



Walt McClure

Switch to procedural justice policing in Minneapolis; empower chief to remove officers who violate new policy

An interview on Minneapolis police reform

February 26, 2021

On March 12, 2021, the Civic Caucus interviewed Jesse Jannetta, senior policy fellow in the Justice Policy Center at the Washington, D.C.-based **Urban Institute**. Jannetta discusses the National Initiative for Building Community Trust and Justice, a multiyear program launched in 2014 and funded by the federal Department of Justice. The Initiative

involved Minneapolis and five other cities around the country in efforts to repair and strengthen police-community relationships. The Initiative and its impact in Minneapolis and elsewhere have received little coverage, especially considering events before and after the killing of George Floyd.

In his remarks and writing (linked below), Jannetta highlights the Initiative's influence in bringing about policing policy changes in Minneapolis and other cities. But he concludes that the Initiative's impact on Minneapolis wasn't enough to prevent the killing of George Floyd.

Background

00:00 - **The Civic Caucus** (Janis Clay)

00:53 - **Introduction of Jesse Jannetta** (Paul Gilje)

Gilje: The Civic Caucus has been struggling with how it could share information about developments nationally as Minneapolis wrestles with policing and mayor vs. City Council control of the Police Department. Up came the name of Jesse Janetta, senior policy fellow in the Justice Policy Center at the Urban Institute. The Urban Institute was involved in a study of policing in six cities, including Minneapolis, so Jesse understands what's going on nationally and what's going on in our city.

Jannetta holds a B.A. in political science from the University of Michigan and an M.P.P. from the Harvard Kennedy School.

(See Janetta's complete biography at the end of the Discussion section.)

About the Urban Institute. The nonprofit **Urban Institute** is a leading national research organization that for 50 years has been a trusted source for rigorous analysis of complex social and economic issues; strategic advice to policymakers, philanthropists, and practitioners; and new, promising ideas that expand opportunities for all.

02:47 - **Opening Remarks** (Jesse Jannetta)

Janetta: I was part of the **Urban Institute evaluation team for the National Initiative for Building Community Trust and Justice**, which was launched in 2014. The federal **Department of Justice funded the Initiative**, which **consisted of officer training, departmental policy changes and community engagement designed to repair and strengthen police-community relationships** by addressing the deep historical roots of distrust in the police among people of color and other marginalized populations.

The National Initiative brought together practitioners and researchers to implement the **multiyear program in six cities: Birmingham, Alabama; Fort Worth, Texas; Gary, Indiana; Minneapolis; Pittsburgh; and Stockton, California.**

The genesis of the Initiative was the killing in Florida of 17-year-old Trayvon Martin in February 2012, which wasn't done by someone in law enforcement, but brought up issues surrounding young Black men. A Ferguson, Missouri, police officer killed 18-year-old Michael Brown in August 2014, followed by the police killing of 25-year-old Freddie Gray in Baltimore in April 2015.

(See the **Executive Summary** , August 2019, and **All the Evaluation Reports** from the Urban Institute's evaluation of the National Initiative.)

Issues in Minneapolis are at the very top of people's minds right now, but **it's practically impossible to go to an American city where policing is not an issue. All the departments in the six cities undertook training, policy review and reconciliation.**

The Initiative had mixed effects. In Minneapolis, there was a positive change in community perceptions of the police. This was concentrated in areas where policing and police contact are most concentrated. **Minneapolis put in lots of work and the Minneapolis Police Department did the intervention** -not perfectly, but it did it.

