

Defunding Modern Law Enforcement

During the 2021 Atlanta, Georgia mayoral race, two contenders, Felicia Moore and Kasim Reed, both pledged to hire hundreds of additional police officers. Moore vowed to hire 250 officers whereas Reed promised 750 new personnel.¹ This was not a surprising campaign issue, as since 2019, the murder rate in Atlanta increased by approximately 60 percent.² Nationally, a Pew Research poll showed that about 47 percent of adult Americans desired increased quantities of police personnel in their respective communities.³

Similar personnel enhancements were indicated throughout various urban areas. Washington, D.C. authorized an \$11 million supplement to bring on 170 additional officers between 2021-2022. This change followed a \$15 million budget cut in 2020, which dropped its hiring in 2021 from its typical 250 officers to less than fifty. The budget decrease interrupted the normal hiring process, leaving the department more than 200 officers short of its authorized strength.⁴ The second largest department in the United States, the Chicago Police Department, is currently approximately 1,000 officers below its maximum authorized strength. During hearings on the department's almost \$2 billion budget proposal in October 2021, leaders stated a desire for a pipeline of up to 1,000 recruits moving through the system to maintain the steady flow of maximum police academy classes to make up the deficiency and keep up with attrition.⁵

Efforts to decrease police budgets, scale back staffing, or divert resources elsewhere saw defeats across the country in the form of both propositions and campaigns during the November election cycle.⁶ The results were not all favorable for police departments and advocates. One example was a proposed proposition in Austin, Texas—population 961,000. Proposition A sought to establish minimum staffing levels for the city and add additional training and

compensation for officer proficiency in foreign languages. In 2021, the public voted and defeated the measure by a more than 2:1 margin.⁷

During the aftermath of 2020 violence in certain American urban regions, U.S. Senator Tim Scott stated, "One thing you cannot do in police reform is leave the impression that somehow we're going to demonize police officers."⁸ In the wake of the protests calling for changes in the role and ultimate defunding of urban law enforcement in the United States, it is valuable to generally examine the appropriateness of the movement to defund and redefine the American policing paradigm. The evolution from Colonial volunteers or part-time watchmen into modern police departments was a journey of almost two centuries. While the nation's law enforcement function originated from the European influence of the British, transformation through time made it uniquely American—federally, among the states, and among communities.⁹

As protests occurred in 2020, it appeared as though there was no clear mission for the police function. While the slogan of 'to serve and protect' sounded appealing, it involved the performing of various functions that were influenced by an array of shareholders, governmental officials, businesses, residents, and others whose service expectations of law enforcement varied and conflicted periodically. From a basic night watch responsibility to enhance urban public security among cities, such as the Boston Night watch of the 1600s, the roles and duties of local law enforcement agencies expanded as time; technology; social morals and values; criminal interests; and capabilities evolved.¹⁰

For many, the local law enforcement function was perceived as a critically necessary community service, whereas others interpreted it as a historic element within the government function inflicting social oppression. Among localities, regarding the law enforcement function, there was an absence of a clear understanding of what could be realistically accomplished with

respect to organizational capabilities. For instance, it is difficult to successfully argue whether homicide rates would decrease as the result of increased law enforcement funding. Concerning crimes that might be deterred by an increased law enforcement presence, many incidents committed by a determined criminal may be displaced instead of deterred.

Law enforcement was a service classified as a public good. Although the recipients of the service were not charged monetary amounts for using the service, it still necessitated funding to operate functionally and organizationally. Deterring crime and maintaining societal order were costly pursuits both federally and among the individual states. Among urban areas, the costs were dramatic. In the fifty largest cities, the total expenditures for police (non-capital budget allocations) were \$25.8 billion in 2020, against \$237.6 billion in total budgets, accounting for almost 11 percent of all budget expenditures. Excluding the most drastic discrepancy (New York, with a \$6 billion police budget against a \$95.3 billion city budget) alone, police departments account for almost 14 percent of budget allocations in 2020.¹¹

Despite the amounts of money spent toward abating crime and attempting to preserve societal safety as a means of establishing public good, crime persisted in society. Recidivism rates for federal prisoners over the 2010-2018 study were 49.3 percent, roughly the same as studies conducted from 2005-2013.¹² At the state level, the Department of Justice's Bureau of Justice Statistics found more than 80 percent of prisoners released in 2005 were rearrested by 2014.¹³ Given such notions, coupled with the calls for defunding or altering the very nature of policing, what would be the potential effects of such change?

Justice System Economics and Funding Concepts

Mankiw and Doss, Guo, and Lee indicated that any economic system must address three primary questions: What to produce, for whom to produce, and in what quantity to produce?¹⁴

Andrews and Entwistle completed these questions by the addition of two more queries involving the questions of how to produce and when to produce.¹⁵ These primary questions were applicable to both the generating of goods and services. Law enforcement organizations provided services within society that were deemed forms of public goods.¹⁶ A public good is one through which society receives some form of benefit wherein its consumers are not directly charged fees for service use.¹⁷ Instead, its costs are paid through taxation of the general public.¹⁸ Typically, a public good is neither rivalrous nor is excludable.¹⁹ Essentially, Samuelson indicated that a public good was a good “which all enjoy in common in the sense that each individual’s consumption of such a good leads to no subtractions from any other individual’s consumption of that good.”²⁰

Haskel and Westlake indicated that capitalistic economic systems addressed scalability, sunkness, spillovers, and synergies.²¹ Among these, scalability impacted the potential of justice system entities to increase or decrease amounts of service within society. Such a notion is commensurate with the Office of Justice Programs (OJP) regarding its definition of scalability. Specifically, the OJP defined scalability as “how well a system can be adapted and expanded to meet increased demands.”²² Marzell and Brewster discussed that law enforcement organizations and police functions were scalable entities with respect to public service.²³ Doss, Sumrall, and Jones reported that monetary funding was necessary for securing necessary police resources toward fulfilling public safety roles.²⁴

Although monetary funding was necessary for supporting justice system operations and law enforcement, Reid indicated that funding already lacked toward the provision of adequate policing among various law enforcement entities.²⁵ Despite being the recipients of tax monies to support their respective operations, McElreath, et al. reported that justice system entities

competed against other state functions and organizations (e.g., higher education and so on) for allocations of limited monies among public budgets.²⁶ No guarantees exist that justice system entities, including law enforcement, will always receive or maintain sufficient funding. The contemporary advocating of reducing and defunding law enforcement organizations may impact the ability of justice entities to fulfill the policing mission of maintaining societal order and diminishing crime. As such, funding reductions within the justice system may decline the scale of law enforcement and its corresponding societal influences. This article considers the potential of police defunding with respect to fulfilling the public safety mission.

