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11 Socio-political risks and their impact on criminal justice organizations

11.1 Introduction

In recent times, political upheaval, social outrage, attacks on the federal and state political system, and blatant social and political differences have wreaked havoc in criminal justice agencies. Police departments, corrections agencies, courts, and other related components of the criminal justice system in America and across the globe face social and political risk. The rise and accessibility to social media can drive negative and unconfirmed stories across the globe in an instant. Live streaming of events, the ability to video record from Smartphones, and Body-worn cameras has led to an expectation of video evidence in most criminal justice proceedings.

From the United States to Canada, the United Kingdom to Ireland and beyond, the criminal justice system is under intense scrutiny by human rights and civil rights activists, and under attack from radical and extremist groups. (Langton et. al., 2021; Nieuwenhuis, 2015)

There is ambiguity and misunderstanding of socio-political risk in criminal justice agencies. The training police officer receive fails to properly address factors or its impact on criminal justice issues. Certain societal issues are often incorporated in certain training modules that address relevant topics including domestic violence, mental health or intellectual or developmental learning disabilities. However, other critical societal issues such as poverty, racial disparities or homelessness are left on the periphery of basic police training.

Many in positions of criminal justice leadership do not have the political savviness to recognize the potential impact of citizen advocacy and the reaction of politicians to those constituents. With the rise in availability, use and influence of social media, agencies can be caught off-guard and unprepared, if they avoid anticipating, planning, and conducting risk mitigation strategies based on the outcries and potential resultant pressures and changes in practice or laws.

As we look at the issues that confront the Criminal Justice system, there are a variety of political and societal differences of opinions, outcries and pressures on patterns, practices, and organizational approaches. Calls for police reform has led to the "defund the police" movement and includes accusations of systemic racism, police bias and abuse of force. The policing discipline has reacted to these accusations by retracting services and unions telling members to seriously consider if they want to put themselves in "harm's way" for an ungrateful or appreciative public. The rise in convictions and incarceration of minority members, caused opposition

to mass incarceration. Mandatory sentencing was found to institutionalize men of color, at high rates, disproportionately in our society (Larkin and Bernick, 2014)

New progressive District Attorneys have resisted prosecuting minor cases and even more serious criminal behavior. Bail reform has tied the hands of judges so that even violent offenders are released without any bail conditions. Correction facilities have discharged inmates to reduce overcrowding. Courts have released convicted parties to serve home confinement or community service. Police agencies have been decimated with the resignations and retirements of countless officers frustrated by the scrutiny and criticism. Each of these actions have a direct impact on crime, community safety, and policing.

Leaders of criminal justice agencies have been confronted with a number of issues over the years, which include immigration, racial injustice, racial equality, and fairness. These issues have focused on the behavior of police and use of force or official action against citizens at the hands of police. There have been calls for improved trust, procedural justice, and fair and impartial policing. De-escalation and in some cases, a call for the revision or modification of deadly force statutes and police practices have occurred (Todak and James, 2018).

11.2 Politics and the influence on criminal justice

Prior efforts ~~to~~ focusing on police reform attempted and created some change, but never to the extent expected. At the federal level, the Kerner Commission of 1968 was convened in response to the 1967 riots in Detroit and Newark. (DOJ Kerner Commission Report 1968) The report focused on recommendations for the criminal justice system, including policing. Very few of the recommendations were adopted. After the establishment of Law Enforcement Assistance Administration (LEAA), police education was enhanced, law enforcement academic programs at community colleges were created and later, criminal justice education programs were established at colleges and universities. Most of these classes were taught by sociologists. Doctoral programs were created to provide scholars and academics with specializations in criminal justice.

The Mollen Commission and Knapp Commissions in New York City were created to ferret out corruption in the ranks. These commissions were created by the political apparatus in reaction to the behavior of police agencies. (Knapp Commission Report, 1973, Mollen Commission Report, 1994)

The attention and political influence from these Commissions had wide-ranging effects on the practice of criminal justice. Since laws are promulgated by legislators, politicians hold a powerful oversight and impact on the criminal justice system. There are political influences in criminal justice at the federal, state, county, and local levels.

