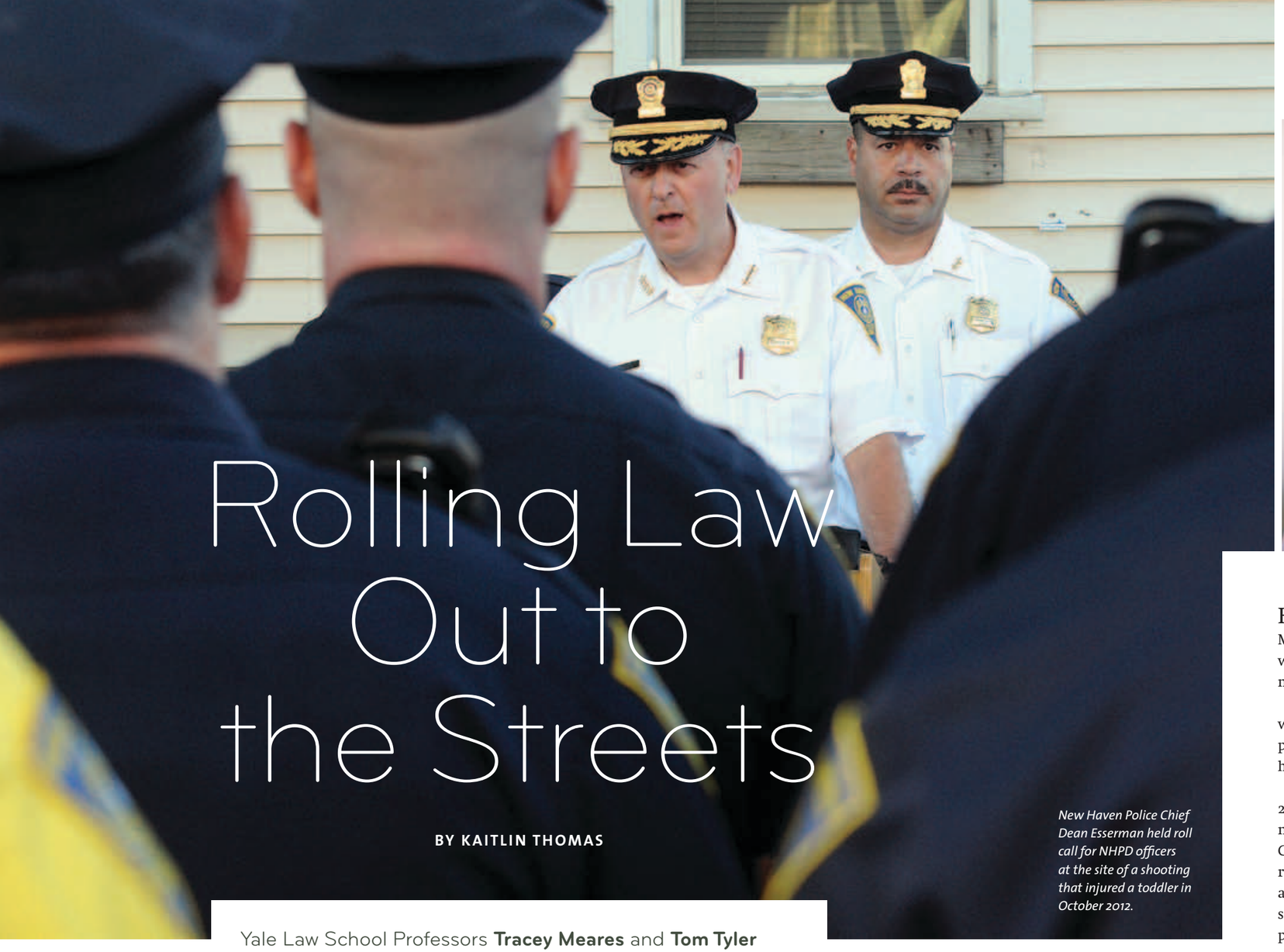


Rolling Law Out to the Streets

BY KAITLIN THOMAS

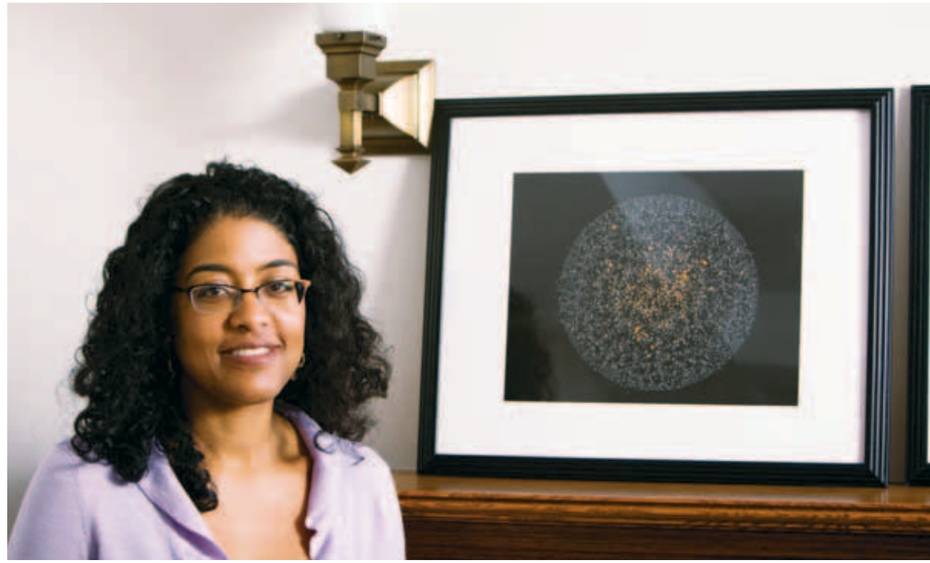
New Haven Police Chief Dean Esserman held roll call for NHPD officers at the site of a shooting that injured a toddler in October 2012.

Yale Law School Professors **Tracey Meares** and **Tom Tyler** are working at the forefront of two issues faced by police across the country: reducing gun violence and improving the legitimacy of law enforcement.

Both Meares and Tyler are leading the way in using research and cutting-edge theory in law and social science to create strategies to promote crime reduction, procedural justice, and legitimacy of law.

"We're really concerned with getting law rolled out to the street," Tyler says. "This is not about abstract legal doctrine."

NHPD photograph by Mara Lavitt, New Haven Register; Meares photograph by Harold Shapiro



Hanging on the wall opposite Professor Tracey

Meares's desk is what she calls "the big meatball." It's a framed print in which different colored little dots or nodes form a sphere. Each of those nodes, as Meares explains, represents a person.

"It's a map of all of the people arrested with other people on Chicago's west side during a recent five-year period," Meares says. "Each node is a person." The picture stands as a visual representation of the work Meares has devoted her career to—reducing violence in urban populations.

Before she came to Yale Law School from the University of Chicago in 2007, Meares was one of the leading forces (along with Andrew Papachristos, now a Yale Sociology Professor) behind "Project Safe Neighborhoods" in Chicago. As the intellectual architect of that groundbreaking violence reduction program, she used empirical research to create interventions aimed at reducing homicide and gun violence. Project Safe Neighborhoods saw homicide rates on Chicago's west side drop from 60 to 30 per 100,000 people from 2002 to 2006. The program was so successful that it has become a model for other cities. Meares now serves as an advisor to Governor Andrew Cuomo as the program is being replicated by the state of New York in Albany, Schenectedy, Brownsville, the Bronx, and Manhattan.