Scope and Limitations

The scope and limitations for this article represented a consideration of law enforcement funding within the United States of America. Thus, it may be inapplicable for other nations. It also considered a perspective of defunding that was catalyzed by societal events, and not necessarily any defunding influences that were generated from societal attrition among communities. This article also viewed defunding from the perspective of policing, and not from the worldviews of other components of the justice domain (e.g., corrections, juvenile justice, and so on). Therefore, readers must be mindful of the defunding assessment contexts presented herein.

Funding Considerations

Funding of any emergency services organization, including law enforcement, is necessary for ensuring that the primary policing missions of deterring crime and maintaining societal order are performed throughout localities within the nation.²⁷ Although taxation is a primary method of funding law enforcement entities, multiple revenue streams exist whereby monies are generated to support justice system organizations and their respective missions.²⁸ Doss, Sumrall,

McElreath, and Jones indicated that various funding methods included bond debt; stock equity; loans and credit; taxation; grant funding; goodwill and charitable funds; insurance policies; confiscation, seizure, and forfeiture of assets; wealth and trust funds; and public auction.²⁹ Such methods are used for financing and funding both the for-profit and non-profit components of the justice system. For instance, stock equity may be used to fund a for-profit prison whereas bond debt may be issued to construct a local jail within a municipality.

Goodman posited that as a public good, law enforcement was generally provided by government entities.³⁰ Typically, public good consists of two components: nonexcludability and nonrivalrous consumption.³¹ The notion of nonexcludability makes it almost impossible to keep someone from enjoying the benefit of the good, and the nonrivalrous aspect involves the concept that the consumption of the good by one person does not detract from the consumption of the good by someone else.³²

Law enforcement organizations are tasked with providing public safety.³³ Spiegel indicated that public safety represented a type of public good because it was both non-rivalrous and non-excludable.³⁴ The provision of public safety by law enforcement entities requires money.³⁵ Justice system entities compete for scarce monies within the context of public administration and government budget allocations.³⁶ For instance, monies that may have been used for supporting prison education faced competition for allocation among public colleges and universities.³⁷

Rashawn Ray, a Senior Fellow of Governance Studies at the Brookings Institute, defined police defunding as the “reallocating or redirecting funding away from the police department to other government agencies funded by the local municipality.”³⁸ He further expounded upon the definition by specifying that defunding did not necessarily mean complete abolishment of

policing, and that it emphasized fiscal accountability and a market-centric perspective of taxpayer dollars.³⁹ Ray's perspective also emphasized the potential of defunding as an influence toward decreasing police violence.⁴⁰ Although such perspectives exist, defunding has the potential of negatively affecting the ability of law enforcement organizations to respond to assistance calls within society both efficiently and effectively and also has the potential of impacting the timeliness of such responses.⁴¹ In other words, defunding may diminish the levels of public safety generated by law enforcement entities.⁴² Given differences of perspectives, a dichotomy of worldviews existed regarding defunding within the justice domain.

Traditionally, police responses were 'after the fact' events wherein law enforcement entities were called and arrived after an event transpired. Regardless of perspective, defunding necessitated the reimagining of how government entities responded to public safety projects.⁴³ It also necessitated a new conceptualization of the relationship between the government and its citizenry.⁴⁴ Defunding invoked numerous consequences and implications. For instance, Francis Laguardia examined the potential of reducing physical police presences and perspectives of using automated policing methods, such as surveillance cameras.⁴⁵ Riley discussed the array of murders in Oakland, California that caused Mayor Schaaf to reverse her defunding decision, and pledge to hire additional police officers.⁴⁶ Cummins discussed the use of police among responses that involved mental health issues, and queried whether a mental health system could be crafted that lacked police roles or police emergency powers.⁴⁷ Given such inquiries within the reviewed literature, this article examines the defunding argument via the lens change and whether defunding reflected the reality of public safety needs societally.

Defunding Impact

The Urban Institute indicated that state and local governments spent \$115 billion on policing in 2017.⁴⁸ Although the defund the police narrative attracted support, the impact of the defunding movement resulted in undesired consequences. Staffing levels fell as officers retired or resigned. Departments were unable to fill open positions because of financial uncertainty. Such reductions affected policing in terms of both personnel and the ability to render public service. For instance, in June 2021, Washington D.C. Metropolitan Police Chief Robert Contee indicated his department expected to experience the lowest personnel levels in more than twenty years. Factors contributing to the shortage included budget cuts (which effectively froze hiring), the feeling of the lack of political support among the ranks of officers, and officers resigning from the force.⁴⁹

Defunding Blowback

Levin indicated that by March 2021, more than twenty major US cities reduced police budgets by as much as \$840,000,000 in direct cuts and called for more reductions.⁵⁰ The reductions involved a funding shift to programs that were to address root causes of crime and poverty, such as education, healthcare, and homeless services.⁵¹ As anticipated, police defunding had consequences, many of which proved unpleasant to those communities that advocated the reductions. An increase in reported crime occurred by street-level offenders because they perceived that law enforcement efficiency, including response time, was diminished by fewer officers available to serve the public interest. Similar reductions were felt among peer urban areas. For instance, in Seattle city leaders lowered the police department's budget by \$46 million for the fiscal year 2021. Unsurprisingly, Seattle experienced an exodus of officers and saw response times to 911 calls grow significantly longer. The city of Portland eliminated \$16

million from the police budget in 2020. Portland experienced an 800 percent spike in homicides during the first four months of 2021 compared to the first four months of 2020. In San Francisco, law enforcement budget reductions of \$120 million were expected over two years. The money was intended to be reallocated for health programs. However, the city spent \$12.4 million between 2015 and 2020 to protect Mayor London Breed.⁵²

