

Racial Equity and Social Justice (RESJ)

BILL 17-21: POLICE - COMMUNITY INFORMED POLICE TRAINING

SUMMARY

The Office of Legislative Oversight (OLO) expects Bill 17-21 to favorably impact racial equity and social justice in Montgomery County.

BACKGROUND

On May 18, 2021, the Council introduced Bill 17-21 to improve community-policing practices in the County through additional training. Community policing refers to policing that prioritizes law enforcement officials building relationships with community members and working closely with them to develop mutual understanding and trust.

Bill 17-21 requires the Montgomery County Police Department (MCPD) to partner with Montgomery College to develop training courses for prospective and current MCPD police officers.¹ Prospective police cadet candidates would need to complete 30 hours of coursework at Montgomery College on the following topics:

- racial equity and social justice;
- health and wellness;
- community policing;
- policing history;
- active listening and conflict resolution; and
- civic engagement.²

Bill 17-21 also requires additional continuing education training in these six topics for current MCPD officers.³ Additionally, the bill requires Montgomery College to partner with MCPD to recruit a diverse pool of officer candidates that more closely reflects the County's population.⁴

Currently, Montgomery County Police Cadet training lasts for 26 weeks (6 months). This aligns with the 10 to 36 weeks of cadet training offered by police academies in the U.S. but is far less than the two to three years of police training required in European countries, such as Finland and Norway.⁵ In addition to cadet training, MCPD requires veteran police officers to undertake continuing education training annually. Of note, COMAR recommends a minimum of 18 hours (2.25 days) of training for veteran officers annually.

RACE, POLICING AND RACIAL EQUITY

As noted by the Maryland Chapter of the American Civil Liberties Union, "racial disparities have been widely documented nationwide in all aspects of policing and the legal justice system, including stops, searches, use of force, arrests, charging, pretrial detainment, plea bargaining, disposition, and sentencing."⁶ They further note, "Black communities face the paradox of being both over- and under-policed, criminalized at higher rates than whites for petty offenses, without the protection they need against serious threats that police are supposed to provide."⁷

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Current criminal justice inequities facing communities of color emerge from the origins of modern policing in the U.S. that prioritized preserving wealth and social control to promote White supremacy rather than to prevent crime.⁸ Of note, the first publicly funded police forces in the South were White “slave patrollers” charged with kidnapping formerly enslaved Black people and stopping revolts.⁹ And in the North, elected sheriffs and constables were assembled in the mid- to late-19th century primarily to quash labor protests by low-wage workers.¹⁰

Further, the use of law enforcement to maintain social control over Black people and to protect White wealth continued after the Civil War and Reconstruction with police enforcement of Black Codes and other Jim Crow laws aimed at undermining the civil rights of Black people and communities.¹¹ And as de jure racial discrimination in society dissipated after the Civil Rights Movement, the disparate treatment of communities of color has continued with the War on Drugs that has targeted Black and Brown communities with mass incarceration over the past three decades.¹²

Within this historical context, community policing has been identified as a strategy for police departments to advance racial equity by collaborating with communities of color to enhance mutual understanding and trust. Toward this end, Bill 17-21 posits that additional police training hours focused on the history of policing in the U.S., racial equity and social justice, and civic engagement will advance more equitable policing practices locally, which help to eliminate racial and social inequities. Unfortunately, there are few rigorous research studies that assess the impact of community policing training on police officer performance.¹³ The general training literature, however, suggests that training can “have positive impacts on learning, attitudes, and behavior, although impacts in general tend to be more pronounced on attitudes and knowledge than behavior.”¹⁴

DEMOGRAPHIC DATA

A review of data demonstrates disparities in policing incidents and MCPD personnel relative to Montgomery County’s population. For example, Black people accounted for 18 percent of County residents in 2019, but accounted for:

- 56 percent of the use of force incidents;¹⁵
- 29 percent of the traffic stops;¹⁶ and
- 12 percent of MCPD sworn personnel.¹⁷

As such, Black people are over-represented in their interactions with the police but under-represented among police personnel. Conversely, White people are under-represented in public interactions with the police, but over-represented among police personnel. White people were 44 percent of County residents in 2019, but they accounted for:

- 20 percent of the use of force incidents;¹⁸
- 25 percent of the traffic stops;¹⁹ and
- 75 percent of MCPD sworn personnel and of officers involved in use of force incidents.²⁰

Like Black people, Latinx and Asian people were also under-represented as MCPD sworn officers relative to their share of County residents. In 2019, Latinx people accounted for 19 percent of County residents but only 8 percent of MCPD officers. Asian people accounted for 15 percent of County residents, but only 6 percent of MCPD officers.²¹

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ANTICIPATED RESJ IMPACTS

If Bill 17-21 is executed as planned and actualizes improved community policing practices among new and existing MCPD personnel and increases the representation of people of color among sworn police personnel, OLO anticipates a favorable impact of Bill 17-21 on racial equity and social justice in the County. More specifically, OLO anticipates that improved community policing and related best practices among MCPD personnel will reduce inequitable policing practices that foster racial and social inequities in policing and criminal justice outcomes. Further, OLO anticipates that a more culturally diverse police force, coupled with heightened training and accountability for MCPS personnel, to put community policing strategies into practice will also diminish disparities in policing outcomes by race and ethnicity.

