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**Intro:** Welcome to the Let’s Talk Government Podcast. A podcast that is provided for you by the department of government at Minnesota State University, Mankato. Located in Minnesota in the United States. I am your host Dr. Pat Nelson, the chairperson of the department of criminal justice. I want to thank you for joining us as we explore different topics related to government. Some may be surprising and some may not, so please enjoy.

**Dr. Nelson:** Welcome to Episode 24 of the let's talk government podcast, The Impact of the Chauvin Trial. I'm joined by Dr. Thor Dahle, Dr. Carl Lafata, and Dr. John Reed from the law enforcement program at Minnesota State University, Mankato. You will remember them from various podcasts throughout the year and they were my guests on our first podcast talking about defunding the police. Thank you for joining me today as we come full circle to end the academic year of our podcast. So the Chauvin trial just ended with a verdict of guilty on all three counts. So we're just going to kind of have a conversation about the impact of the Chauvin trial. Our thoughts about that, how it might impact law enforcement now and in the future, and maybe why students decide to go into law enforcement or not? So I'm going to open it up. What do you think the impact is of the guilty verdicts on law enforcement?

**Dr. Dahle:** I think the concern is how its seen or as accepted as a chance for change, or what has happened frequently in the past, which is a tendency for defensiveness. No one likes to be criticized or characterized in a light that they don't appreciate. The real challenge here is to recognize if something's wrong you need to address it and to accept some of that responsibility, to accept the desire from the communities that they want to see change and a change in policing. We had that discussion about defending. There's been people in policing for years have said that there's things that need to be changed. Maybe this is the time to do that.

**Dr. Lafata:** And I don't think that the, I guess the effect of this would be to scare people away from joining police departments. I think that you're still going to have people who are interested in serving their communities, being an example for other people to follow, doing good things under the guise of authority and using that authority for the good of society rather than for some impressive purpose and so we’re not going to be scaring away, so to speak, the good people that want to do this job. I think that is a reactionary kind of thing that you'll hear from some pundits but just in my experience and I know I've spoken with many of you already that have had similar experiences here, the students saw what happened to George Floyd and not one student thought that Derek Chauvin was in the right. So he basically got the verdict that was deserved for the act that he committed and no students sees that as being a cold war on police or people not supporting are backing the blue. They see that as essentially a just verdict for a crime that has been committed and then recorded on film.

**Dr. Reed:** And one of the things that I really think is taking this kind of from a broad approach down to we can get more specific, but I think you're going to see more comprehensive change in relation to this. And when I'm talking about more comprehensive, encompassing a larger group of people to make these changes. I think you're going to see changes in policing. I think you're going to see some changes in the legislature about what some of the laws, I think there's going to be a review of some of those, some things like qualified immunity which you're already seeing in a lot of different places. So I think it's going to be a much broader view of everything that encompasses law enforcement is being looked at and the possibility of that being changed.

**Dr. Nelson:** I was going to say I think another thing that the impact is, is that he was held accountable for doing something that was very visible in public. We heard from a lot of current inactive law enforcement officers that they did not agree with what he was doing. So this actually did demonstrate that there was some accountability for his act of kneeling on George Floyd and causing his death. So I think that was interesting, not only for the public to see that accountability, but to just see some accountability within law enforcement because we all know of incidents that there should have been something that happened. Whether someone got charged criminally or whether they should have been disciplined within their agency and it was nothing ever happened out of it so this was a little bit of accountability. Carl what were you going to say?