By March 2021, several of the cities that previously demanded and reduced funding for their police departments partially restored law enforcement service funding. Portland, Los Angeles, and Chicago, as examples, witnessed calls to increase law enforcement funding in response to greater crime amounts (including violent crimes). In Los Angeles, by November 2020, the call for a \$100 million budget increase or restoration by the Police Department reached the city's administration. Police officials claimed the proposal represented a 'bare-bones' budget that would preserve public safety as much as possible while streamlining personnel and providing salary increases for remaining officers—all while meeting Mayor Eric Garcetti's calls to curtail spending. Activist groups were critical and believed it undermined recent efforts to deter police funding and allocate monies toward alternative social services.⁵³

In February 2021, Minneapolis approved \$6.4 million in additional funding requested by the police after some residents requested more officers after violent crime increased and response times slowed. The move appeared to represent a backtrack from a decision in December to divert \$8 million from the police budget in response to calls for defunding.⁵⁴ By August 2021, much of the excitement of defunding the police had disappeared as political leaders advocating defunding recognized the concerns of citizens regarding the increasing levels of crime. Many local and national Democrats leaders began distancing themselves from “defund” politics and policies, a reflection of how deeply unpopular the concept had become among most voters—and

how effective a weapon it can be for Republican candidates. In New York, Atlanta, and Seattle, Democratic city politicians abandoned or scaled back police budget-cutting efforts. New York pivoted from slashing almost \$1 billion in police funds to adding \$200 million. Oakland California, boosted its police budget in June by \$38 million after setting a goal of reducing it by \$150 million.⁵⁵ By the mid-2021, the message to defund the police lost much of its appeal.

Consequences and Oversight

The impact of defunding the police impacted many communities. Officer resignations, retirements, and applications for medical retirements increased. In some areas, the inability to recruit new law enforcement personnel represented a crisis. In some communities, citizens exhibited greater reliance upon private security to fill the security void. In Portland, private armed security firms were contracted to provide patrol services in a section known for its bars and nightlife after the city slashed police funding and saw a year of violence in the area.⁵⁶ Local lawmakers largely ignored activists' pleas, and police spending has tripled over the last forty years, helping to make the US a world leader in incarceration and police killings. Even as cities have faced financial shortfalls, local governments consistently spent an increasing share of their general funds on police (despite repeated research showing that increasing police funding does not correlate to reduced crime). The question begs to be asked if the roles and responsibilities of law enforcement agencies are dramatically redefined or eliminated, how will society adjust? The defunding of policing could well result in the dismantling or elimination of law enforcement capabilities outside of the patrol function. Who will respond to reported criminal activity and begin an initial investigation, which serves as a foundation for criminal prosecution if those steps are determined as unnecessary?

Three Minneapolis City Council members proposed replacing the police department with a public safety department that would include law enforcement and other services. Concurrently, Yes 4 Minneapolis, a coalition of local community groups, attempted a similar measure on the city's ballot which would remove police department language from the city's charter and create a public, health-focused Department of Public Safety, "including licensed peace officers, if necessary, to fulfill the responsibilities of the department." The call for defunding the police drew financial support. Yes 4 Minneapolis, a group of more than thirty organizations supporting the abolition of the Minneapolis Police Department, raised roughly \$983,000 in direct and in-kind contributions primarily from liberal, special interest organizations, including from many who did not live nearby.⁵⁷ The new department would no longer be under the sole command of the mayor's office, which was significant given that incumbent Mayor Jacob Frey opposed abolishing the police department while a majority of City Council members supported the idea.⁵⁸

After defunding efforts and upheaval in the department, the agency is short almost 200 officers. The City Council unanimously voted in February 2021 to provide an additional \$6.4 million to hire dozens of officers. This decision came while some city council members and residents continued to advocate to replace the department entirely with a new public safety service.⁵⁹ This followed by a judge's ruling in July of 2021 that Minneapolis was in violation of its own charter, which mandates a specific number of licensed peace officers per resident. The judge's decision came after a group of residents sued the city in 2020 for failing to maintain adequate staffing levels. Under the decision, the city is required to have at least 730 sworn officers on staff by the end of June 2022.⁶⁰ The staffing issues, complex debates, and upheaval in Minneapolis are indicative of trends and issues across the country.

The issue of defunding the law enforcement function will further divide the nation.

While a minority calls for defunding or elimination of the current model of policing, the majority of the nation's population, both conservative and liberal, believe in the value of the role played by law enforcement. What should occur is a true assessment of the expected role and function of law enforcement agencies in the nation and an examination of what is designated as criminal activity. While the defunding movement targeted local law enforcement, the multi-level dynamics of public law enforcement, federal, state, and local agencies, and diversity of missions did little to change either the nature of crime or the pattern of criminal activity.

By 2021, the public perceived crime was increasing while officers demonstrated an exodus from policing occupations. The city of Baltimore requested federal law enforcement assistance because of an announced shortage of an estimated 400 officers who either retired or resigned.⁶¹ In New York City, a pro-police Democrat and former police officer, Eric Adams, won the New York City mayoral primary over several progressive rivals who advocated for defunding the police.⁶² In Baltimore, A group of thirty-seven businesses signed a letter threatening to withhold tax payments from the city until it improved policing and other services.⁶³ In July 2021, Chicago implemented a civilian oversight board for police (though such bodies existed for decades). The deaths of George Floyd and Breonna Taylor fueled calls for police accountability and led to increased scrutiny of law enforcement officers, their training, and their tactics.⁶⁴ By 2021, more than 160 municipalities either possessed or authorized some oversight board, according to the National Association for Civilian Oversight of Law Enforcement.⁶⁵

Role of Enforcement Defunding and Community Disengagement

In the shadow of the death of George Floyd, various groups nationally catalyzed a reexamination of the urban American policing role and its defunding. In response, more than twenty U.S. cities reduced their policing budgets.⁶⁶ In an opinion piece in the *New York Times*, McHarris and McHarris advocated defunding and restricting the duties and responsibilities assigned to urban law enforcement agencies.⁶⁷ In their view, roles that should no longer involve a law enforcement response include but are not limited to requests for assistance in cases of substance abuse, including overdoses, domestic violence, and engagement with homelessness or those with mental health challenges. The authors suggested health care workers or emergency response teams could handle these incidents much more efficiently than the police. Within their vision, as an example, when a request for help in the case of a drug overdose, rather than law enforcement resources directed to the location, health care teams rush to the scene; eliminating the need for police.⁶⁸

The vision of redefining the role of police also included removing the law enforcement presence from public housing. The proposal called for the funding expended by law enforcement agencies in providing services within the public housing environment withdrawn from the agencies and redirected to assist the public housing residents and community activists in designing, implementing, and sustaining strategies designed to "keep themselves safe."

