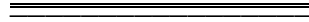
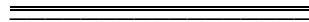


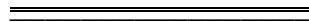
**The Bill Blackwood  
Law Enforcement Management Institute of Texas**



**A Return to Conflict Resolution**



**A Leadership White Paper  
Submitted in Partial Fulfillment  
Required for Graduation from the  
Leadership Command College**



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## **ABSTRACT**

Law enforcement agencies are constantly looking for new ways to provide effective police services for the citizens they serve. One of these methods being offered involved Data Based Analysis Policing. This method requires a lot of contact with the community and places the responsibility of the program's success on individual officers. Many times, officers do not choose the areas to which they are directed; however, they must perform their given duties with professionalism and expertise.

The presence of more cameras has increased the overall scrutiny of an individual officer's actions. They are not only required to take action but they are also required to take the correct action. If officers are required to make more contacts and influence their areas of patrol, they must be better prepared in making decisions and handling conflict. Officers cannot rely on their given authority to ensure citizens are cooperative and they must take into account that their actions can be reviewed at any time.

With the implementation of data based analysis policing and increased police officer contacts, law enforcement agencies should focus more training on conflict resolution. These techniques can lead to better partnerships within the community, increased officer accountability, and more efficient police services. In addition, officers can increase their personal safety while decreasing the overall calls-for-service due to lack of repeat calls. The overall goal is to build a more satisfied community that is willing to work with law enforcement to ensure a safer community for all.

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## INTRODUCTION

Law enforcement agencies are often searching for innovative methods in which to best serve and protect their citizens. As criminal behavior and crime trends shift, law enforcement agencies must recognize these changes and adapt. Officers were primarily reactive in the early years of law enforcement which means they only responded to a call when notified. A common method of crime prevention was to flood an area or “hot spot” with as many officers as possible. Officers would then enforce any laws they observed had been violated and quickly return to service.

Typically, officers had no investment in their communities, because they believed they had completed their mission of putting the criminal in jail. This often created tension amongst community members and eliminated trust with the local police due to a lack of understanding of what had occurred or why it had happened. In some cases, community members were left with the feeling police officers arrested someone, potentially a family member, only because they were unable to offer any other resolutions. While classical policing did serve to resolve conflict, it was done so on an incident to incident basis. This type of policing rarely had a lasting effect.

In 1979, Goldstein introduced a new policing method referred to as Conflict Resolution or Problem Oriented Policing (POP) (1979). The purpose of POP was for street level officers to identify recurring problems within their assigned areas in an attempt to find the underlying meaning or root cause. POP required officers to be proactive, be creative in discovering solutions, and to utilize the community as a resource.

Problem oriented policing allowed officers to see the value in the citizens they served and to create ongoing relationships that were designed to effect change within the community. By searching for the reasons why crime occurs in certain areas, officers could change the circumstances and bring about resolution rather than just enforcing the law. Communication was a key element of POP as resolution could only occur if the true reason the conflict was occurring was known. POP was effective because it empowered officers to make decisions for themselves and utilize discretion.

POP was short-lived because it did not anchor itself into the police culture (Cooper, 2003). While there have been varying forms of problem oriented policing, such as Community-Oriented Policing, Mediation Policing, and the SARA model (Scanning, Analysis, Response, Assessment), officers were unable to sustain the relationships they had fostered. Manpower issues, officer reassignment, and time restraints often limited an officer's ability to spend the time needed to continue the resolution process; thus, allowing the style of policing to return to previous standards and the connection with the community to be limited.

The New York Police Department was first to introduce the data-driven analysis policing method in 1994 when it instituted CompStat (Compared Statistics) (Henry, 2002). The purpose of CompStat was to utilize hard data in reference to crime and when and where it occurred. Officers would then focus their enforcement efforts in the areas designated. This often did not allow officers to use discretion because they were given zero-tolerance directives. A common critique of CompStat is officers are not always truthful in reporting crimes so their efforts appear fruitful. CompStat has been

successful in deterring and reducing crime; however, the increased pressure to perform requires the model be adapted (Willis, Mastrofski, & Kochel, 2010).