11.3 Police and criminal justice reform

Cries for police reform in the criminal justice system have caused unprecedented changes in public safety. In many states, this is actively being considered by politicians on all levels of government. However, the discussion for reform has not engaged practitioners in the process. There have been decisions to decriminalize certain crimes, or reduce sanctions for minor theft, or drug possession cases.

In California, New York, and Massachusetts, and a dozen other states, significant legislation has been passed to create reform for police. This requires police, corrections, and courts to adopt new polices, practices and guidelines to meet the requirements of new legislation. In many cases, it is the outcry of society and community members that can often lead to "knee jerk" reactions by politicians. In some circumstances, laws were created that were unnecessary or conflict and contradict other legislation (Buchholz, 2021)

Reports indicate that many states have implemented laws to implement police reform. Changes have been made to Use of Force, Duty to Intervene, Ability to Decertify Officers, and Centralized Police Misconduct Repository. (Brennan Center, 2021)

As individuals rise through the ranks of criminal justice organizations and assume positions of power and influence, they become aware of the input and influence of society and political organizations on their agencies.

Policing and other law enforcement institutions have a natural reluctance and resistance for change. However, agencies can "turn on a dime" when new laws or directives are issued. Recently, we saw the immediate reaction for public safety agencies toward the issues of Covid-19. Most police agencies were tasked with mask enforcement and social-distancing complaints. The rise of public health sector involvement in the pandemic became pronounced. In short order, police agencies were required to make rapid changes, create policy, and implement strategies to meet the new challenges. (Herman, 2020)

There is significant impact on policing from the political apparatus. In Ireland and the United Kingdom, changes have been initiated to meet the demands of those societies. In the Republic of Ireland, a reform commission was formed and many of the recommendations were seen as aspirational, because there was no funding provided. (Commission on the Future of Policing in Ireland Report, 2018)

In New York State, the Governor notified all police agencies that they must create plans for reform and reinvention within 10 months. (Police Reform, 2021) As a result, the City of Ithaca plans to reconfigure their police department, reducing the number of armed officers and creating a Department of Community Solutions and Public Safety. The complaints from police officials were that legislators failed to include the perspectives and concerns of police agencies into the law-making decisions.

In Massachusetts, the move for reform established the Massachusetts Police Officers Standards and Training Commission (POST). This is the first time that a POST agency has had oversight over police officers training and behavior.

Based on a number of high-profile use-of-force incidents nationwide involving the police and African Americans, there was a national outcry for police reform. Led by several advocacy groups including Black Lives Matter, the American Civil Liberties Union, the National Urban League, and other local, state, and federal political leaders, dozens of states have created laws to address police reform.

The frustration with implementing meaningful police reform is that it has been called for since the 1960's following the race riots in many urban centers in the United States. Unfortunately, many of the recommendations from the President's Commission on Criminal Justice were ignored because of the costs associated with these platforms. Clearly, funding is a major impediment for current and previous reform efforts.

Lack of national standards for police training in America and the differentiation of officer readiness creates a chasm in consistent and congruent policies. Without a standard for training, we find wide and varied differences for recruit training from state to state. There has been a discussion for consideration of a National Police College in the United States. Police leaders continue to call for a new commission to explore policing and the criminal justice system. The last significant report by the U.S. government was in 1968. (United States, National Advisory Commission, 1968)

In New York and California, actions by the state legislature eliminated the need for cash bail, which has created a "revolving door" for offenders. This has frustrated police and has led to reoffending, often with serious or fatal consequences for citizens.

11.4 Societal issues – social advocacy

When considering the great number of societal issues and social causes, criminal justice components are affected in a number of ways.

When ~~one~~ reflecting on the many societal issues confronting communities, the list is long and ever-changing. The list below includes only a fraction of the issues, representing the sometime divisive nature of our society, which is constantly evolving. While not all-inclusive, the below list represents the varied issues that the criminal justice system contends with.