Annie Lowrey used cause and effect to suggest the urban American law enforcement function had failed.⁶⁹ Lowrey stated, "The country needs to shift financing away from surveillance and punishment, and toward fostering equitable, healthy, and safe communities."⁷⁰ She recommended shifting the funds allocated to the justice system and diverting them to programs that included food support, aid for teenage parents, homeless assistance, child care for

working families, and safe housing.⁷¹ Da Silva referenced Jamani Montague's concept of replacing law enforcement agencies with what he termed "transformative justice."⁷² However, neither definition nor explanation existed for the reasoning used to justify the term.⁷³

Despite using the 'defund police phrase,' most activists did not want to reduce appropriations to police departments to zero dollars. Most had yet to articulate a clear vision of how the duties performed by law enforcement would be addressed in light of shifting responsibilities. Supporters of the defunding movement hoped to reduce the responsibilities currently performed by law enforcement agencies and shift those responsibilities and funding to other social programs and agencies.⁷⁴ Congress, never reluctant to make an issue political if it could see an advantage, found both parties rushing to develop and propose legislation calling for 'police reform.' The Democratic Caucus called for eliminating the use of chokeholds, lowering legal standards for both criminal and civil penalties resulting from police misconduct, and banning certain no-knock warrants.⁷⁵

Policing in Changing Times

The narrative of defunding police, demilitarization, and a reexamination of the societal law enforcement role was a public safety issue.⁷⁶ The narrative suggesting widespread abuse of power by law enforcement personnel was debatable. It was also naive to believe the law enforcement function in the nation was stagnant throughout its history. The law enforcement function experienced continuous change reflecting corresponding societal change. Changes involved social expectations, political directions, judicial decisions, or technological innovations. As former Dallas Police Chief David Brown stated in 2016, "Every societal failure, we put it off on the cops to solve."⁷⁷

Consistent throughout its history, the role of law enforcement was expected to provide cost-effective public service. Over the past fifty years, dramatic changes occurred, especially among personnel. Departmental personnel reflected diversity of both gender and race. Both educational expectations and training requirements increased within the policing vocations and professions. Equipment also changed as technological advances provided new tools. The policing domain was transformative across several categories, ranging from personnel quality to the integration of emerging technologies. At the time of this writing, police organizations had demonstrated a variety of first-responder roles, ranging from responding to the terrorist events of 9-11 to front-line duties during natural disasters, such as hurricanes along the Gulf Coast.

Alex S. Vitale, author of *The End of Policing*, stated, “Part of our misunderstanding about the nature of policing is we keep imagining that we can turn police into social workers. That we can make them nice, friendly community outreach workers, but police work within an often or potentially violent environment, which distinguishes them from all other government functions.”⁷⁸ Any perception of a completely safe and peaceful society was deceptive. Violent crimes, murder, sexual assault, robbery, burglary, and domestic battery occurred daily. Less serious offenses and requests for service also were within the domain of the duties expected of local law enforcement agencies. The diverse array of services included providing school resources officers, traffic assistance, community outreach programs, drug enforcement, community engagement programs (e.g., Neighborhood Watch).

A Foundational Question of Change and Devil’s Advocate

Crime is defined by society through the legislative process; its characteristics are expressed and codified; and its corresponding law or ordinances are made enforceable by appropriate government authority. Basically, both crime and its defining law are products of

society via the legislative process. Given these notions, with respect to modern demands for changing the policing paradigm, one must ponder exactly what it is that the police must enforce. The question begs itself: What expectations do communities have for their police departments, and are their expectations appropriate or realistic? The role law enforcement agencies played among communities constantly evolved along with their respective policies. William Parker, the former Los Angeles Chief of Police during the 1950s and 1960s, envisioned the police as “the thin blue line” for protecting citizens from crime and criminal activity.⁷⁹ Community activists desired to somehow link the crime rate to police effectiveness. While one would like to believe the law enforcement function was proactive to deter various crimes, such as homicide, sexual assault, theft, and robbery, the statistics reflecting crime rates were unsupportive of the narrative.

Taking a position of devil's advocate, in looking at some of the duties of law enforcement, one could ask why are school resource officers necessary? Why should law enforcement resources be expected to provide security for elected officials? Why does society rely on law enforcement to provide court security or security during the meetings of city or county governments across the nation? Some seem to advocate that ‘minor’ offenses, such as shoplifting, ‘minor’ theft, identity theft, traffic enforcement, and so on, should no longer be within the domain of the law enforcement function. This was seen in the recent decisions across the country, with California all but legalizing shoplifting under \$950,⁸⁰ Philadelphia banning traffic stops for minor traffic infractions,⁸¹ and academics, such as Jordan Woods, investigating whether law enforcement was the only option for traffic enforcement.⁸² Some also advocated that law enforcement agencies be removed from various types of response calls, such as domestic violence or sexual assault, and be replaced with specially trained response teams to defuse the situation.

One may pose the question if law enforcement was defunded, how would society delineate new limits or responsibilities for a replacement entity? What role would those agencies perform? Would they respond to reports of murder, kidnapping, child abuse, home, or business burglary? Such calls often led to dangerous encounters. How would businesses and homeowners respond to the change in law enforcement roles? Perhaps some would welcome the change whereas others would be unwelcoming. Would businesses and some homeowners seek the employment of private security resources?

It is within the scope, power, and authority of policymakers to direct, regulate and mandate the scope of the duties, responsibilities, and resources allocated to law enforcement. While the law enforcement agencies and their personnel adapt to these new parameters, the community response should be interesting. Cities are composed of subsections, divided by focus (business or residential), economics (ranging from affluent to impoverished), and culture. The issues and corresponding resources varied regarding crime or public services needed. It is an unfortunate truth that some communities were impacted by crime at a more significant rate than others. Criminal gangs and illicit drug-related enterprises functioned more openly in some segments within the urban setting than others. Communities were shaped by crime and the level of criminal activity. In high crime areas, economic values, quality residential housing, and educational opportunities were typically lacking.