The most recently introduced method is known as DDACTS (Data Driven Approaches to Crime and Traffic Safety). This model looks at two factors; when and where accidents occur versus when and where crimes that effect the community occur (i.e. robberies, burglaries) (IADLEST, 2014). Once the data is compiled, the locations identified are overlaid and officers are then directed to the area in order to be visible. This approach does not require hard results, such as arrests or citations, but mandates that officers make contacts with the community in hopes of deterring crimes and traffic accidents.

With the continued advancement of the data driven analysis model, officers are being tasked with making more contacts with the community. If officers utilize their power and authority, or strict enforcement policies, they have the potential to escalate conflict with the citizens they serve; thus, mitigating their potential for solving problems (Mazerolle, Bennett, Davis, Sargeant, & Manning, 2013). In today's society, more citizens feel the need to complain, even when officers are acting within the scope of their duties, because officers are unable to communicate the purpose of their actions. Officers need to be better equipped to carry conversations and explain their purpose. This practice will work to build relationships within the community, aid in increasing officer accountability, and ensure that officers are more efficient in the completion of their duties. In order to benefit the new data-driven style of policing and accomplish these goals, law enforcement agencies should focus more training on conflict resolution.

## POSITION

Updated and renewed training in conflict resolution will better prepare officers to handle the upcoming trials of performing in a data driven policing system, which relies heavily on citizen contacts. Currently, law enforcement is under heavy scrutiny for the decisions they make, and with body worn cameras being more prevalent, there is often video footage that will be reviewed and critiqued. Therefore, it is very important for officers to be prepared to deal with conflict in a positive manner. Wallace, Roberson, & Steckler (2001) believe that interpersonal conflict management is one of the primary functions of police officers, even while operating under a traditional policing strategy, and must be practiced often. Most agencies do provide the minimum amount of conflict resolution training as required by TCOLE (Texas Commission on Law Enforcement), such as forty hours of Crisis Intervention training and an eight-hour De-Escalation class (2019). While these courses offer viable instruction, it is not sufficient rehearsal for the variety of conflicts officers will encounter.

A primary benefit of conflict resolution is that it allows officers to perform police functions while building better relationships with the community. Positive conflict resolution practices have been shown to solicit cooperation and respect from the community for the police (Cooper, 2000). When a call for service is made, the citizen is expecting a specific service from the officer that responds. If a responding officer fails to be empathetic, merely elicits the facts of the incident, and then returns to service without the intention to directly address the issue at hand, the citizen may be left with the impression that the officer does not care and no action will be taken on their behalf. Even though the officer performed their duty, they did not attempt to assist the citizen in

resolving their concern. However, if the officer spends additional time talking with the citizen and trying to understand what the underlying issue may be, a potentially lasting solution could be reached. The citizen is then more likely to develop a relationship with the officer and possibly become a working partner in resolving any ongoing issues. The citizen will also be left with a feeling of satisfaction, having received proper service from their law enforcement agency.

Many times when a citizen has a negative experience they are more than willing to share their discontent with the people they know, by filing a complaint against the officer, or by soliciting others to join in their dissatisfaction via social media. This is because personal interactions have proven to have the strongest effect on people. When someone is disappointed with service they receive they are far more likely to share their information versus when they have had a positive encounter (Schuck & Rosenbaum, 2005). If an officer is properly trained in conflict resolution and they are aware each call they respond to is another chance to be of service, they are far more likely to be effective. This also lends to a proper attitude when addressing conflict. A positive attitude and proper application of conflict resolution has proven to de-escalate concerns, build relationships, and potentially alleviate altercations before they occur (Halsted, Bromley, & Cochran, 2000). When a community trusts their officers and relies upon the relationships they have made, they are more willing to cooperate and are more capable to assist in crime reduction and community problem solving.

In today's policing, officers are held to an even higher standard because one mistake has the potential to be career altering. Citizens are more comfortable and often encouraged to air their grievances with the manner in which a call for service was



handled. With the use of body worn cameras, officers may not be afforded an opportunity to offer an explanation of what occurred, or their reasoning for the action taken, because the video is there for review. In some instances, the mere presence of body worn cameras are useful in the de-escalation of certain incidents. This is due to citizens, who are aware they are being recorded, will more likely behave in a civil manner (White, 2014). However, an officer can become complacent, believing their video camera will save them from complaints, and do not take heed of the techniques used to resolve the situation. In these circumstances, conflict resolution is best suited in increasing an officer's accountability.