Since her arrival in New Haven, Meares has also been working with Mayor John DeStefano and police officials to bring some of the ideas from the Chicago project to the Elm City. This past year, thanks to the joint efforts of city officials and the U.S. Attorney's Office, the State's Attorney's Office, the Federal Bureau of Investigation, the Bureau of Alcohol, Tobacco, Firearms and Explosives, and the Department of Social Services, New Haven launched a program called "Project Longevity," which draws some of its inspiration from Meares's Chicago project as well as the work of criminologist David Kennedy, Professor at John Jay College of Criminal Justice.

While Chicago's Project Safe Neighborhoods focused on working with individuals, New Haven's Project Longevity aims to reduce gun violence by concentrating on groups of violent offenders.

"We understand that people commit crimes in groups or because of groups or because of their relationship status with other people within a group," Meares explains. Organizers of Project Longevity began their work by conducting painstaking studies of the gangs (which Meares prefers to call "groups") in New Haven, identifying who is in each group and which groups have issues with each other. Then, last winter, they held the first "call in"—a meeting in which they actually sat down with two or three people from each group.

The message to those people: we all are members of the same community. We want you to stop shooting. We are here for you. We want to help you stop the violence. But if you continue shooting each other, there will be consequences.

"The approach is simple," Meares explains, "we tell them: 'The next time someone from your group shoots someone from another group, we are going to use whatever legal leverage we have to hold all of the people in your group accountable. Even if we can't hold you accountable for the shooting, we will come after you using any legitimate means we can—delinquent child support, back taxes—whatever we have, we will use."