Law, Crime, and Law Enforcement Foundations

Linked to the enactment of criminal statutes, the justice system emerged and transformed into a complex entity that included enforcement, judiciary, corrections, outreach, and their related functions. Few will claim the corrections system actually corrected behavior given the existence of an unacceptable recidivism rate.⁸³ A general, objective assessment and analysis of

criminal statutes is long overdue. Some suggested current offenses, such as prostitution, should be decriminalized and regulated similarly with other occupations, such as cosmetology.⁸⁴

Additionally, a review of drug-related legislation is much needed. Some acknowledged the emerging marijuana industry as a successful and productive model of legalization or decriminalization, regulation, and taxation. The question begs how did we get here? The modern model of urban law enforcement originated in the United Kingdom through the efforts of Sir Robert Peel. Over the centuries, the Peel model was adopted and evolved throughout western society. First in Ireland and then in England, Peel applied his vision of a public policing model.⁸⁵ The law enforcement community has changed dramatically since 1829, though the basic role remained the same: public service.

The Changing Nature of Law Enforcement

When viewed externally, the organization and function of a law enforcement agency often appear rigid; however, they experienced constant transformation with respect to personnel, operational strategies, laws, and regulations. The law enforcement profession changed from a dominantly male occupation to one that exhibits a wide range of diverse personnel. Many agencies directed significant resources toward personnel recruitment and training, with new officers quickly inculcated into the organizational culture. Work experience reinforces the teachings necessary for the performance of duties. The identification with the place of employment is another characteristic shared with the military experience, continuing the tradition of law enforcement as a paramilitary entity. As an example, the majority of United States Marines consider themselves Marines long after their time in service had expired, embodied by the phrase, “Once a Marine, always a Marine.”

Fractured Perceptions Between Law Enforcement and Communities

In reflecting on the violence of 2020, it was argued that in some cities or segments of their population, an emotional gap existed between law enforcement and the citizens in which trust and cooperation were lackluster or absent. True community safety and security required a cooperative partnership between the law enforcement function and the citizens with each supporting the other. The absence of cooperation created a community vulnerability that was easily exploited by criminal elements. As an example, fear and a lack of trust in law enforcement organizations inhibited or prevented community safety cooperation thus unintentionally making criminal activity easier to conduct and sustain. The need to build bridges between the law enforcement organization and the community was important, but rarely fully achieved. As a result, the “us and them” mentality existed within both the enforcement agency and the citizenry.

Law Enforcement and Military Comparison

Much of the narrative demanding changes to law enforcement roles and functions focused on the structures and climates of justice system entities. Law enforcement agencies were organized and operated similar to military entities, including its rank structure and titles.⁸⁶ The entry-level training was conducted in a boot-camp environment. Such environments were applicable to both full-time and part-time police academies. Like the military, law enforcement organizations were designed to be flexible to response to different situations that involved contentious roles. Personnel were expected to think and make appropriate decisions in uncertain and high-stress situations. They were inculcated in an environment that expected moral fortitude and the exercise of good judgment. They were expected to function within an institution that had innate organizational culture wherein officers and staff often experienced a psychological

transformation as they remained within the occupation. The incorporating of military-style equipment and tactics among police entities contributed to militarization. The U.S. Defense Department's 1033 Program, created as part of the 1997 National Defense Authorization Act, allowed the legal disposing of surplus equipment by giving it to municipalities, including police agencies. Since the program's inception, over \$7 billion worth of equipment was transferred to more than 8,000 law enforcement agencies.⁸⁷

Police Endangerment

Among regions where the political narrative and actions were seen as anti-law enforcement, departments faced challenges in recruiting and retaining personnel. Actions considered by some as substantial reforms increased the challenges of recruitment and retention. The numbers of police officers intentionally rammed by vehicles, killed by gunfire, or stabbed to death increased over 40 percent throughout the first six months of 2021 compared to 2020 as crime levels in urban areas increased. In total, fifty-eight policemen were killed in 2019, fifty-nine were pronounced dead in homicides in 2018, fifty-four were killed intentionally in 2017, and seventy-two were killed in all of 2016.⁸⁸ In 2021, Maryland lawmakers passed police reforms that included removing police protections in due process for alleged misconduct, increased the civil liability limit for officers from \$400,000 to \$890,000, and changed the standard for what was deemed "necessary" force.⁸⁹ The bill increased the civil liability limit for officers from \$400,000 to \$890,000. An officer convicted of using excessive force that caused serious injury or death, potentially faced ten years in prison. It also set statewide standards for "necessary" force.⁹⁰

Defunding Narratives and Policing Contexts

Discussions and campaigns to abolish or significantly alter the structure and nature of policing are not new concepts, nor are they confined to the ‘Defund the Police’ discussions from the last few years. Academics and advocates have long called for significant and systemic changes in policing to address a range of concerns, including systemic racism and unequal treatment (e.g. Pickett, Graham, & Cullen,⁹¹ Jefferson-Bullock & Exum,⁹² Kaba,⁹³ Smith⁹⁴), mental health considerations (e.g. Cummins,⁹⁵ El-Sabawi & Carroll,⁹⁶ Jacobs, et. al⁹⁷), misplaced overinvestment in policing (e.g. Bernier,⁹⁸ Ingraham,⁹⁹), or inefficiency, incompetence, or lack of results from police departments (e.g. Bedi,¹⁰⁰ Vermeer, Woods, & Jackson¹⁰¹). Advocates also held up the example of Camden, New Jersey as an existing department can be replaced or overhauled based on events between 2010 and 2015.¹⁰²

Opponents opposed these narratives on a variety of fronts, from political complexity and systemic entrenchment (e.g. Su, O’Rourke, & Binder¹⁰³), the possibility of unintended consequences (e.g. Parsons,¹⁰⁴ Weichselbaum & Lewis,¹⁰⁵) and both the complexity of the current police role and lack of understanding or plan to cover all the areas police were currently tasked to manage (e.g. Lum, Koper, & Wu,¹⁰⁶ Rushin & Michalski,¹⁰⁷ Vermeer, Woods, & Jackson.¹⁰⁸)