> Unemployment, mandatory sentencing, inequitable enforcement of laws, domestic violence, homelessness, terrorism, bullying, abortion, income inequity, religious discrimination, Islamophobia, Semitism, hate crimes, cyberbullying, school discipline, vaccination, and mask enforcement, gun control, alcohol and drug abuse, strikes, curfew enforcement, gender inequity, voter ID laws, gambling, identity theft, organized crime, environmental crime, racial discrimination and systemic racism, global warming, climate and energy, transportation, mental health, domestic terror groups, advocacy groups focused on social justice, environmental justice, anti-vaccination, and human rights. (Millie, 2013 and Armenta, 2017)

Those for and against these issues become vocal advocates or detractors for their cause and often march in support or protest. The police and other components have to respond to these events, sometime leading to arrests, court proceedings and jail visits.

On campuses, police have to deal with providing security to ensure safety of contentious guest speakers. Students with differing perspectives argued against inviting speakers with certain viewpoints that do not reflect their own.

Before new laws are considered by legislators to address rises in crimes related to social issues, police all over the globe are called upon to respond to complaints regarding these and other societal issues.

11.5 Immigration

Police agencies have found themselves in a "tug of war" between the federal government and state and local officials. For many years, it was customary for police agencies to assist federal agents in searches and arrests. Recently, based on the political divide in America, many state government and local governments have prohibited police agencies to assist Immigration and Customs Enforcement agents in enforcing violation of federal immigration laws. This creates a dilemma and conflict for sworn officers. However, many feel that involving local officers in immigration enforcement is contrary to their efforts for improving community policing relations. The police work with their community partners to improve relationships and encourage active participation and involvement with those in live in these areas. Some agency heads feel that engaging individual in "citizenship status inquiries" will push undocumented members away from police. (Russo, 2019)

On our southern border, border towns and states are dissatisfied with the staffing and resources the federal government has provided in regard to illegal border crossing. Texas and Arizona have detailed state and local officers to stop illegal aliens from illegally entering the U.S. Some use state trespassing laws to arrest those who have entered the country without proper documentation or who fail to enter legally. This creates conflict between the states and the federal Government.

11.6 Social – political issues in corrections

Over the years, police and prison scandals have negatively affected the corrections field. In New York, significant security and humanitarian issues have been reported at Rikers Island. Broken cell doors, lack of supervision and inmate-on-inmate violence have drawn the attention of advocacy groups and public officials. Overcrowding, early

release, and a lack of funding for rehabilitative programs exacerbates the release of prisoners into the community.

Correctional facilities have had to grapple with social and political issues. As laws were adopted, mandatory sentencing caused a spike in incarceration rates. Correctional facilities have had to adapt to address substance abuse, lack of education of inmates, mental health conditions, and medical conditions of inmates.

In California, several actions by voters and legislators caused the release of thousands of inmates back to the communities. In 2019, Proposition 57 led to the release of thousands of inmates back to the communities. This action caught many communities and police department's off guard as they had to wrestle with releasees, some of whom had been incarcerated for violent crime. (CDCR.gov, 2019)

During COVID, more than 75,000 prisoners were released from incarceration to reduce the spread of COVID in the facilities. The disconnect between legislative actions and lack of consideration for communities and public safety agencies created safety issues for those communities.

11.7 Drug and alcohol enforcement

Over the years, a rise in substance abuse in America and across the globe has led to enhancing penalties related to drug possession and distribution. Neighborhood needs, wants, and demands forced state political apparatus to respond with enhanced penalties. Enhanced penalties for possession near schools and for possession of "crack" cocaine filled jails and prisons. In subsequent reviews of these laws, it was determined that the enhanced penalties for crack cocaine, compared to powdered cocaine had a disproportionate effect on enforcement in poor, minority neighborhoods.

There has been criticism about Zero Tolerance policies and criminalizing drug abuse, with an attempt to dampen the enforcement actions for possession. Some would prefer to adjust policies towards harm reduction and allow for those substance abusers to seek treatment or drug substitution therapy. These societal concerns and reactions from political leader's place police, courts, and corrections leaders in a predicament. With laws on the books, and outcries from neighborhood and business leaders to clamp down on open-air drug markets and public use, police have the responsibility to enforce existing laws. Over the past several years, many courts tacitly legalized marijuana by dismissing many cases brought before the bench.

