offenders offer large savings (totaling up to $88,953 per youth (e.g., link). This is why legislation such as the Youth Prison
Reduction through Opportunities, Mentoring, Intervention, Support and Education (PROMISE) Act, or “Youth PROMISE Act,” (H.R. 1318; S.B. 1307), which would provide nation-wide access to such strategies, should be enacted.

None of this is to say that we should choose between having a proper response to tragedies such as the Brown and Garner cases and preventing the need for such responses. We should do BOTH. Providing police with body cameras and better training and direction, including proven community policing strategies, will help them avoid or better handle encounters that could lead to loss of life or injury to either the police or citizens, particularly citizens suspected of minor crimes. In addition, providing for science-proven prevention and intervention strategies for at-risk children will greatly reduce the prospects of such encounters developing and, thereby, the need to respond to them. Indeed, better training of police is just as preventative as is intervening with at-risk children.

The National Prevention Science Coalition to Improve Lives (NPSC), a coalition of scientists, researchers, other individuals and organizations dedicated to bringing the scientifically proven benefits and cost savings of prevention science to government and private efforts to address human tragedy and misery, can provide a listing of research and evidence-based strategies to prevent the need for police encounters and consequent tragedies of the sort now under review in the Brown, Garner and other cases (http://www.npscoalition.org/).

Bobby Vassar, J.D. ; Former Chief Counsel, U. S. House Subcommittee on Crime; Steering Committee, National Prevention Science Coalition To Improve Lives; bobby.vassar@gmail.com