

POLS 4780
Special Topics in Law

A Survey of Key Issues in Modern American Policing: Ten Topics from the Last Ten Years

Instructor: Dr. Dan Silk
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Phone: 706.542.5813
Office: Baldwin Hall, Room 109B

Class time and location: 9:35-10:50 on Tuesdays and Thursdays.

Office hours: I can be available directly after class on most Tuesdays and Thursdays, but I am on campus nearly every weekday from 8:00 to 5:00 and can meet during those times by prior arrangement.

Primary text:

Sparrow, M. K. (2016). *Handcuffed: What holds policing back, and the keys to reform*. Brookings Institution Press.

Additional readings will be assigned.

Course description: Special Topics in Law: A Survey of Key Issues in Modern American Policing is designed to present an analysis of the changing role of police in the United States between 2014 and 2023, focusing on ten especially important topics from the last ten years.

This course will explore innovation in American law enforcement by focusing on ten key areas of public concern that have been identified in the last decade. The class will begin with a discussion of historic calls for change that received attention in the 20th Century. The class will then shift to look at current areas of focus in policing, and examine how scholarship describes the related challenges governments and communities face in creating safer cities. Students will engage with diverse sources of information to contextualize the manifold legal, social, historical, political, and psychological factors that affect public safety efforts. At the end of the course, students will have a better appreciation of the complexities of policing, and develop the ability to thoughtfully address key public safety issues that face society.

Course objectives: The course is designed to facilitate four key objectives. During the class, students will develop the following:

- An awareness of historic calls for change in American policing in the 20th Century
- An understanding of key concerns regarding American policing expressed in the 21st Century, with a specific focus on the decade following the death of Michael Brown in Ferguson, Missouri in 2014
- An awareness of interdisciplinary scholarship that describes key issues in American policing
- An awareness of legal, social, historical, political, and psychological factors that affect public safety efforts

Themes: Students will note that several themes will recur throughout the semester, and are worthy of additional attention from the beginning. Discussions in this course will focus on framing the modern environment in which policing occurs and identifying important factors that affect the profession and its areas of focus, especially during the ten-year period between 2014 and 2023. In particular, the class will focus on how we can use important considerations like constitutionality, the

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rule of law, the neurobiology of decision-making, and community input to frame the concerns of government leaders, academia, and the public. Students will seek to consider and discuss the potential second and third order effects of modern police policies and actions, and wrestle with real-world challenges faced by police and communities as they seek to chart a path for the future of policing in the United States.

Grading: Three exams will be given, each worth 25% of a student's final grade. The course research paper will constitute 15% of the final grade. Questions for exams may come from readings, lectures, or other materials discussed in class or given as class assignments; students are therefore expected to attend class. Attendance and class participation are worth 10%. ***After three absences, each class missed will detract 1% from the 10% final grade value of attendance/participation*** (i.e., four absences equate to a maximum of 90/100 for attendance/participation; five = 80/100).

Exam make-ups will not be offered unless previously scheduled because of extenuating circumstances, or in the event of a verifiable emergency. Similarly, the due dates for assignments such as papers are not negotiable unless a true emergency warrants further consideration. *Late papers will be reduced in grade by 10 points per day.*

100-94	A	82-80	B-	69-60	D
93-90	A-	79-76	C+	59-00	F
89-86	B+	75-73	C		
85-83	B	72-70	C-		

Students with special needs that require accommodation should notify me and the Disability Resource Center at the beginning of the semester to facilitate appropriate arrangements.

UNIVERSITY HONOR CODE AND ACADEMIC HONESTY POLICY

Please strive to live by the UGA Student Honor Code: "I will be academically honest in all of my academic work and will not tolerate academic dishonesty of others." A Culture of Honesty, the University's policy and procedures for handling cases of suspected dishonesty, can be found at https://honesty.uga.edu/Academic-Honesty-Policy/Prohibited_Conduct/. This resource specifically notes that:

- No student may complete, attempt, or help another engage in academic dishonesty on academic work. Any dishonest act can be a violation of the policy, whether intended or not.
- Students must be vigilant to avoid accidental plagiarism or assisting other students without authorization.
- Any behavior that constitutes academic dishonesty is prohibited even if it is not specifically listed in the list of examples.