**Dr. Lafata:** I was just going to say that, building on John's point, that there's going to be change. There's going to be what one might consider to be reform but I also think that changing reform is going to be like it has been historically and that's kind of at a more glacial pace. If you look at the civil disturbances of the 1960s in the first time really we had police abuse of power caught on camera. The TV broadcast for example of Selma, Alabama and the civil rights marches for example, the anti-war protests and things of that nature, the Chicago police riot in 1968. You start looking at those types of situations and the federal programs that came after that to fund law enforcement education and to push more police officers into getting higher levels of education than had previously been required. Those types of licensure boards were basically established in most states following those revelations but really not a whole lot changes. Everything I can see or I wouldn't hold my breath to see massive change I'd say for example of federal level that would establish a federal standard, let's say like the fire service has for law enforcement training and education and things of that nature. But what you will see is that continuingly glacial, and I use the term glacial because it is a very slow evolution because law enforcement is drawn from society at large, and as society at large as their viewpoints and attitudes change, so will the attitudes be different amongst the law enforcement officers that come into the career field. Just look at my father's attitudes about things like race and LGBT issues and he came into Detroit PD in the mid-1960s versus you know today's officers it's not thought of the same. So we have kind of this organic reform that occurs simply because we're bringing people in with different viewpoints than had previously existed.

**Dr. Dahle:** The frame-- the fragmented nature of policing in our country is going to lead to exactly that. If you're not going to see rapid change something will change in one place, not in another place. You'll see defensiveness, closing of ranks in some agencies where they refuse to change, some that are going to be more open to change. I do think that there is some concern about the number of people that will enter into policing. Some places that probably won't be affected significantly and others that will be. Right now it's not just the Chauvin trial it's bigger than that because it's become national news every time anything happens that could be seen negatively and that's going to continue for a while so I do think in some jurisdictions where the heat has been hotter, you're going to see people reluctant to want to join an organization that's constantly vilified either sometimes correctly. Sometimes unfairly. But people have a lot of choices. The one good thing, it could be though, that may draw in a new group of people that was perhaps once reluctant to join policing because of what it represented, that if they do see some type of change that they're not willing to be part of that. That leads to some of that diversity and a willingness to see things differently, train differently. All those things that could help accelerate that glacial change but because it's so random around our country it's going to take a long time. Unless there was a change in that somehow that established requirements, like education and training requirements that we've lacked for years.

**Dr. Lafata:** And I can speak from my own research into this topic because that was actually part of my doctoral dissertation, and I think you and I talked about it the past, but when I spoke with Michigan's civil service department my research was on state troopers in the effect of post-secondary education and they said, quite flatly, that they would not support increasing the minimum requirement for state police or other police licensure to higher than a high school diploma or GED because then in terms of the trooper rank for the Michigan State Police they would have to class the job classification as a profession and therefore the starting pay would be higher and so they would be completely opposed to that. But I think education and training, reaching out to new and underrepresented groups in law enforcement, for example, Lincoln University Missouri, just established-- it's the very first historically black university to establish your own police academy in the country. And they're bringing people in that would otherwise not be interested in serving as police officers because they want to be the change they want to see.

**Dr. Nelson:** I'm going to jump on the glacial change comment because it's true. I mean I sit on the Minnesota Post Advisory Rules Committee and we are not going to get through all the rules in a year just because of the debate around it and the number of people involved. And we're only the advisory committee so we're making recommendations to the actual post board. If anything needs a legislative change, the legislature is in session right now but if they pass anything it doesn't go into effect until next year. If we make curriculum changes on education I mean, we've made our curriculum changes for next year already but our next round will be for Fall of 2022. So, we don't get things moving very quickly. But even if you start making changes within a department you're still going to have to do a lot of buy in. You're going to have to give people time to adapt because if they've been doing something one way for the last 5, 10, 15 years, you can train them to do it differently but they're going to need time to adapt. Just think about when you change holsters on your handgun. So if you were out a holster and now this one has a little bit different mechanism for getting your gun out you have to practice and then you have to keep practicing because even if you have one practice session that doesn't change your hand motion. So, I mean I think changes needed but I agree with Carl that it's going to be nothing that's going to happen fast. Unless you completely take something away it'll still take time to do that because we can't just fire everybody that's currently a law enforcement officer nor do we want to. I mean we have some very good officers out there but you can't just dump the ranks and then start over. You have to integrate with what we have. So I think glacial change is the one that's going to have to happen.