One of the main driving forces of the defund movement over the last few years has been the narrative of systemic racism and history of unequal/unfair treatment of Black communities by law enforcement.¹⁰⁹ The criticisms of law enforcement during the defund movement of the last few years paralleled those of civil rights leaders in the 1960s.¹¹⁰ It incorporated not only allegations that police departments contained systemic racism, but also alleged that law enforcement agencies were used to further disenfranchise the Black community.¹¹¹ An increased

police presence did not automatically amount to reduced crime rates.¹¹² These were common themes throughout the civil rights movement, and they were traced at least sixty years back to the speeches Malcom X gave in the aftermath of the death of Ronald Stokes in 1962.¹¹³

Jefferson-Bullock and Exum contended that policing retained its systemic racism to this day and proposed the defunding of police departments as part of antiracist sentencing reform.¹¹⁴ In their article for the *Fordham Urban Law Journal*, the authors indicated policing had its origins in racist policies, the standards and application of the law through history, and were fundamentally flawed.¹¹⁵ They further indicated that dramatic actions were needed to reset the justice system to make it equitable for all.

These views of law enforcement were echoed over the last few years by activists and advocates claiming that reform of police departments was impossible, and in some cases abolishing the police entirely was the only path forward. Kaba and Smith both argued that law enforcement agencies remained institutions that did not protect the Black community, but perpetuated violence and oppression of the communities. In their views, the only path forward with a chance for an equitable and peaceful world for the Black community was to limit or eliminate interactions between law enforcement and citizens.¹¹⁶ Smith provided a description of the violence around his neighborhood and the police responses and efforts, arguing that while complete abolishment was an extreme position, it should have been the goal because police, as an institution, did not make the streets safer.¹¹⁷ The majority of the time and energy expended by law enforcement was spent with routine tasks and efforts to control minor crimes, and not stopping violent crimes.¹¹⁸ In Smith's view, the police should not have been disbanded *en masse* immediately, as they were currently the only group with legal authority to stand against violent criminals and prevent violence. However, the goal should have been to move to a place in

society where communities could experience safety and security without law enforcement and increasing patrols.¹¹⁹

Smith's position was echoed by Kaba, a community organizer and longtime advocate of eliminating the police entirely. Kaba outlined historical efforts to not only reform the police, but efforts undertaken to investigate misconduct. Using this framework, Kaba's conjectured the events showed that police were, and remain, an institution used to oppress the Black community. Kaba's view included the notion that the additional money, programs, and legislation proposed to reform policing would not bring about great change, but simply perpetuate the existing issues.¹²⁰ The only way to reduce the exposure and impact on the Black community was to limit interactions between police and citizens.¹²¹ She pointed out, like Smith, that law enforcement pursued extensive efforts doing things outside of stopping violent crime and making felony arrests. The underlying vision expressed was similar to Smith's notion that society would be better off if the police did not exist because they were unneeded, and communities existed in peace. Pickett, Graham, and Cullen conducted a survey on how safe both Black and white Americans felt regarding law enforcement.¹²² The surveyed population split closely along racial lines with the white respondents reporting feeling comfortable and safe with police and the Black respondents mostly expressing fear.¹²³ Given the environment and the racial nature of tensions leading to the defunding movement, the difference or disparity in opinions and trust of police and their governing agencies was an important aspect to understand. Without trust in the departments or those that oversaw them, promises to fix issues or introduce reforms or new programs may have been met with apathy or open hostility.¹²⁴ This lack of trust also had roots in how the citizens saw police responding to crimes and spending their time.

The notion that police entities expended a significant amount of time away from their mission of investigating or stopping violent crime was well-known and acknowledged by those in the community.¹²⁵ The larger issue was not agencies that did not place a priority on violent crimes, but the wide range of responsibilities law enforcement agencies were assigned by elected officials and bodies that oversaw their operations. Vermeer, Woods, and Jackson, and Lum, Koper, and Wu examined the issue of calls for service and law enforcement responses.¹²⁶ Both studies examined calls for service across agencies to determine the type of calls agencies responded to and where and when calls could be diverted from law enforcement. Both studies found local police agencies tasked as the first line of response for a wide range of calls, with limited resources behind them to provide follow-up care or shoulder the burden if law enforcement did not respond. An analysis of almost 18 million calls for service in Los Angeles revealed approximately 8 percent of those calls were related to violent crime.¹²⁷ A similar pattern was shown in the nine-agency analysis conducted by Lum, Koper, and Wu wherein they examined eight large agencies and one smaller entity across the United States.¹²⁸ As a result of their analysis of millions of 911 calls, almost 57 percent of those calls were for traffic related incidents (16.8 percent); disorders (16.2 percent); suspicions (12.8 percent); and property incidents (10.25 percent) whereas less than 7 percent of all calls were for violent crimes. The authors also examined the average time spent on the calls by category. While the violent calls were among the longest documented (63.4 minutes), officers spent a significant amount of time on property (59.4 minutes) and traffic calls (42.8 minutes) and invested time (based on volume and response) toward disorders (27.3 minutes) and suspicions (24.4 minutes).

Law enforcement agencies were commonly called to investigate alarms, resolve or mediate domestic disturbances, address traffic incidents, respond to mental health crises, address

minor theft and suspicious activity, and many other activities.¹²⁹ However, for the most part, some incidents did not require the attention or response of a sworn police officer. As local governments and agencies dealt with shrinking budgets or spikes in crime or other incidents, local departments were often tasked to manage the outbreak, whether the intent was to handle the issue entirely or to provide support while officials pondered a more permanent solution. These additional responsibilities, especially those related to mental health and substance abuse, were beyond the scope and training of traditional police agencies, but many locations placed them as the first responders to these crises. Although various programs aimed to improve responses to complex problems through intervention and outreach teams, specially trained responders, and community organizations, such programs were both expensive and cumbersome to place in a corresponding model. To reduce the overall need for law enforcement response, it was not as simple as abolishing or defunding the police agencies. Local governments needed to understand what their needs were and how to address them, and then they could have explored whether police budgets could have been reduced and funds transferred to alternate programs.¹³⁰

Regardless, at the time of this writing, police retained the primary role in response for an overwhelming assortment of calls. Reducing budgets without providing additional support for both the police and the public placed additional pressures on both law enforcement entities and those whom they served societally.