National Initiative-inspired policing policy changes in Minneapolis

Note: According to the Urban Institute's **August 2019 Executive Summary** , the Minneapolis Police Department made the following policy changes resulting from or influenced by the National Initiative:

- Added transgender/gender nonconforming policy (June 2016);
- Amended use-of-force policy to prioritize sanctity of life for both officers and civilians (July 2016);
- Added policy requiring officers to intervene in incidents in which other officers use excessive force (July 2016);
- Began tracking race and gender on traffic stops and other stops (September 2016);
- Changed body-worn camera policy to require officers to turn on cameras as soon as they begin responding to 911 calls (July 2017);

- Began reporting officer use-of-force, complaint, stop, crime and arrest statistics online (2017); and

- Failure by an officer to comply with a lawful investigation of misconduct shall be deemed an act of misconduct (September 2018).

Jannetta: What's going on around policing from a national perspective?

It couldn't be more daunting. The array of things being considered is as broad right now as it's ever been. A lot of it is tied to the mass protests that started in May and June of 2020, after the death of George Floyd in Minneapolis.

But people had already been out protesting before that and some things had been done. People have a sense that reformist ideas were introduced in 2015 and 2016, but here we are again with George Floyd.

(**Note:** This interview was conducted before the police killing of Daunte Wright in Brooklyn Center on April 11, 2021, and the murder and manslaughter convictions on April 20, 2021, of former Minneapolis police officer Derek Chauvin in the death of George Floyd.)

Some of the **reforms going on around the country include: changing training; de-escalation; using mental health providers** to help intervene in mental health crises; using **prosecutors from another jurisdiction** to bring charges and prosecute police violence, since prosecutors have to continue to work with police in their own jurisdiction; putting in place **use of force standards**; consistency in using **body cameras**; undertaking work to **build trust between police and the community**; improving **data collection on police violence**; and improving **transparency**.

The *Washington Post* has been doing work on tracking police violence across the country; a project called **Mapping Police Violence** is also working on this. But there is **no consistent federal government data collection on police killings and violence**.

There has been a lot of action around banning chokeholds and no-knock warrants. The **George Floyd Justice in Policing Act of 2021** passed the U.S. House; its fate in the Senate is unclear. Illinois has undertaken a lot of action on reform.

(See **Federal Investment in Community-Driven Public Safety** - Urban Institute, September 2020. This paper, focusing on the policy area of public safety, is part of an Urban Institute essay series exploring how the federal government can help all neighborhoods become places of opportunity and inclusion.)

The thing that feels very different from 2015 and 2016 is the push toward reimagining what police should be doing and shrinking the footprint of policing. There is a movement to find alternatives in emergency responses. Police are usually dispatched, but many times, the issue is not a criminal matter; it could be a need for dispute resolution, a mental health crisis or homelessness.

The CAHOOTS program in Eugene, Oregon, has changed emergency dispatching so that on a large volume of calls for service, the dispatchers are sending someone other than armed police officers into situations for which they're not trained. Albuquerque and San Francisco have similar programs.

Such programs **could result in 15 or 20 percent of police calls being handled by** other kinds of professionals, such as **mental health workers, people trained in dispute resolution and social service providers**. This kind of work has defaulted to police departments currently and in the past. If giving up that work means giving up some of police departments' budgets, there might be a different feeling about cutting police spending.

There is a huge expansion of city governments setting up things like **offices of violence prevention**. A lot of gun violence is based on retaliatory shootings. These kinds of efforts are trying to interrupt that retaliatory cycle, using things like conflict mediation or hospital-based intervention.

A lot of cities-such as Los Angeles, New York and Washington, D.C., have built out alternative responses to violence by involving people who were in gangs earlier. Ithaca, New York, has recast a lot of its public-safety workforce to not be armed police. **There are conversations about resource allocation-divesting in police forces and reinvesting in other kinds of safety. Local governments are talking about it in a way I've never seen before.**

(See [The Most Ambitious Effort Yet to Reform Policing May Be Happening in Ithaca, New York](#) - *GQ*, February 22, 2021.)

Discussion

23:44 - You pointed out the perceived lack of police accountability in your blog shortly after the death of George Floyd. Could you highlight what seem to be the essential elements in having a good system of police accountability? (Paul Gilje)

(See Jannetta's June 4, 2020, post about the death of George Floyd on the Urban Institute blog: [It Wasn't Enough: The Limits of Police-Community-Trust- Building Reform in Minneapolis](#) .)