**Dr. Lafata:** I was just going to say that one of the things I mentioned and students built upon that. The Washington Post is collecting data on police basically police killings and they found, roughly, average about 1000 a year. And of course lower levels uses a force thousands of times a month. And of those thousand killings a year, let's say, about a dozen or so of the officers wind up getting charged and very few of them get convicted. And yes, you could look at it as being maybe representative of bias in the criminal justice system but I would think it's a hard sell to make the case that it is that biased. What it really tells me and what I-- the reason I bring this up to the students is that it shows that even when fatal force is used, the overwhelming majority of the time it is done like it was in Burnsville this past week for a very righteous reason within the policy, within the confines of policy and law, and people realize that. And so when you see officers getting charged yes it makes front page news but the reality of it is, that's the top tier, as Walker's wedding cake model of criminology totally talks about, that's the celebrated cases and people tend to form their opinion. And the reality of it is there are three quarters of a million, roughly three quarters of a million police officers doing great jobs every single day and you don’t know about it because it doesn’t make the news.

**Dr. Nelson:** John what were you going to say?

**Dr. Reed:** Well in relation to the change, and I somewhat agree with this going to be taking some time but also we as law enforcement and police have been preaching for years and years about different things that are important to us. Accountability is once one that you mentioned and we kind of now see that people are starting to get held accountable for some of the actions that are taken. But there are other things that have been in the hopper for several years. One of the things that I think is really interesting is what PERF or the Police Executive Research Forum has been doing in reference to critical thinking about this term proportionality. And we talked about that quite a lot in class but you've heard that term come up a lot. Even in layperson's terms is like how can somebody die over bond cigarettes in reference to George Floyd. So I think you'll see some of these things coming more to the foreground or the forethought of people. Another simplistic example is we always talk about supervision. I think you'll see supervision tightening down a lot more than you have in the past and it may be just for a temporary point until people believe we go back, quote unquote, the normal. But I think initially, I think you're going to see things like that are occurring where you actually have supervisors on the scene that are actually there for those types of events.

**Dr. Dahle:** I do think that the only way it speed changes, if you tie it to money. It's like the COPS Office that really developed in the 1990s in the Clinton administration. He said you get money to hire officers if you follow Community Oriented Policing format. If you don't, you don't get it. If you don't, that would be the only way to accelerate some of this policing. For many places there's going to be some defensiveness about change. We were talking about this in class the other day this issue of cognitive dissonance. What does it take to get to change somebody’s really firmly held beliefs about something? And you have to have experiences that change that interactions with the community and I think a lot of that, for those that have kind of argued that we're in a new era of policing ever since 911 more militaristic, Homeland Security focused, less community oriented policing. It's a multitude of things that have to change to make real change in policing. And really to a larger issue it's not just policing that has to change. It's one element of what causes the conflict between communities and races and the police. But it's also economics, it's education. And my concern is one area gets too much focus and another area doesn't receive the focus that it should, but specifically with policing there could be some hard changes that have to be made that will be difficult for some in policing to accept like increases and training or education requirements that for some who are going to see or believe that it's worked for a long time the way it is, to accept the changes necessary. That will be a real obstacle for some that are already in the field and will be concerned about the way they are seen by their coworkers because it's almost like admitting you're wrong and you're being critical of others. That's not an easy thing to do.

**Dr. Nelson:** Well that actually brings me up to something. Mauri Friestleben, who is the principal of North High School up in North Minneapolis, has been very vocal about the fact that there needs to be change not just in policing but across the system including the education system. She's also one of the principles up there that signed a letter to the Minneapolis Police Department asking for them to not stop policing. They still want their police officers up in North Minneapolis. They actually still wanted police officers in the school up there because as she said, it's not just the police that needs to change it's the entire system starting from the education system and going through all of the social services systems and the criminal justice system and that just getting rid of the police is not a good answer. So I think that really kind of ties into what you're talking about Thor and that we can't punish or ostracize officers who see that there needs to be change and embrace it. And we've seen that happen in the past.