Building on the discussion of alternative programs and police agencies tasked as first responders, a number of practitioners and academics published research and opinions on the police being ineffective or inappropriate as behavioral responders. As noted previously, many law enforcement agencies agreed with this stance, but police remained the primary responders for 911 calls, which typically encompassed behavioral health incidents. El-Sabawi and Carroll

detailed law enforcement use of force against persons of color and individuals with behavioral health concerns, then proposed a behavioral health response team program and policy recommendations.¹³¹ El-Sabawi and Carroll exceeded the typical offering of co-response and examined entirely independent behavioral health responders. Many of the current or proposed programs for behavioral health response involved some level of police response with a licensed mental health professional or social worker. These programs existed in some locations but were also critiqued as unresponsive or ineffective in others. Jacobs, et. al contended that any collaboration between social workers and the police was a legitimization of police behavior and a contribution to what they referred to as carceral social work.¹³² The authors contended that behavioral health responses should have been community-based and removed the policing aspect entirely.¹³³ Similar notions were echoed by El-Sabawi and Carroll, who not only argued law enforcement should not be a part of the response, but also provided policy guidance and recommendations for implementation at the local, state, and federal levels. Removing police response, if feasible and successful, may have had the potential of preventing incidents like the shooting of Amelia Baca. In that incident, 911 was called for a dementia patient who threatened her daughter and granddaughter with knives. When officers arrived on scene, Mrs. Baca had knives in her hand and did not respond to police direction to drop the knives. When she stepped towards the officers, she was shot and killed.¹³⁴

The lack of trust and critiques on how law enforcement spends its time were also fueled by both how law enforcement was treated by the judicial system and its apparent lack of effectiveness in stopping or solving crimes. On the first point, Bedi argued that policing was granted wide latitude based on three myths of policing: 1) the public good created by policing outweighed any harm; 2) colorblindness of policing; and 3) police were better prepared and

equipped to accurately evaluate threats than members of the public.¹³⁵ When embracing these beliefs, police were allowed wide latitude to violate civil rights and engage in violent and damaging behaviors that negatively impacted Black and Brown communities, and that failed to make communities safer.¹³⁶ The other major critique of law enforcement was its effectiveness when called to investigate, make an arrest, and then obtain a conviction for the crime at hand. This was noted by the use of the ‘crime funnel’ when discussing cases as they progressed through the criminal justice system. There were multiple inflection points where cases stopped, whether charges were dropped, whether prosecution elected not to prosecute, or the cases were discharged through other means. Baughman noted that not all crimes were reported to police for a variety of reasons, but of those that were, between 50-60 percent of murders were solved (highest clearance rate) down to 1 percent of petty larcenies resolved in some locations.¹³⁷ While some of the statistics were misleading, the overall numbers were disheartening to the public and expanded distrust and a sense of a lack of accountability. There was a misconception about the ability of the police to keep individuals off the street, however. Police were able to make arrests, but the criminal justice system allowed some individuals to be back on the street in a few hours after arrest. The criminal justice system in the United States also utilized plea bargains to resolve cases (up to 95 percent of caseloads in some jurisdictions). These factors potentially misled the public about the effectiveness of the police, when in fact the officers on the streets had little to no influence in the case outcomes once the arrest was made.

With the critiques of police presented, the central questions of the defund movement remained: what does defund mean? Can you do it? How does it impact society, safety, and the future? What are the options of defunding? Eaglin and others outlined multiple options for the defund movement, including abolition, recalibration, oversight, and fiscal constraints.¹³⁸ The

abolition movement was often in the news and represented the position that seemingly created the strongest opinions and most heated arguments. Those arguing for the abolition pointed out that no amount of reform would matter because an established pattern of behavior existed and nothing had worked to mitigate its influence. On the other side, supporters of the police argued that without law enforcement, society would spiral into chaos, crime rates would spike, and everyone would be at risk. As the debate continued, some local and state governments introduced legislation to protect police funding; some stepped in to cut funding and divert it elsewhere; alternative models were introduced; and researchers questioned longstanding practices.

The efforts of some governments to protect police funding reinforced a point made by members of the defunding movement: that governments invested blindly in law enforcement, controlled smaller government expenditures with grants and funding models, and ensured the funding of law enforcement. Su, O'Rourke, and Binder examined federal, state, and local funding models and how the models influenced the local government and citizens' ability to change police funding.¹³⁹ Regardless of whether they were interested in defunding a department to send money to other programs, abolish the department entirely, or simply alter the budget to more appropriately fit the needs of the area, constraints should have been removed from the police funding process.¹⁴⁰ Such considerations necessitated examination of the power dynamics over the control of policing and other services across the country. Simonson examined the power dynamic of policing through the lens of legitimacy and democratization of the policing function. By removing the established limitations on police funding and oversight, local citizens and those impacted by police operations and activities had the potential of greater input into funding and setting priorities.¹⁴¹ This concept provided its own benefits and reestablished community control

over policing. It increased buy-in autonomy, and allowed local officials and communities to determine the right size and structure of police for their needs without outside influence.¹⁴²

O'Rourke, Su, and Binder also examined obstacles to police reform outside of the fiscal restraints, including political will, unions, policy considerations, culture, and legal entrenchment. Each of these factors were to be dealt with when local governments considered defunding or disbanding departments. Law enforcement agencies were often governed by a web of ordinances and policies with respect to the aforementioned funding constraints. The overlapping constraints and policies regarding law enforcement made them substantially more difficult to alter than other state or local departments.¹⁴³