Jannetta: I'm not sure any city has solved the problem of police accountability. The laws and standards for use of force by police tend to be about reasonableness; it's up to the officer. That allows a pretty wide latitude in the use of force.

When police officers are acquitted in use-of-force cases, it's a reminder of just how legal it is for police to use lethal force. That type of standard makes it pretty difficult to prosecute officers. Even if the standard were broadened, the piece of police accountability that comes from criminal charges is reserved for the worst cases.

We're allowing too much protection for the use of force.

It's a recipe for harm and recklessness.

Union contracts offer quite a bit of protection for officers against being dismissed and even regarding retention of evidence in police-violence cases. Often police officers are fired and then they're reinstated. It's hard to dismiss a police officer and have it stick for cases involving conduct that's not lethal, but might offer warning signs of use of violence in the future. And the Supreme Court's decision on qualified immunity makes it hard to hold officers civilly liable for the damage they've done

Are people willing to do any pushback on this? Many legislators feel they don't want to be second-guessing police officers. **We're allowing too much protection for the use of force. It's a recipe for harm and recklessness.** State, local and federal governments should **renegotiate union contracts.**

29:23 - **From what you know about Minnesota, can you comment on the proposed City Charter changes to local policing in Minneapolis to be put before the voters in the upcoming election?** (Lee Munnich)

Jannetta: The specificity of the police department size currently in the Minneapolis Charter puts constraints on what differently you can do. There's a high level of value in thinking more broadly about how we want Minneapolis to do public safety. How much of it is about the mayor, the City Council or the city coordinator? Does civilian oversight through mayors, city councils and prosecutors in oversight committees make a difference? What are the impacts on issues around policing that these changes make?

There is a lot of consistency in the problems around police accountability. I'm a little skeptical about how much can be accomplished by changing the lines of authority for the police.

35:54 - Have issues like these been submitted to the voters in the past, where we have experience with how citizens might respond? (Lee Munnich)

Jannetta: City charter issues like these have been successful in some places and not in others. I don't know about the success of the structural changes. It also depends on what people running for office are saying on these issues.

There is a level of engagement in these issues that was very different in 2020 than in 2015 or 2016. The people who were going out protesting were very different in 2020. There were more white people out on streets and more of them are thinking about these issues. How much of that different thinking is sustainable for elections in 2021 and 2022?

39:00 - What are cities doing to educate the public about options going forward for the types of changes that could be made to the police department? (Tom Abeles)

Jannetta: There's so much variety on those things. There's been broad reconciliation work. Some cities walked that into policy changes, including Stockton, California, which created a citizens policy board. Police/community relations work is a staple in lots of places. It's different in places trying to shift resources from policing to other kinds of public safety responses.

What has the most recent history been in Minneapolis? A lot has been based on the deaths of George Floyd, Jamar Clark, Justine Damond and Philando Castille, even though Castille was not killed in Minneapolis.

42:34 - How do you feel about residency requirements for police departments? Does this make a meaningful or substantive change to the relationships between police departments and the public? (Tom Abeles)

Jannetta: That comes up a lot, but it's a challenging mismatch in some places. Some people in highly policed neighborhoods want police officers to live in or be from those neighborhoods. It's not clear that residency requirements within the city limits as a whole make a difference.

44:07 - We need two things to target the underlying problem of police incentives: a superior approach to policing and the ability to remake the force and remove officers that violate policy. (Comment by Walt McClure)

Jannetta: A lot of this goes back to union contracts. Police chiefs tend to be pretty popular. There's a lot of focus on chiefs, but chiefs come and go a lot. Officers know police chiefs might leave. Only two of six cities had the same chief at the beginning and end of the National Initiative.

