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RETHINKING PUBLIC SAFETY

Northeastern Law's Center for Law, Equity and Race (CLEAR)

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ABSTRACT

The prevailing approach to public safety in the United States is a police-centric model, where armed police officers are the first responders to all 911 dispatch requests. However, most of these calls are for a wide range of community issues – such as homelessness assistance, non-violent mental health interventions, traffic violations, substance abuse disorder incidents, and other quality-of-life issues – for which armed police are not best suited to respond. As a result, this police-centric public safety model forces police and civilians to have encounters, which are likely to escalate due to the presence of armed officers. Examining the history of police violence against non-violent offenders underscores the depth of these concerns and the nature of the potential harms that may arise. In May 2020, Police Officer Derek Chauvin responded to a call over a phony \$20 bill, ultimately resulting in the murder of George Floyd when Officer Chauvin knelt on Floyd’s neck for over nine minutes. A few years earlier, in Staten Island, Eric Garner was murdered by Officer Pantaleo when Officer Pantaleo used an illegal chokehold on Garner that ended his life for allegedly selling untaxed cigarettes. These are only two of countless incidents that demonstrate the pressing need to rethink public safety.

We can improve public safety outcomes by rethinking this approach such that police are not the only first responders. Instead, creating a new first responder entity, a team of Civilian Unarmed Public Safety Responders (CUPSR) will allow armed officers to respond only to violent crimes, serious crimes, and ongoing crimes. CUPSR will respond to all other calls, such as quality of life violations, traffic offenses, mental health crises, and others, with access to armed police backup as necessary.

PROPOSAL

Currently, police officers spend only about 10% of their time on crime, and roughly half of that is on violent crime. Despite most issues that police are called to address being nonviolent in nature, situations involving armed officers can needlessly escalate to officers using force. This is due in part to training models that communicate to officers that any civilian may be armed, and that every encounter may end fatally, priming them to see every civilian as a threat. The risk of escalation is also caused by existing racial and cultural tensions between officers and community members, as well as fear and mistrust of police officers. This combination of fear on both sides and the high rate of firearm ownership in the United States has led an average of 1,000 civilians dying at the hands of armed police officers every year.

We believe that armed police officers are the cause of many of these issues, and as such, limiting the responsibilities of armed officers is one of the most important steps towards promoting public safety in the United States. To this end, we suggest that the duties of armed officers should be tailored to only encompass responding to ongoing crimes, violent crimes, and serious crimes. Under the current policing framework, police are tasked with confronting a high quantity and broad range of problems. Officers are aware of this, and even acknowledge that too much is asked of them by society. While armed police may be trained to respond to many different types of incidents, most police training is on use of force. Therefore, it is no surprise when armed police default to that training in responding to calls where use of force is not the best method for successfully resolving these situations. Some have argued that reforming police training can help address this issue, and while police training may need reforms, the root of the issue is that armed police officers are trained to use force and will default to using it in most situations.

A CUPSR team would be prepared to respond to these situations without using force and would help them to be resolved peacefully. CUPSR teams would focus on five primary areas that are currently the responsibility of police: 1) traffic violations; 2) mental health crises; 3) quality-of-life violations and minor, nonviolent offenses; 4) individuals with substance use disorders; and 5) individuals experiencing homelessness. Instead of armed officers, a CUPSR team would be dispatched to situations falling into these categories, and would respond to them without use of force. If a situation was evaluated to ultimately need an armed officer response or support, CUPSR could then request armed backup. However, in jurisdictions that have implemented similar programs, armed backup was requested only 2% of the time. This demonstrates that most calls to 911 can be resolved without use of force. As we argue in this piece, the use of armed police can be dramatically scaled back, and replaced with unarmed public safety responders with more positive outcomes.