Defunding also took the form of recalibration or diverting resources from law enforcement to other organizations to better manage needs of the community.¹⁴⁴ An example was behavioral health response or more fundamental police functions, such as traffic enforcement. Woods examined traffic enforcement without traditional police interaction and provided a blueprint for removing stops by police in all but a few types of encounters, something already undertaken in cities across the country.¹⁴⁵ Woods provided nonpolice alternatives, including civilian agents to monitor and enforce minor violations, increased automated enforcement, and additional training. Such actions had potential benefits (e.g., less burden on police, removed perception of police bias during stops or sanctions, less escalation with unarmed response, and so on) and objections and unintended consequences (e.g., lack of deterrence and potential safety concerns).¹⁴⁶ Lehman reviewed different options posed during the defund the police discussions, including replacing police with unarmed forces and diverting police budgets to community organizations and social welfare programs.¹⁴⁷ Neither of those options, in his estimation, were feasible. The first, replacing sworn officers with unarmed officials, did not have

enough evidence to show it would work on a large scale. The diversion of funds from law enforcement to social welfare programs would not work because the amount of funding governments could obtain from departments, even if they were fully disbanded, would fall far short of the required funding to make the welfare programs work while removing the safety net of police to cover gaps in response. Instead of those alternatives, Lehman suggested concentrating efforts and funding on Crime Prevention Through Environmental Design (CPTED), nonpolice guardians to provide deterrent effects where sworn officers were not needed, the increased utilization of neighborhood watches and Closed-Circuit Television Cameras (CCTVs), and controlling problem use of alcohol.¹⁴⁸ Although such solutions may not have been feasible or agreeable to all interested parties, they provided some groundwork for considering the potential of change.

Conclusions, Implications, and Recommendations

The defunding narrative did not fit the reality of the situation. The necessity of police to facilitate public safety is unignorable and essential to maintaining societal order and deterring crime. In 2021, New York City, after initially reducing the police budget by about \$400 million, it was announced that \$92 million was to be returned to the police budget, including the erecting of a new precinct.¹⁴⁹ During the year wherein defunding was implemented, the city's crime rate increased by approximately 68 percent.¹⁵⁰ In Baltimore, after initially proposing a police funding cut of \$22 million, calls occurred to increase funding by \$27 million.¹⁵¹ The proposed increase occurred when a group of businesses and restaurants stated they would enact a "tax and fee strike" until the city's leadership enforced the law to abate crime.

Law enforcement agencies were traditionally a reflection of the societies from which they were derived, reflecting diversity in gender, ethnic backgrounds, and generational statuses,

ranging from baby boomers to millennials. They also exhibited differences among educational levels, experience, and political/cultural orientation. They were influenced by their professional training, experience, leadership, and organizational culture. Policies and procedures supported operational structure. In the performance of their duties, intelligence, maturity, solid judgment, and flexibility were necessary among personnel. They were critical characteristics while operating in an uncertain environment. Regardless of the law enforcement organization, much funding was expended toward the developing of its most important component—the individual human who volitionally decided to enter the law enforcement vocations and professions.

In contemporary society, some in the public claimed they did not want the law enforcement function, but they needed it greatly among crime-ridden areas. From the perspective of law enforcement, the concept of community engagement was reviewed with expected changes demanded by policymakers. What impact the changes will have on the relationship between the agencies and the communities they serve will be determined in time. Regardless, providing community engagement services necessitated funding of law enforcement entities. Thus, future research may question the relationship between community engagement efforts of law enforcement agencies versus allocated levels of funding for law enforcement organizations.

There is no utopian society. Thus, the role of law enforcement continually evolved and shall continue to do so. Over the last several decades, society witnessed the law enforcement role expand into traditionally unrelated domains, such as public education, assuming the role of school resource officers. Law enforcement also had a greater engagement with service calls involving mental health or substance abuse. Given the emergence of cyber-space and its importance, law enforcement investigated numerous virtual crimes and polices the virtual environment. Human trafficking prevention and response also consumed law enforcement

resources. In some cities, law enforcement personnel provided security details to elected officials. Basically, the broadness of law enforcement missions and operations necessitated much funding to ensure their successful outcomes. Reducing funding impeded the ability to provide services across multiple taskings and missions. In some cases, reduced funding necessitated the absence of services that were commonly expected of law enforcement entities. For instance, Manno indicated that school resource officers and transit officers were eliminated in Portland, Oregon.¹⁵²

Achieving meaningful change within the scope of the justice system will not be achieved easily. While much attention focused upon the law enforcement function, which was highly visible, many inaccurate assumptions were linked to the law enforcement reform narrative. While some amounts of corruption and unprofessional behavior existed within the ranks of law enforcement agencies, such officers were a minority within the system. Additionally, the ‘us versus them mentality’ was strong within both the ranks of law enforcement professionals and is unlikely to change given the deep inculcation of the attitude. Future studies may examine such a dichotomy via the defunding perspective.

Although this study addressed police defunding concepts, it did not examine the effects of defunding on either physical or virtual forms of crime. Wall and Williams discussed the notion of virtual policing among online communities and Rosenbaum, et al. examined facets of online police presences.¹⁵³ Often, physical crime may be mimicked within cyber, virtual environments.¹⁵⁴ In other words, virtual crime tends to have a physical counterpart. Thus, funding is required to address crime among virtual environments and to ensure the policing missions of deterring crime and maintaining order occur in cyberspace. Given such notions, future studies may examine the potential link between physical crime and cybercrime with

respect to funding or explore facets of financing online policing endeavors. Future studies may also address the economics of cybercrime.

Although change is a common aspect of all organizations, it requires time to evaluate the effects of change. Law and policy are not identical entities. In some cases, it may require upwards of two decades to adequately consider policy analysis and establish historical context. Frei and Ruloff indicated that an average of twenty years of data should be collected and analyzed before effectively assessing or evaluating policy.¹⁵⁵ Thus, since about two decades of data are required before policy analysis may be performed, future studies may examine various policies that resulted from defunding endeavors whereby historical contexts and meanings may be established.

The achievement of true and lasting change will take time. In the vast majority of cases, the decision to commit a crime was personal and volitional. For instance, the number of homicides in a community had little to do with the number of police officers serving that community. Regardless of any imagined policing enhancement or solution to crime, reduced police funding was both impractical and dangerous. Scaling down police personnel quantities or operational resources abolished various functions that abated crime within society while enhancing safety. As such, one may question the amount of public good that was provided by fewer policing resources with respect to a modicum of safety that was expected by the populace. A year after calls to defund police entities, various municipalities, businesses, organizations, and citizens advocated a 'refund movement' whereby several eliminated police functions were restored. In other words, the defund and refund concepts were representative of economic functions societally with respect to satisfying the needs and wants of communities. Future studies

may explore the defund and refund concepts from the perspective of market needs and wants for policing services.

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