Much like the reversal on the legality of alcohol, society overtime softened its stance on the consumption of alcohol in society, and based on social pressure, Congress reversed the prohibition with the Harrison Act in 1933. As we look back in history to the prohibition era, and the efforts of the federal government to seek out

those manufacturing, transporting, and distributing alcoholic beverages, enforcement operations and entities were forced to stand-down following the passage of the 18th Amendment to the U.S. Constitution, which allowed the consumption of alcohol in American society (Rorabaugh, 2018)

During the prohibition years, U.S. Treasury Agents risked their lives to investigate and prosecute bootleggers. Many lost their lives in this pursuit of justice. Similarly, there has been a relaxation of marijuana laws. Some states have decriminalized marijuana and others have legalized it including allowing for medicinal use. Many segments of the criminal justice system had to adjust to accommodate these new laws now allowing for the use of marijuana under restrictions and stipulations. As with prohibition, many agents and officers risked and lost their lives in the fight against marijuana trafficking and distribution. Over time, as society changes and laws change to meet the will of the people, police agencies will have to adapt and modify their actions and behavior to reflect these changes.

As events unfold, agencies often choose to remain silent rather than providing detail and perspective. This "willful ignorance" may not be the best approach. In the current climate, remaining silent may now be prudent for leaders of criminal justice organizations to avoid backlash, but it offers no support or explanation of the process that agencies go through to move forward to improve or avoid serious incidents from occurring. Review of existing policies, consideration of updating or creating policy and training to modify agency approaches could mitigate future risk.

Communicating these changes can help to provide transparency and reduce mistrust or misunderstandings.

11.8 A pivot with the covid pandemic

What is important is communication of the thinking and actions of criminal justice leaders. The Covid pandemic has caused public safety personnel to take immediate actions to change policies and procedures, and limit public contact in facilities. These changes may be continued after gaining control of the pandemic. However, this is an illustration of the capability of criminal justice organizations to be adaptive and resilient during a worldwide pandemic.

Police and corrections officials had to deftly maneuver while serving as uniformed representatives of government at the of local, county, state and federal levels for policy and authority. The increase in political decisions, the involvement of public health officials and local board of health focused on public health, created rules for each community about what entities could open, capacity limits, mask, and social distance policies.

Job losses, unemployment, masks mandates, non-contact and isolation created agitation, loneliness, and depression. In some areas crime increased. Police had to

modify work policies and procedures but could not stop responding to calls. There was a lull in ancillary police actions including vehicle stops and arrests, again to limit unnecessary contact. Suicides were on the rise, serious illness and Covid-related deaths rose to unprecedented numbers.

In the past few years, the public safety hazards ~~of~~ related to the Covid-19 pandemic have significantly influenced emergency service policies and shifted to meet mandates from political leaders and public health officials.

Police response was expected for complaints about mask enforcement, on planes, in stores and restaurants, and social distancing at large events and family gatherings.

In countless cites, states and countries, vaccine mandates for public safety officers in policing and corrections have created a crisis. Many police and corrections officers in the field resisted the mandate, unions challenged the orders and police and corrections officers who refused to be vaccinated were placed on either placed unpaid leave or terminated. These actions led to a reduction in safety and services, and in some cases, the National Guard had been ordered to supplement the missing personnel. (Marcum 2020)

11.9 Establishing risk management units in agencies

Since 2010, some major city police agencies established risk management sections. The NYPD established the Risk Management Bureau, with a Deputy Commissioner responsible for "measuring the performance of police officers and identifies officers who might need enhanced training or supervision. Employing a data-driven approach with information taken from lawsuits, misconduct complaints, and internal probes, the NYPD can quickly monitor patterns of potential misbehavior and take necessary corrective action as part of an early intervention system. The bureau also assesses whether the department's training and policies are effective or need revision." (NYC.gov)

In corrections, the Michigan Department of Corrections established a Risk Identification, Risk Assessment, and Risk Mitigation unit. Audits are conducted throughout the state to respond to risks or to help identify risks in facilities. (Michigan.gov/corrections)

Wicks asserts (Police Chief Magazine, 2017) that in order to build a culture of risk management, "the concept must be taught, reinforced, and consistently branded throughout the systems of the agency (e.g., training, policies, procedures, communications, incentives and rewards, role modeling, discipline)."