METHODOLOGIES, ASSUMPTIONS, AND UNCERTAINTIES

This RESJ impact statement and OLO's analysis rely on several information sources to understand the anticipated impact of Bill 17-21 on racial equity and social justice locally. These include:

- The Final Report of The President's Task Force on 21st Century Policing, May 2015
- MCPD 2019 Annual Report on Crime & Safety
- MCPD Annual Use of Force Report 2019
- OLO Report 2020-9, Local Policing Data and Best Practices, 2020
- How Community Police Compare in Different Democracies. April 2021
- The Hidden Rules of Race: Barriers to an Inclusive Economy, 2017
- What is the Difference between Slave Patrols and Modern Day Policing? Institutional Violence in a Community of Color, August 2015
- Bill 17-21 County Council Packet

RECOMMENDED AMENDMENTS

The County's Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.²² OLO has determined that the key provisions included in Bill 17-21 adequately address RESJ in the County. Consequently, this RESJ impact statement does not offer recommendations.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging, analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

OLO staffer Dr. Theo Holt drafted this RESJ statement with assistance from Dr. Elaine Bonner-Tompkins.

¹ Montgomery County Council, Bill 17-21, Police- Community Informed police Training, May 2021, Montgomery County, Maryland.

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² Bill 17-21

³ <https://www.montgomerycountymd.gov/pol/jobs/pol-officer-selection-process.html>

⁴ Ibid

⁵ Amelia Cheatham and Lindsey Maizland, How Community Police Compare in Different Democracies. April 2021, Council on Foreign Relations. <https://www.cfr.org/backgrounder/how-police-compare-different-democracies>

⁶ Spielberger, Joe, Chasing Justice: Addressing Police Violence and Corruption in Maryland, ACLU Maryland, January 2021

⁷ Ibid

⁸ Ibid

⁹ Durr, What is the Difference between Slave Patrols and Modern Day Policing? Institutional Violence in a Community of Color, August 2015, Journal of Critical Sociology. https://www.researchgate.net/profile/Marlese-Durr/publication/280922508_What_Is_the_Difference_Between_Slave_Patrols_and_Modern_Day_Policing_Institutional_Violence_in_a_Community_of_Color/links/55cb5c1208aea2d9bdce25ce/What-Is-the-Difference-Between-Slave-Patrols-and-Modern-Day-Policing-Institutional-Violence-in-a-Community-of-Color.pdf

¹⁰ Spielberger

¹¹ Andrea Flynn, et. al, The Hidden Rules of Race: Barriers to an Inclusive Economy, 2017, Cambridge University Press.

¹² Michelle Alexander, The New Jim Crow: Mass Incarceration in the Age of Colorblindness, The New Press, 2012.

¹³ An Evidence-assessment of the Recommendations of the President's Task Force on 21st Century Policing.

<https://www.theiacp.org/sites/default/files/all/i-/IACP%20GMU%20Evidence%20Assessment%20Report%20FINAL.pdf#:~:text=the%20President%E2%80%99s%20Task%20Force%20on%2021st%20Century%20Policing,is%20a%20project%20of%20the%20Institute%20for%20Community-Police>

¹⁴ Ibid

¹⁵ Annual Use of Force Report 2019, MCPD, Montgomery County, Maryland.

[https://www.montgomerycountymd.gov/pol/Resources/Files/annual-reports/UseOfForce/2019 MCPD Use of Force Report FINAL.PDF](https://www.montgomerycountymd.gov/pol/Resources/Files/annual-reports/UseOfForce/2019%20MCPD%20Use%20of%20Force%20Report%20FINAL.PDF)

¹⁶ Elaine Bonner-Tompkins and Natalia Carrizosa, Local Policing Data and Best Practices, July 21, 2020, Office of Legislative Oversight, Montgomery County, Maryland.

<https://www.montgomerycountymd.gov/OLO/Resources/Files/2020%20Reports/OLOReport2020-9.pdf>

¹⁷ 2019 Annual Use of Force Report

¹⁸ Ibid

¹⁹ Local Policing Data and Best Practices

²⁰ Ibid

²¹ MCPD 2019 Annual Report on Crime & Safety

²² Montgomery County Council, Bill 27-19, Administration – Human Rights - Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee - Established