MENTAL HEALTH AND WELLNESS RESOURCES

If you or someone you know needs assistance, you are encouraged to contact Student Care and Outreach in the Division of Student Affairs at 706-542-7774 or visit <https://sco.uga.edu>. They will help you navigate any difficult circumstances you may be facing by connecting you with the appropriate resources or services.

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UGA has several resources for a student seeking mental health services:

<https://www.uhs.uga.edu/bewelluga/bewelluga> or crisis support

<https://www.uhs.uga.edu/info/emergencies>.

If you need help managing stress anxiety, relationships, etc., please visit BeWellUGA (<https://www.uhs.uga.edu/bewelluga/bewelluga>) for a list of FREE workshops, classes, mentoring, and health coaching led by licensed clinicians and health educators in the University Health Center.

Additional resources can be accessed through the UGA App.

If you are ever concerned about your safety or the safety of others, you can reach the UGA Police Department by calling 911 or (706) 542-2200. You can also visit their website:

<https://police.uga.edu/>

Course Outline and Reading Assignments:¹

<p>Week One</p> <p>Jan. 9, 11</p>	<p>Introduction and overview of the course</p> <p>Overview of policing in the US: systems and history</p> <p>Reflecting on policing</p>	<p>Chapter One of <i>Policing in America, 9th Edition</i>, ("The police in American society") by Gaines, Kappeler & Powell, available to read for free via the publisher's website (click "Preview PDF"): https://www.taylorfrancis.com/books/mono/10.4324/9781315267456/policing-america-zachary-powell-larry-gaines-victor-kappeler</p> <p>Sparrow, M. K. (2016). <i>Handcuffed: What Holds Policing Back, and the Keys to Reform</i>. Brookings Institution Press.</p>
<p>Week Two</p> <p>Jan. 16, 18</p>	<p>Conceptualizing the environment of policing</p> <p>2014: Ferguson and the death of Michael Brown</p>	<p>Read the online Department of Justice memo titled "Justice Department Announces Findings of Two Civil Rights Investigations in Ferguson, Missouri": https://www.justice.gov/opa/pr/justice-department-announces-findings-two-civil-rights-investigations-ferguson-missouri</p> <p>Weber, K., & Waeger, D. (2017). Organizations as polities: An open systems perspective. <i>Academy of Management Annals</i>, 11(2), 886-918.</p>
<p>Week Three</p> <p>Jan. 23, 25</p>	<p>The history of change and policing in the US</p>	<p>King, D., & Conley, J. A. (1994). The 1967 president's crime commission report: its impact 25 years later. <i>Police Journal</i>, 67(3), 269-274.</p> <p>President's Task Force on 21st Century Policing. (2015). <i>Final Report of the President's Task Force on 21st Century Policing</i>. Washington, DC: Office of Community Oriented Policing Services.</p>

¹ The course syllabus is a general plan for the course; deviations announced to the class by the instructor may be necessary. I will do my best to provide adequate warning when a change is needed. All of these requirements are from the primary text or relevant literature; **additional readings may be assigned**.