New Haven Police Chief Dean Esserman speaks at the call-ins—*I'm your police chief*, he says. *I go to every funeral. I go to the emergency room anytime any one of you is shot. And I'm tired of doing that. I don't want to do it anymore*.

Though the call-ins are designed to let gang members know that they will face the consequences of continued violence, the message is conveyed in as non-threatening a manner as possible.

"We could bring them into a courthouse, or into a jail laden with law enforcement symbols and take a scared-straight approach," Meares says. "In a world where people are motivated by fear of not obeying the law, that would be the best strategy because you want to make people as scared as possible of the potential consequences so they will conform their behavior."

Photographs by Harold Shapiro

YLS Students Learn About "Innovations in Policing"

PROFESSORS MEARES AND TYLER co-taught a class on "Innovations in Policing" with New Haven Police Chief Dean Esserman during the Spring 2013 semester. The seminar focused on the theories and policy of policing as well as the business of it. With Chief Esserman serving as a co-instructor, students were given valuable access to real world problems and solutions. Students analyzed empirical evidence supporting or refuting the effectiveness of particular policing strategies. They were also strongly encouraged to attend selected New Haven police department meetings and to participate in ride-alongs with police officers.

Emma Simson '13, a student whose primary interest is learning how to make government agencies work more effectively to address complex problems such as crime and poor educational outcomes, said that having Chief Esserman in the classroom was incredibly valuable as he offered boots-on-the-ground perspective to policy discussions. "For instance," Simson said, "in a discussion about stop-and-frisks, we may ordinarily focus on the constitutional limitations on stops, but fail to consider what that means to patrol officers walking their beats. Chief Esserman was able to provide those perspectives. He also provided an important perspective on how police departments operate, the politics involved in running them, and the histories behind different movements or trends in policing reform."

But the research on which Project Longevity and the other similar violence reduction strategies are based has shown that deterrence is far less effective than once thought. Instead of instilling fear as a means of deterring violence, initiatives like Project Longevity rely on improving the legitimacy of law within communities.

"Taking a page out of Tom Tyler's book," Meares says, "we believe people follow the law either because they believe it's the right thing to do, or because they believe the government has the right to dictate to them proper behavior. So how do we give them the incentive to confer legitimacy upon government, law enforcement agents, law so that they comply voluntarily?"

The theories that Meares has relied on while designing violence reduction strategies are influenced by the research of Tom Tyler, Yale Law School's Macklin Fleming Professor of Law and Professor of Psychology.

An expert on the social psychology of law, Tyler uses empirical studies to consider how social institutions might be redesigned to improve the legal system. One particular focus of his work has been promoting the legitimacy of law. His research has shown that people value procedural fairness more than the perceived fairness of an outcome. It's not, for example, whether or not a motorist who is stopped by a police officer gets a ticket that ultimately influences his or her feelings about the police. Instead, it's the way that motorist feels he or she is *treated*—the perception of fairness—that counts. Authority figures whose demeanor conveys respect, impartiality, and politeness garner more authority and are more effective than those who use intimidation.

"There is a strong body of evidence," Tyler says, "that building legitimacy is a more effective way to ensure long-term support for and adherence to the law both in the general community and among people with criminal backgrounds."

And so, as Tyler and Meares explain, the new model for police engagement (as exemplified by the Project Longevity call-ins) is one that emphasizes respect and procedural fairness.

Tyler has acted as a consultant to police departments across the country as federal funds have been earmarked in recent years for legitimacy-based policing strategies. Most recently, he has served as a consultant in Chicago, helping to retrain the city's 12,000 police officers in legitimacy-based models of policing.

> "If you want people in the community to help you in issues of violence, you first have to gain their respect...You need the community to believe that the police are legitimate." — Tom Tyler

Photograph by Paul Bass, New Haven Independent

(above, from left) U.S. Attorney General Eric Holder, New Haven Mayor John DeStefano Jr., Connecticut U.S. Attorney David Fein, and Connecticut Governor Dannel Malloy at a press conference announcing "Project Longevity" in New Haven.

Closer to home, Meares and Tyler have also helped to establish the first-ever "Command College" for police supervisors. With a grant of $350,000 from the Department of Justice, the University of New Haven has joined forces with Yale and the New Haven Police Department to establish the Command College, which is designed to be the preeminent training school for police leaders, with an emphasis on community-oriented policing.

"I see the work that Tracey does and the work that I do as connected and going on in parallel," Tyler says. "If you want people in the community to help you in issues of violence, you first have to gain their respect. If you want members of a community to cooperate in concentrating resources against violent gun offenders, you need community buy-in. You need the community to believe that the police are legitimate."

"In the end," says Meares, "it's all about reducing violence and making this a safer place to live." ***Y***