**Dr. Nelson:** Alright Thor mentioned something else that I want to go back to is now we kind of see the media especially lumping incidents together. So just as the Chauvin trial was ending we had the shooting up in Brooklyn center, Minnesota, and then while the verdict was being read we had this shooting out in Cincinnati, Ohio. The police shootings both of them were fatal and now you see that the media is lumping them together. What are your guys’ thoughts on that? Lumping the incidents together, good, bad? What are some issues with that?

**Dr. Lafata:** I think one of the reasons it tends to be media worthy is if it meets a particular narrative that the media is trying to push. And they find what works in the media, especially the news media they're advertisement driven there, page click driven, and so if they find something that works, this idea of social outreach for example, they are going to presume that the police are incorrect when the reality, for example, might show otherwise. The Blevins shooting in Minneapolis a few years ago is a good example of that when you watch the video that was a righteous shoot. But people immediately jumped to conclusions. When you look at cases like the Chauvin case, and the Brooklyn center case, and the Yanez case where Jeronimo Yanez killed Philando Castile, you could make the argument that the incidents reflect more of a lack of training and or lack of supervision than anything else. But because the media narrative has been so persistent for so many years the public wraps it in what I would refer to as a racialized blanket. And they're not going to be able to look and think well that's a bad police procedure, that's legal but it's not the best thing they could have done. They just say okay white skinned officer dark skinned victim. And so the public tends to think very, very negatively and again even though the number of shootings involving police officers are relatively small considering how many police officers there are it does make page views and page clicks and advertising revenue curve for these news media folks so they're going to hype it up and it gives people a false perception.

**Dr. Reed:** I'll jump in there. I think that when you start grouping those types of things together I don't think it's a good idea. I think that you have to look at each one of these incidents separately and see that as best we can. But I think people need to keep in mind also that if we're watching an eight minute clip or video of something that's occurring we are not seeing all the information there that's being taken into account. And unfortunately when you're looking at the media and what they put out that's all you have to see. So, like I say, my opinion is I think it's, I think we look at these things individually and then make a decision based on the information we have but always keeping in mind there's extra information out there that we don't know.

**Dr. Dahle**: Yeah people want simple stories. The longer you have to invest in learning about it the less likely people are to know about it. So if you write an article that's three pages long people tend to read the first paragraph and they don't want to go any further because there's a lot of effort involved in that. The media also has 30 seconds stories. So, just like John was saying what you need to look at is much longer than that you don't see it. The real disservice is that when you do lump these together it exaggerates an issue, in some senses makes things appear worse than they are. It increases the friction, decreases the likelihood-- actually in the end can decrease the likelihood that you're going to get the result that you want. It pulls away from the real issues I guess because I think training, supervision have always been the areas where agencies are typically found liable because they are lacking in those areas. But it doesn't mean that every time one of these things happens that it's the same thing. I mean they can still be wrong. There could still be something wrong about it but lumping them together I don't think-- I think it tends to make it worse.

**Dr. Lafata:** This is also not to say that there isn't a racial disparity in police using a fatal force and so I mentioned the Washington Post police shootings database. They found that there was a 339% higher rate of black people killed then than white people and if you look proportionally 6.96 black people per million are killed by police each year compared to 1.59 white people per million. And so yes the media pushes the narrative to the point where that's all people believe but really the problems are different depending on where you go and what region you're talking about. And it's not to say that there isn't an issue but to focus on that issue solely gives people a false representation of what policing is and what it has become in all corners of the United States versus you know maybe there's more of an issue in one area than another.

