

# Measuring Procedural Justice Policy Adherence During Use of Force Events: The Body-Worn Camera as a Performance Monitoring Tool

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## Key Takeaways

- Systematic Social Observation of body-camera (BWC) used as a performance monitoring tool to measure police officer adherence to agency policies on bias-free policing and use of force
- A slim majority of use of force events were procedurally just
- Certain procedural justice standards (e.g. addressing suspect concerns and using respectful language) were observed in a minority of cases
- Officers issue calm commands in a majority of cases, but suspect compliance with such commands was low; similarly, low compliance was observed for shout commands
- Most officers adhere to agency policy of using escalating verbal commands before resorting to physical force

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### Research Summary:

In May 2011, the U.S. Department of Justice's Civil Rights Division opened an investigation into the Newark Police Division (NPD) after receiving allegations of civil rights violations by the agency. This investigation found evidence of an unconstitutional pattern or practice of use of force, resulting in a Department of Justice consent decree. The consent decree required the NPD to adopt specific reforms to address the violations, including the deployment of body-worn cameras (BWCs) and revised policies on bias-free policing and use of force.

This study uses BWCs as a performance monitoring tool to measure police officer adherence to these updated policies. Systematic social observation of BWC footage measured police officers' adherence to procedural justice dimensions informed by the revised NPD policies: officer announcements of BWC, officer explaining the reason for response to the scene, officer addressing suspect concerns, officer allowing suspect to speak, officer displays verbally antagonistic behavior (reverse coded), and officer use of calm and shout commands prior to force.

The study sample consists of 91 use of force events recorded by BWCs between December 2017 through the end of 2018. Use of force events include a period of time preceding and following the use of force incident(s), beginning when the officers are first visibly seen interacting with any involved parties (e.g., suspects, bystanders, or victims). The end of the use of force event can be described as the time at which full suspect compliance is secured.

Officers announced the presence of BWC in 41.76% of cases. In 30.77% of cases, an officer can be observed providing a reason to the suspect as to why the officer responded to the scene. In 42.86% of cases, an officer explained to the suspect why they were being detained. In 65.93% of cases, the suspect attempted to speak for the purpose of expressing their views with officers allowing suspects to speak in 76.67% of those cases and attempting to answer suspect questions in 75% of those cases. In 36.26% of cases, at least one officer displayed verbally antagonistic behavior toward the suspect, which indicates low compliance with policy directives calling for officers to "be courteous, respectful, and professional."

An officer gave the suspect a calm command in 78.02% of cases. Suspects complied with calm commands in 23.94% of cases, showing suspect compliance to be low. In 53.85% of cases, an officer gave the suspect a shout command with suspect compliance also low for this dimension (22.45% compliance). Results around commands suggest that, despite suspects often not complying, many officers are quite committed to verbal directives and to remaining calm in their delivery of a command. Results further indicate most officers adhere to the NPD policy of using escalating verbal commands before resorting to physical force.

A 7-point procedural justice scale combining the overall dimensions found that use of force events do trend toward more procedurally just. However, while most of the sample (58%) scored between 4 and 7 on the procedural justice scale, a substantial portion (42%) are below the median and nearly 18% of cases have a score of 0 or 1. These results paint a more general picture of officer actions relative to the specific indicators and suggest officer conduct could be improved during use of force events.