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		<p>Robinson, L. O. (2020). Five years after Ferguson: Reflecting on police reform and what's ahead. <i>The ANNALS of the American Academy of Political and Social Science</i>, 687 (1), 228-239.</p> <p>Listen to the Brookings Institution interview with Malcolm Sparrow, the author of <i>Handcuffed</i>: https://www.brookings.edu/books/handcuffed/</p>
<p>Week Four Jan. 30, Feb.1</p>	<p>Constitutional policing</p>	<p>The US Bill of Rights</p> <p>Vitiello, M. (2020). Introducing the Warren Court's criminal procedure revolution: A 50-year retrospective. <i>University of the Pacific Law Review</i>, 51(4), 621-632.</p> <p>Sweeten, G. (2016). What works, what doesn't, what's constitutional. <i>Criminology & Public Policy</i>, 15, 67.</p>
<p>Week Five Feb.6, 8</p>	<p>Constitutional policing, continued</p> <p>Mental health</p> <p>Test One</p>	<p>Erickson, B. (2021). Deinstitutionalization through optimism: the community mental health act of 1963. <i>American Journal of Psychiatry Residents' Journal</i>.</p> <p>Syed, S., Ashwick, R., Schlosser, M., Jones, R., Rowe, S., & Billings, J. (2020). Global prevalence and risk factors for mental health problems in police personnel: a systematic review and meta-analysis. <i>Occupational and Environmental Medicine</i>, 77(11), 737-747.</p> <p>Rogers, M. S., McNeil, D. E., & Binder, R. L. (2019). Effectiveness of police crisis intervention training programs. <i>The Journal of the American Academy of Psychiatry and the Law</i>, 47(4), 414-421.</p> <p>Watch the CBS Minnesota news report video "Police crisis intervention training: How it works, who it best works for": https://www.youtube.com/watch?v=isRBmJtNORl</p> <p>Listen to the WHYY story on crisis intervention: https://www.npr.org/sections/health-shots/2023/11/09/1203342875/cities-know-the-way-police-respond-to-mental-crisis-calls-needs-to-change-but-ho</p>

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<p>Week Six</p> <p>Feb. 13, 15</p>	<p>Bias</p>	<p>Charlesworth, T. E., & Banaji, M. R. (2023). Evidence of covariation between regional implicit bias and socially significant outcomes in healthcare, education, and law enforcement. In <i>Handbook on Economics of Discrimination and Affirmative Action</i> (pp. 593-613). Singapore: Springer Nature Singapore.</p> <p>Neil, R., Winship, C. (2019). Methodological challenges and opportunities for testing for discrimination in policing. <i>Annual Review of Criminology</i>, 2, 73-98.</p> <p>Listen to the discussion of stop and frisk in Philadelphia on PBS affiliate WHYY "Understanding the mental health impact of stop and frisk and frequent police stops": https://whyy.org/articles/stop-and-frisk-philadelphia-mental-health-implications/</p>
<p>Week Seven</p> <p>Feb. 20. 22</p>	<p>Bias, continued</p> <p>Funding</p>	<p>Beck, B., & Goldstein, A. (2018). Governing through police? Housing market reliance, welfare retrenchment, and police budgeting in an era of declining crime. <i>Social Forces</i>, 96(3), 1183-1210.</p> <p>Koziarski, J., & Huey, L. (2021). # Defund or # Re-Fund? Re-examining Bayley's blueprint for police reform. <i>International Journal of Comparative and Applied Criminal Justice</i>, 45(3), 269-284.</p>
<p>Week Eight</p> <p>Feb. 27, 29</p>	<p>Use of force</p>	<p>Quattlebaum, M., & Tyler, T. (2020). Beyond the law: An agenda for policing reform. <i>BUL Rev.</i>, 100, 1017.</p> <p>Oramas Mora, D., Terrill, W., & Foster, J. (2023). A decade of police use of deadly force research (2011–2020). <i>Homicide Studies</i>, 27(1), 6-33.</p> <p>Ross, D. L. (2002). An assessment of Graham v. Connor, ten years later. <i>Policing: An International Journal of Police Strategies & Management</i>, 25(2), 294-318.</p> <p>Watch Fox 10 Phoenix news report "Activist critical of police undergoes use of force scenarios": https://www.youtube.com/watch?v=yfi3Ndh3n-g</p>
<p>Week Nine</p> <p>Mar. 12, 14</p>	<p>Transparency and accountability</p>	<p>Walker, S. (2022). The Justice Department's pattern-or-practice police reform program, 1994–2017: Goals, achievements, and issues. <i>Annual Review of Criminology</i>, 5, 21-42.</p> <p>Chanin, J., & Espinosa, S. (2016). Examining the determinants of police department transparency: The view of police executives. <i>Criminal Justice Policy Review</i>, 27(5), 498-519.</p>