A report by the U.S. Department of Justice's Community Oriented Policing Services Office, (COPS) *Risk Management in Law Enforcement* (US Department of Justice, 2018) focuses on fundamental components at the core of risk management: The first

step is to recognize the risks of a particular job. Next, prioritize those risks according to "potential frequency, severity, and available time to think prior to acting." Last, take action to manage or mitigate the recognized and prioritized risks. The COPS Office report offered several specific strategies to improve risk management in law enforcement organizations. These include leadership and culture, accreditation, recruiting and hiring the right people, enhanced training, developing appropriate systems of supervision and review, sentinel event reviews and early warning systems, police-community relations, use of force, and officer safety and wellness.

Archbold (2005) found few law enforcement agencies adopted risk management units. Risk Management has been found to is an effective tool in business and health care industries. Risk Management Units can add social and political risk mitigation to the cyclical review process. Adding these elements to the review process can help agencies prepare and react to potential issues they could face based on social or political concerns which might impact the police, courts, or corrections.

11.10 Citizen disagreement with government

Criminal justice agencies have had to deal with countless disagreements with political decisions. From matters relating to immigration and border control, voting rights, protests, enforcing mask mandates and other Covid regulations, police and courts have been drawn into "hot-bed" issues arising from government laws and policies. State, and local police interaction have been thwarted by politicians. In countless states and municipalities, politicians have forbidden local and state police to assist federal immigration authorities. This places police in a quandary, as they are sworn to uphold the laws and constitutions of the U.S. and their state. (Yesufu, 2013)

On January 6, 2020, a large group came to Washington, D.C. to attend a rally to protest the 2020 presidential election results. Following the rally, a mob marched to the U.S. Capitol and stormed the building, eventually breaching the U.S. Capitol, breaking windows, and overpowering security forces. Congress was in session at the time, looking to certify the election. Many officers were injured, and a trespasser was killed as they attempted to enter the legislative chambers. One officer was killed and several committed suicide following the event.

In Portland, Oregon and Seattle, Washington, protesters seized control of areas of the city, claiming them to be "autonomous zones", with the intent to keep police outside the boundaries. In an unprecedented step, police facilities were evacuated and abandoned under threat of attack from protesters. In 2020, the police in the cities of Seattle and Minneapolis abandoned local precincts under the threat of violent mobs. (Malone, 2020)

11.11 Dealing with mental health issues

There has been a precipitous rise in calls for service for those in mental health crises during the pandemic. Police agencies are ill-equipped or improperly trained to assess and handle these cases. However, the police are often the first to be called when a person is "acting out" or decompensating due to mental health episodes, and drug or alcohol abuse incidents, leading to anti-social behaviors. Many police agencies have started collaborating with clinicians to help in the response to these types of calls. Mental health is a social problem across the globe and requiring police to provide appropriate service/aid to these individuals puts both parties at risk.

In Ireland, An Garda Siochana, (Garda) Ireland's National Police, a new pilot program will pair a certain number of police patrols with psychiatric nurses from Health, Safety and Environment (HSE). Modeled after the jail diversion program, also known as the co-response program, the Garda plans for a pilot program in Limerick City commencing in April of 2022. Six psychiatric nurses from the National Health Program (HSE) will be seconded to the Garda. (Eden, 2021)

An Garda Siochana is working with practitioners from other agencies to create a pilot in Limerick, Ireland, where Garda patrol units will be paired with psychiatric nurses to respond to calls relating to potential mental health crises, coined Community Access Support Teams. (CAST). (Eden, 2021)

In preparation for this new program, the Garda has collaborated with agencies from the Framingham, Massachusetts, Police Department USA, Worcester, Massachusetts Police USA, Toronto Police Department, Public Safety of Northern Ireland, Police Scotland, William James College in Newton, Massachusetts, USA, and Worcester State University.

11.12 Protests

The United States as a country was born out of protest. In recent times, protests have become common-place cities around the U.S. and abroad. Many of these protests were against police brutality, racism, and election concerns. White supremacists marched in Virginia. Weston Baptist Church zealots marched on military burials and traveled nationally to picket the funerals of gay victims of murder or gay bashing, as well as people who have died from AIDS. Police agencies need to provide security for these events allowing the events to continue uninterrupted and keep others from interfering with the rights for civil protest and free speech. This places police officers in the middle of groups with opposing views and can lead to violence conflict.