The most common complaints against law enforcement officers are associated with poor handling of a citizen; for example, rudeness, use of foul language, or excessive force (Nowak, 2002). Price (2016) proposed that if an officer can control their own actions and be willing to take time to utilize conflict resolution techniques, listen and analyze the situation, they are more likely to have a positive interaction with the community. This means officers should rely on their cameras to assist in making their interactions more fruitful.

By utilizing the body worn camera and conflict resolution techniques, officers can potentially mitigate any complaints they may receive. An added benefit of combining the body worn camera and conflict resolution is an officer is able to demonstrate his willingness to assist the citizen. Good communication on behalf of the officer puts the liability for a failed encounter on the citizen. Increased transparency and accountability, afforded by video review, offers greater legitimacy to the police. Should a citizen file a

protest or complaint, the officer can counter the complaint with video footage of the incident in question (Ratcliffe, 2008).

An officer's confidence in his/her own abilities will increase once they become more familiar with conflict resolution techniques. This empowers officers to be more creative in their role as a problem solver and adds to their overall effectiveness of making an impact on the community. By finding the underlying cause of a problem, an officer potentially reduces the chance of a return call for service (Price, 2016). When a majority of calls for service are generated because of conflict, an officer's ability to resolve those incidents increases their overall effectiveness. While an arrest can calm an issue, it simply displaces one of the parties involved and does not necessarily resolve the issue at hand.

In a previous study of domestic violence cases, the police were not found to be more successful in just making arrests to prevent potential violence. However, when addressing disturbances and precursor activities, which lead to assaults, officers were found to be just as successful in sending the potential aggressor away and utilizing conflict resolution to provide opportunities or solutions to those involved (Sherman, Smith, Schmidt, & Rogan, 1992). The crux of conflict resolution is effective analysis and communication about the problem at hand; therefore, limiting the need for future police involvement. In short, the problem is solved not postponed. Another benefit of problem solving is that officers who effectively utilize conflict resolution techniques have shown to have a higher job satisfaction because they feel they are supported and empowered (Wycoff & Skogan, 1994)

## COUNTER ARGUMENTS

Those who disagree with conflict resolution often cite a fear for officer safety. As officers attempt to de-escalate or resolve a situation, they potentially relax their safety practices and open themselves to harm. All officers would agree there is an ongoing danger of policing and a momentary lapse in officer safety can have catastrophic results (Meyer & Carroll, 2011). A benefit of conflict resolution is that it incorporates the ability for officers to recognize threats because they are familiar with observing behavior. By recognizing potential dangers, officers are able to create distance and allow more time for decision making (Price & Price, 2015). Officers who have taken the time to try and understand the root of the issue at hand are more likely to be able to de-escalate physical conflict because they know the individual involved. Machowicz (2011), explained that maintaining safety is not about actually fighting with someone but maintaining a mindset that is prepared to face the presented challenge. Conflict resolution shares this mindset in that it asks officers to be open minded and prepared to handle challenges of all kinds.

Officers have extensive training in firearms, defensive tactics, and arrest procedures. Conflict resolution is an additional tactic meant to modify these skills, not take away, by providing a complimentary set of communication skills (McDermott & Hulse, 2016). This is proven in the fact most officers will not fire their weapon in the line of duty; however, conflict resolution is potentially an everyday occurrence (Oliva, Morgan, & Compton, 2010). Officer safety is enhanced because officers are utilizing conflict resolution in order to prevent possible violence.