48:59 - What is the position of the chief of police relative to accountability and what changes must be made to get increased accountability? What is the role of management in police contract negotiations? How is this made known to the public and how can the public hold individuals on both the management and policing side accountable? (Clarence Shallbetter)

Jannetta: Not many people have been focused on who's doing the negotiating and what their positions are. But that may be changing.

Major city police chiefs have a lot of interest in accountability. They have to lead the department. You must be able to push your officers, but you also have to have them do their jobs as police. Without legitimacy and trust, it's impossible to do that. For example, in Milwaukee, the police beat someone badly and 911 calls dropped off. **See 2016 research paper on the Milwaukee situation.**

Accountability is up to several levels of government. Some states have a police officers' bill of rights. Generally, states are more amenable to that type of thing if Republicans are in control. Sometimes a legislature will try to undo what local levels of government are doing.

55:48 - How can we create not only accountability on the police force, but also change the underlying attitudes and culture that are reinforced by officers on the force? Are there any examples of this in other cities around the country? (Ed Dirkswager)

Jannetta: Changing culture is important. The National Initiative tried to select officers who had a lot of standing and were credible within the department to deliver the core trainings. The Initiative was strong around the belief that culture change had to be handled before work on accountability could be resilient.

1:02:11 - Why are we in Minneapolis not looking to or discussing recent studies, such as the National Initiative evaluation from the Urban Institute, to inform us in the pursuit of change? (Janis Clay)

Jannetta: What's the right way to present that work? In Minneapolis, all of that work happened during the Initiative and still George Floyd was killed the way he was.

(Again, see Jannetta's June 4, 2020, post on the Urban Institute blog about the death of George Floyd: **It Wasn't Enough: The Limits of Police-Community-Trust- Building Reform in Minneapolis** .)

We have to be clear-eyed and understand the issue of police violence against people in the community. There was a lot of good work done during the Initiative, but people could rightly say, "Why do you think you have something here, when it didn't prevent this awful thing from happening?"

Effective policing depends on trust

between police and the community.

That was ruptured by George Floyd's killing.

1:04:37 - I participated in some of the work of the Urban Institute study in Minneapolis and I find many initiatives boil down to implementation. Here, we did not establish strong enough belief on the community side and a change in city administration prevented continuity. It would help if we invested deeply in one or two communities as demonstrations. (Comment from T Williams)

Jannetta: These are deep, historical issues. There's been residential segregation, which has help create racial inequity. This is multi-generational work. How can we have the consistency that's necessary to work at changing that? Chiefs come and go and policymakers come and go.

1:07:00 - Back in the 1990s, Minneapolis had a program called Community Policing that worked well in two or three communities but was not tried at all in others. We've tried good things in the past, but we abandon them too soon, forget that we ever tried and start all over with new people involved. (Comment from T Williams)

1:09:38 - How did you get the police leadership to buy into the reconciliation pillar of the National Initiative, which focused on facilitating difficult conversations on injustice between police and members of the community? (Helen Baer)

Jannetta: The police leadership knew that was part of the National Initiative. It wasn't a heavy lift for police chiefs, including in Minneapolis. The important question is what's the mechanism for taking what you hear and translating it into concrete measures for the community. The engagement was great, but whether it was good is whether things happen. What kinds of commitments are made?

1:11:54 - We are seeing an increase in crime (real and perceived), the Minneapolis Police Department is down 200 officers and we are seeing a wide variety of proposed policing changes. What difference will this atmosphere make in having a successful approach to change? (Dana Schroeder)

Jannetta: It's politically harder. The more ambitious the changes, the more people won't necessarily go along with them. Effective policing depends on trust between the police and the community. That was ruptured by George Floyd's killing.

If you don't make changes, how will you be effective in addressing things? Why are there 200 fewer police officers right now? You need to solve that problem of trust between the police and the community. Without a functional relationship that involves communication and trust, policing doesn't work. With no change, you won't address the problem of police violence.