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		<p>Listen to the NPR story “How the police became untouchable”: https://www.npr.org/2023/03/06/1161296280/how-the-police-became-untouchable</p>
<p>Week Ten Mar. 19, 21</p>	<p>Transparency, continued Violent extremism</p>	<p>Fromkin, D. (1975). The strategy of terrorism. <i>Foreign Affairs</i>, 53(4), 683-698.</p> <p>Logan, M. K., Windisch, S., & Simi, P. (2022). Adverse childhood experiences (ACE), adolescent misconduct, and violent extremism: A comparison of former left-wing and right-wing extremists. <i>Terrorism and Political Violence</i>, 1-20.</p> <p>Rascoff, S. J. (2012). Establishing official Islam? The law and strategy of counter-radicalization. <i>Stanford Law Review</i>, 64, 125-190.</p>
<p>Week Eleven Mar. 26, 28</p>	<p>Technology Test Two</p>	<p>Papachristos, A. V. (2022). The promises and perils of crime prediction. <i>Nature and Human Behaviour</i>, 6(8), 1038-1039.</p> <p>Hummer, D., & Byrne, J. (2017). Technology, innovation and twenty-first-century policing. <i>The Routledge Handbook of Technology, Crime and Justice</i>, 375-389.</p> <p>Read the online <i>Verge</i> article “Heat listed”: https://www.theverge.com/c/22444020/chicago-pd-predictive-policing-heat-list</p>
<p>Week Twelve Apr. 2, 4</p>	<p>Staffing Draft papers due</p>	<p>Dau, P. M., Vandeviver, C., Dewinter, M., Witlox, F., & Vander Beken, T. (2023). Policing directions: A systematic review on the effectiveness of police presence. <i>European journal on criminal policy and research</i>, 29(2), 191-225.</p> <p>Ferguson, A. G. (2011). Crime mapping and the Fourth Amendment: Redrawing “high-crime areas.” <i>Hastings Law Journal</i>, 63, 179-232.</p> <p>Read the online article <i>St. Louis Dispatch</i> article: “St. Louis police ranks hit a new low after years of departures” : https://www.stltoday.com/news/local/crime-courts/st-louis-police-ranks-hit-a-new-low-after-years-of-departures/article_0928f476-946b-11ee-b0a1-1baa916f7c7b.html</p>

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<p>Week Thirteen</p> <p>Apr. 9, 11</p>	<p>Training</p>	<p>Di Nota, P. M., & Huhta, J. M. (2019). Complex motor learning and police training: Applied, cognitive, and clinical perspectives. <i>Frontiers in Psychology</i>, 10, 1797.</p> <p>Blair, J. P., & Duron, A. (2023). How police officers are shot and killed during active shooter events: Implications for response and training. <i>The Police Journal</i>, 96(3), 411-429.</p>
<p>Week Fourteen</p> <p>Apr. 16, 18</p>	<p>Training, continued</p>	<p>Schuck, A. M., & Rabe-Hemp, C. E. (2022). Breaking the code of silence: The importance of control systems and empathy toward outgroups. <i>Criminal Justice and Behavior</i>, 49(11), 1637-1655.</p>
<p>Week Fifteen</p> <p>Apr. 23, 25</p>	<p>What other topics need attention?</p> <p>Where do we go from here?</p>	<p>Neyroud, P., & Weisburd, D. (2014). Transforming the police through science: The challenge of ownership. <i>Policing: A Journal of Policy and Practice</i>, 8(4), 287-293.</p> <p>Schulhofer, S. J., Tyler, T. R., & Huq, A. Z. (2011) American policing at a crossroads: Unsustainable policies and the procedural justice alternative. <i>The Journal of Criminal Law and Criminology</i>, 101 (2), 335-374.</p>
<p>Final Exam</p>	<p>Thur., May 2 8:00 - 11:00 am</p>	