The most common resentment against conflict resolution is the idea the practices take too long. Officers are required to remain on the scene for an extended period because successful communication takes time. Due to the concern of time, conflict resolution is seen as a “tool of last resort”. Some agencies believe their officers are needed to respond to multiple calls in a short period of time, which results in the inability to attend to the specifics; thus “running roughshod over ambiguity” (Herbert, 1996). If officers are more concerned with responding from call-to-call, they will overlook possible solutions and potentially leave citizens with a sense that the law enforcement agency does not care. This erodes trust and creates return calls for service. For officers to successfully utilize conflict, they must be afforded the time to do so (Oliva et al, 2010). If a law enforcement agencies concern is simply to be reactive to calls, they potentially sacrifice efficient call resolution and erode public trust. Law enforcement agencies that operate with a genuine concern for their community are more willing to seek better policing methods which result in better community partnerships, more efficient police services, and ultimately an overall reduction of crime. In 1996, Hillsboro, Oregon, performed a survey of the overall value of their officers’ efforts after implementing a mediation/conflict resolution program. The results, published in 2001, showed that officers were more efficient in resolving conflict, which led to less repeat calls for service. This made it possible for the Hillsboro Police Department to better allocate its resources to essential functions (Cooper, 2000). This showed if agencies are more willing to spend the initial amount of time to fully offer problem oriented resolutions, they will be rewarded with more time to address other issues or concerns and reallocate adequate resources.

## RECOMMENDATION

As law enforcement agencies move to a more analysis based form of crime fighting (i.e. CompStat, DDACTS), these agencies can better serve their communities by remembering the citizens they serve and that they have individual problems and needs. Therefore, law enforcement agencies should attempt to refocus the purpose of training to aid in conflict resolution. While many agencies have tried a variety of policing styles, this would allow for the blending of best practices.

Conflict resolution is a method of policing which seeks to address the underlying cause and effect of the issue at hand (Cooper, 2003). By understanding the persons involved and the reasons for their behavior, officers can provide more effective solutions. CompStat directs officers to areas where crime is visibly prevalent, often referred to as “dots on maps” (Henry, 2002). By providing conflict/problem-oriented solutions, law enforcement agencies can address why those dots are on the map. Rather than just enforcing the law, officers are more able and willing to utilize discretion, create partnerships within the community, and limit repeat calls for service. Many times, officers who are able to create partnerships and relationships within their community become more invested. They are more capable and more willing to spend the necessary time to hear the concerns of those who live in their assigned patrol area. As previously stated, better relationships lead to more cooperation and longer lasting resolutions (Cooper, 2000).

Law enforcement agencies do offer minimal amounts of training on this topic while providing directives to patrol certain areas. Conflict resolution would complement this tactic. If an officer is trained to communicate effectively, and seek out the root of

the cause, they can effectively address the issues they encounter during the performance of their assigned duties. A manner to accomplish this would be to offer additional crisis intervention training, utilize Verbal Judo in patrol practices, make conflict resolution an evaluated category within the Field Training Program, and develop policies which directly address the importance of solving problems.

Another recommended method is to incorporate Active Listening Skills training (ALS). Active listening skills employ the acronym MORE PIE: minimal encouragers, open-ended statements, reflecting or mirroring the person's comments, emotional labeling, paraphrasing, "I" statements, and effective pauses (Noesner & Webster, 1997). An officer cannot utilize these techniques without being afforded the time to listen (Madrigal, 2007). A benefit of active listening skills training is the formula by which it follows. An officer would begin by using active listening skills in order to employ empathy and build rapport. Success at building rapport lends itself to creating influence and ultimately a behavioral change (Vecchi, 2009). This practice lends itself to de-escalation with the potential for increased officer safety because officers are not having to engage in physical confrontation.

The availability of technology and improved analysis of data can greatly assist law enforcement agencies in directing their resources. Once in the midst of an enforcement area, officers who utilize the above listed skills can create better partnerships with the community resulting in more efficient and longer lasting solutions. Conflict resolution will also increase the overall accountability of the officers who employ the tactics and build upon the overall legitimacy of the agency. Those who feel this practice takes too much time do not understand the concept that good communication

takes time (Oliva. et. al, 2010). This model will provide officers with more freedom as they are not preoccupied with responding to numerous repeat calls-for-service. In addition, officers who apply these skills are better at recognizing conflict and increasing officer safety. A cooperative partnership which focuses on the needs of the citizens, reduces crime, and allows its officers to go home safely every night is the best scenario for both law enforcement and the community.

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