1:16:24 - Would the Urban Institute take a scholarly approach to bringing accountability to police forces? Specifically, could it identify the obstacles that prevent removal of officers, then devise ways to overcome these obstacles and develop a political strategy to sell this? (Walt McClure)

Jannetta: How do you ensure that you can get rid of officers? Are you willing to push to do that? I'm not sure the problem is scholarly.

1:19:49 - We won't see major change until we have both the political will and city leadership less concerned with their own electability and willing to take risks. What is the sustainability of our appetite for change? We have constantly rotating leadership, short memories and no one is willing to look back at what's been tried. We get the kind of policing that the majority of the population wants. White people are not affected by bad policing. Are they willing to take a stand against this? (Comment by T Williams)

*" We have constantly rotating leadership, short memories
and no one is willing to look back at what's been tried. "*

- T Williams

Jannetta: **Campaign Zero** has done good work in collecting union contracts from various cities that do or don't support accountability.

1:22:43 - It seems that gaining the ability to deal with the bad actors on the force is the common ground that makes it possible to guarantee good policing for everyone in the city and, at the same time, to deal with the problems of excessive violence that plague various communities. (Comment by Ted Kolderie)

Jannetta: An effective metaphor for police officers during the National Initiative was the idea of a trust bank. Every interaction of a police officer with the public either adds or takes away from the trust bank. Officers must be attentive that they're doing policing in ways that build trust. Derek Chauvin's actions bankrupted the Minneapolis Police Department's trust bank.

***Derek Chauvin's actions bankrupted
the Minneapolis Police Department's trust bank.***

1:26:03 - Since the death of George Floyd, why has there been no attention paid to the actions that the Minneapolis Police Department took in response to the recommendations of the National Initiative? (Paul Gilje)

Jannetta: Some things from the Initiative have been done. But we can ask why there wasn't more change and what we're going to do now.

It reminds me of sexual abuse problems in the Catholic Church. They moved people around and didn't hold priests accountable. The key issue is accountability. (Comment by Ed Dirkswager)

Jannetta: Police have to trust each other in dangerous situations. That can make accountability challenging. Sometimes problem officers have a lot of influence and standing with their fellow officers. I'm not sure it's a viable option to try to stop their influence on the culture.

Biography

Jesse Jannetta is a senior policy fellow in the Justice Policy Center at the Urban Institute, where he leads projects on prison and jail reentry, community anti-gang and anti-violence

initiatives, police-community relations, parole and probation supervision, and risk prediction. He is the project director for the Safety and Justice Challenge Innovation Fund, the principal investigator for the Evaluation of Procedural Justice in Probation project, and a member of the leadership team for the Prison Research and Innovation Initiative.

He was previously project director for the Transition from Jail to Community initiative, the process and fidelity assessment lead for the evaluation of the National Initiative for Building Community Trust and Justice, and co-principal investigator for evaluations of the Los Angeles Gang Reduction and Youth Development Strategy and the Chicago Violence Reduction Strategy. He applies mixed-methods approaches to process and impact evaluations and provides direct technical assistance to jurisdictions improving justice system functioning.

Before joining Urban, Jannetta was a research specialist at the Center for Evidence. His work there included an evaluation of GPS monitoring for sex offender parolees, an analysis of parole discharge and violation response policies, and an analysis of the role of the Division of Juvenile Justice in the California juvenile justice system, measuring the scope of correctional control in California and assessing inmate and parolee programs in terms of evidence-based program design principles.

Jannetta holds a B.A. in political science from the University of Michigan and an M.P.P. from the Harvard Kennedy School.

Present

Tom Abeles, John Adams, Helen Baer, Lyn Carlson, Janis Clay (chair), Pat Davies, Ed Dirkswager, Paul Gilje, Jesse Jannetta, Ted Kolderie, Dan Loritz, Walt McClure, Lee Munnich, Dana Schroeder (associate director), Clarence Shallbetter, T Williams.