The U.S. Capital was attacked by insurgents looking to overturn the presidential election in 2021. Countless officers were injured, police suicides followed, and one person was killed trying to break into the building. (Kydd, 2021)

As the unrest continues, certain events have been protracted. Protests focused on officer-involved shootings caused by police officers, especially among people of color, have given rise to worldwide protests. In Seattle, Washington, and Portland, Oregon, continued protests, civil unrest, and the creation of autonomous zones have seen a reduction in police presence. Government facilities have been attacked and a cry for "black equity" continues to be sounded.

The rise in dissatisfaction, and emboldened threats against law enforcement have led to attacks on police officers, and police-related facilities.

Police, corrections, and courts can find themselves drawn into these public protests. Protests often start as peaceful but are joined by radicals and extremist groups determined to cause havoc and destruction. Police are there to preserve the peace, and to allow individuals to exercise their constitutional right of free speech. In some cases, radical groups are drawn to protests and taunt and cite the protesters, since they hold a different point of view. Police are often placed in the middle of these violent confrontations, between protesters and agitators. This happened in several cities across the U.S. including Charlottesville, Virginia, Washington DC, New York City, Seattle, WA, and Portland, OR. (Jenkins, 2020 and Kilgo, 2021)

In some situations, political leaders have ordered police not to respond to ~~at~~ protests in protective military gear, such as helmets, batons, or shields. Failure to prepare for potential violent confrontations places officers in harm's way. Another dilemma is that these protests are protected by our Constitution and Bill of Rights for Freedom of Speech. In the European Union (EU) and United Kingdom, human rights play a significant role in the allowance for protesting. Police are hesitant to tread on these sacred rights, as are prosecutors who balk at bringing charges against protesters stemming from the right to assemble and speak out.

11.13 Public policy

Police are rarely asked for their input on societal issues, which impact the communities they serve. However, affinity groups, such as regional supervisors, state police commanders, chief associations, and corrections leadership, may serve as strong proponents to relay concerns of law enforcement, provide details, and provide recommendations for legislative and policy change considerations. While police and corrections leaders should generally be removed from politics and political interference, lawmakers need to have details and suggestions from criminal justice practitioners rather than operating in a "bubble." Better decisions based on more

comprehensive information led to better laws, with less unintended consequences can benefit society.

11.14 From defunding to refunding policing

The criminal justice system has internal and external forces to contend with. This includes police, corrections, courts, juvenile justice, and other social services. In response to several high-profile police use-of-force incidents, a number of activist groups have called for defunding police. Almost immediately following the death of George Floyd, the New York City Council reduced the budget of the New York Police Department by $1 billion dollars. (Elliott, 2022)

In Boston, the City Council cut the overtime budget of the Boston Police Department for 2020. According to the Guardian (March 2021) nearly 40 major cites saw the defunding of their police agencies. Portland, OR, Austin, TX, Minneapolis, New York, Los Angeles, Chicago, Seattle, Milwaukee, Philadelphia, Baltimore, and San Francisco saw significant reductions of their budgets. In Austin, TX, a cut of 33% totaling $153 million caused the Austin Police to announce that they would no longer responds to non-emergency calls. In many American cities, police officers acting in the capacity of school resource officers were summarily removed from academic institutions.

Police reform has been implemented in many U.S. states, focusing on limiting use of force, a duty for other officers to intervene, and qualified immunity.

In Massachusetts, the reform efforts have created a Police Officer Standards and Training (POST) Commission. The composition of the group charged with creating these new training standards was limited to only one police representative, a police chief. The investigative entities created to review police complaints purposely excluded former law enforcement officers.

In Ireland, a Commission entitled The Future of Policing in Ireland (Independent Commission, 2018) was convened with an American police leader, Kathleen O'Toole, serving as the chair of the commission. Similar to the report from 2017 following the work of the U.S. President's Commission on the Future of Policing in the 21st Century, commissioned by President Obama, The Future of Policing report recommended 6 pillars for attention and improvement. (Independent Commission, 2018)

While there have been calls for defunding police from protesters and advocates, a seemingly knee-jerk reaction from many state legislators and city officials was to cut the police budgets. The intention of this "reallocation of funds" appeared to be that the money from police expenditures could be shifted to social service organizations to meet the needs of individuals and situations now handled by police. Vermeer, et al, 2020)

However, in a short period of time, it became obvious that reducing the number of police in American cities was leading to an increase in violent crime. Also, it appears that creating new response to policing or police calls for service will take a great deal of planning and preparation. Many of the calls for service can be unknown in nature, from the mundane to those that lead to people in crisis. Unarmed social workers may not be prepared or equipped to deal with angry, despondent individuals in a time of crisis.

This lapse in staffing can create safety issues across the country especially in urban centers.

11.15 Socio-political issues beyond the USA

The Patten Commission (Independent Commission on Policing in Northern Ireland, 1999) was convened to review and make recommendation to foster peace and change the culture of the policing entity. The report made several recommendations, which included renaming the Royal Ulster Constabulary as Public Service of Northern Ireland, (PSNI) a new governmental Policing Board and Ombudsman, a move to 50/50 recruitment to allow for Protestant and Catholic members of PSNI, and other process improvements. (Gormley-Heenan, and Aughey, 2017)

In Northern Ireland, Brexit caused significant changes in policing approaches and the ability to interact with its island neighbor, the Republic of Ireland. Political issues continue with hard border consideration, which would reduce travel and commerce between the UK and EU, having an impact on Ireland - Northern Ireland cooperation and interaction. (Gormley-Heenan, and Aughey, 2017)

11.16 Learning from sentinel incidents worldwide

Each time a serious, questionable incident occurs, it would be of great value for agencies to create focus groups, conduct tabletop exercises, and practical exercises for staff to prepare and adapt for any eventuality. This approach can mitigate the potential impact if a similar event were to occur in that jurisdiction. Being proactive, considering how the agency might respond to such an event, or change in law or policy can help the agency be better prepared to react. After Action Reviews (AAR) can be valuable to help the agency learn for prior practices and prepare for future incidents.

11.17 Expectations of criminal justice agencies

With the exception of fire and medical services, police agencies are generally the only agency expected to provide a 24/7/365 response. This means that when everything else is closed, police are called on to respond. Police agencies, who work in collaboration with the courts and corrections, are called when there is no one else to call. The move to include social service agencies can be valuable if the services are available during the evening and on weekends. In order for this process to be effective, this will be required.

With the rise in mental health calls, homelessness, domestic disturbances, or neglected children, the police may be the only available outlet for those in need, after normal business hours, in evenings and on weekends. Police agencies have to deal with political and societal issues, and they have not been properly trained in these areas. Every time an incident occurs, the response is to train the police on similar incidents. These situations might include citizens on the "autism spectrum", hearing deficiencies and other intellectual or developmental difficulties. This places an additional burden on already overstretched police officers.

Many of societies social ills and issues have fallen on the police. Society and government institutions have failed to provide appropriate funding for the appropriate social service response. Most child welfare, mental health professionals, and social service providers work a traditional Monday through Friday, 9am to 5pm schedule. Lack of access for those in need have contributed to this crisis. Police are the safety net during these calls for help. (Auerbach and Miller, 2020)

In order to deal with the repeated calls, many police agencies are collaborating with mental health organizations to assist in the de-escalation and diffusion of volatile mental health cases. Some agencies have contracted with mental health clinicians to form co-response teams. Pairing police and clinicians to respond to mental health calls has led to positive outcomes and clinical referrals as opposed to custodial outcomes.

In some jurisdictions, smaller law enforcement agencies have opted to pool resources in a regional manner. This allows agencies to share a group of clinicians, which provides response coverage and the opportunity for cost-sharing measures.

11.18 Transnational crime

Crime knows no boundaries. Police agencies at the state, local and federal levels in the United States and abroad must deal with crime and criminal elements outside their borders. (Albanese, J., 2012). Terror threats, cybercrime, cyber-attacks, attacks on infrastructure, and human trafficking have infiltrated other jurisdictions. These crimes can be hard to investigate, given that the perpetrators may operate in other jurisdictions thousands of miles away, often in unfriendly and uncooperative countries. Most local

agencies do not have the capacity to investigate these crimes and lack the legal venue or authority to address criminal behavior when it is committed outside their jurisdictional boundaries. With anonymizers to hide internet locations, it can be difficult to track the location of the attack or criminal. In these circumstances, high-level cases may be referred to a federal investigative agency. Some of these cases can have political ramifications.

11.19 Leading criminal justice organizations through the socio-political morass

Amongst the many organizational issues that police leaders must contend with, the added layer of socio-political issues must be considered. Leaders need to be attuned to ongoing social dialogue and political discussions. They need to maintain vigilance to anticipate potential issues and problems that may rise in their communities.

Criminal Justice leaders should make themselves available to elected officials at all levels of government and be prepared to make honest and critical assessments of their agencies with a focus on improving outcomes as the centerpiece of these reviews. Their input and insight should not be dismissed but rather solicited and acted upon in good faith by political leaders. (Bass 2000)

11.20 Conclusion

The push and pull and cycle of different political views of crime and criminal justice are stark. From liberal, progressive, and conservative views, the criminal justice discipline can be at odds with varied views and opinions of the stakeholders. In most western countries, police and other components are expected to follow the Rule of Law.

Offering two models of Criminal Justice, Packer (1968) explained, the Crime Control Model is more conservative, where the Due Process Model is more liberal. These tend to see the conservatives as the party that is autocratic and the liberals as the party of that protects the rights of the accused. These seem to be at opposite ends of the spectrum although there are some overlaps.

The varying differences in the political sphere may fluctuate based upon the current climate within any given municipality, state, or country. When crime rates increase, the conservatives who support the crime control model would more likely be elected. Whereas when there are instances of alleged or actual misuse of power or brutality, the public view may elect the liberal political parry to affect changes to the law enforcement apparatus of the affected jurisdiction.

The importance of communication and involving criminal justice agencies in the decision-making process could be vital to future legislative efforts. While it may not be prudent for police leaders to voice their individual concerns on legislative drafts, the collective voice of police, probation, courts, and corrections officials through their regional and state representative organizations could be ~~a~~ valuable in the legislative process. The consequences, and in many cases the unintended consequences of legislation, can be detrimental in communities when decisions are made that hamper the effectiveness of public safety.

We have witnessed the knee-jerk reactions of political decisions that cause significant backlash. The defunding of police has demoralized officers, driven many to retirement or alternative careers and has caused spikes in violent crime in major cities. Removal of School Resource Officers has led to public outcry to replace these police officers in the schools. (Reilly, 2020)

Recognizing the many layers and ever-changing social and political challenges and issues is important for leaders to consider when deliberating responses and planning for the delivery of services.

While there is no doubt that there is room for improvement in law enforcement, a continuing dialogue with community and political leaders can help to assuage parties with different social and political agendas and help establish a better rapport so that opinions from all sides are considered before implementing new policies and guidelines.

This chapter was intended to raise awareness and create deeper a thought process about the complicated nature of policing, corrections, and the courts in negotiating the ever-changing social and political realities. Social media has played a significant role in offering a narrative on the inequities and inefficiencies of the criminal justice system. There is clearly room to improve in multiple areas of the criminal justice system. The discussion, while no exhaustive or all-inclusive, can assist criminal justice leaders as they grapple with the many different factors, changing demands and changing social and political views that drive the system.

The criminal justice system continues to improvise and adapt based on the ~~calls~~ demands for significant change. Discussions about reducing use of force, de-escalation tactics, using less than lethal force, improving training and tactics, enhancing recruiting techniques and officer retention help focus on improvements in these critical areas and help identify best practices moving forward. Institutions including the Police Executive Research Forum, the National Police Foundation and the International Association of Chiefs of Police have been focusing on these and other important issues to further explore and offer recommendations for member agencies.

Each of these organizations can provide guidance and leadership in order to shape the preparedness of criminal justice organizations in the future. Being proactive, anticipatory, formulating departmental responses to critical incidents, and creating contingency plans can help law enforcement agencies deal with the ever-changing landscape of social and political concerns in the communities that they serve.

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