**Dr. Nelson:** So I'd like to go back to that about maybe an impact from the shop and trial it kind of links in with John's talk about proportionality. You know the original call for the on the George Floyd incident was a forgery. And a forgery, no matter what the level is if it's over a fake $20 bill, technically is a felony under Minnesota statute. But if you look at it without knowing that it's over a fake $20 bill. The Brooklyn center incident he got pulled over for expired registration which is a violation of the Minnesota statutes. So, how do we see the impact of the Chauvin trial on proportionality and what do we tell our students about when they're taking action to enforce the law? How do they balance with the statute of state to proportionality to what actions they take? What advice are you giving your student?

**Dr. Dahle:** There was a excellent article I thought the Washington Post recently was an op ed by a police officer named Patrick Springer that talked about slowing down. And this issue of just like we're talking about proportionality and not rushing in all the all of the time. And in many of these cases that he described had officers approach the situation differently, the end result would have been different to the degree where people's lives may not have been— they might have been saved had they handled it differently. The one example is that Tamir Rice case with officer approach this young man in a park was there by himself and the situation rapidly deteriorated to the point where he was shot killed when his argument was had that been done differently that didn't need to happen. So, I think that really relates back to training especially for training that in deeply in grains fear and officers that leads them to overreact in situations where it wasn't necessary. And yeah, so that the confrontation becomes deadly force when it could have been something else.

**Dr. Reed:** And I think some of this even goes back, disproportionality goes back, to organizational culture, what different agencies tell their people, and the training that they go through. A story comes to mind of where we had an officer involved in a shooting and he went before the grand jury and the shooting was where a car was driving straight toward him and this officer could have taken a three foot step and got behind the building. Butt rather than that he stood there and he shot and killed the driver. And he was asked in court why he did that. And his response wasn't a good response it was, that's what I get paid to do. And that was kind of I think a cultural thing that we, not all agencies, but a lot of agencies say hey you're the police, you need to catch people that's your job. And it's frowned upon when people get away or things of that nature when we all know in fact that shouldn't be the way things are. But I think there are still agencies out there that do those things and it gets back to the warrior vs guardian. And how long have we been trying to change that mindset. And we all know that they're still agencies that believe in that warrior mentality.

**Dr. Lafata:** When you can see that mentality in some of the recruiting videos they're showing all the super cool Neato tactical SWAT toys and the vast majority of officers never go their career without firing their weapon in reality. But I think that when you're talking about proportionality some of the students were talking about, well George Floyd was under the influence of fentanyl and okay even if that was true, in the state of Minnesota you can be under the influence in public of fentanyl and it's not illegal. You can't be with possession by consumption. In California it's 11 500 of the Health and Safety Code, but it's not that way here and even if it was, it wouldn't be a capital offense and so was the force use not only proportional to the crime, but also proportional to the amount of resistance that he was displaying there and that call did not warrant in his actions which weren't actively aggressive, if you want to put it in use of force continuum terms at that moment in time did not want what Chauvin did. And so that's what people are seeing. The person— you saw this out in California with the three strikes laws you hear a story, oh I stole a pack of gum and I got sentenced to 20 years in the prison. People don't see that as fair and if law enforcement isn't seen as fair and consistent then we lose legitimacy. The moment we look at or we're seeing as over policing a particular neighborhood or focusing on a particular ethnicity or using force to an extreme we don't have really any real legal justification. Then the public's going to look at us as an illegitimate steward of the authority that they invested into us.

**Dr. Dahle:** When you feed into public fear about crime, which is something politicians have done for a long time and sometimes the police have been guilty of that too, you come up with ideas that sound good intuitively. Like zero tolerance policing. That sounds like a good idea. We're not we're not going to let anybody get away with anything, but then research has shown the end result has been catastrophic for some neighborhoods making it difficult to get jobs, hold on to housing. The impacts were not intended. But feel good policies like three strikes that people think that makes sense, it's been a long held attitude I think about crime in this country for some time is that it's punishment oriented. So that if somebody's committing a crime then they somehow deserve whatever it is they get. We had a neighboring jurisdiction when I was working in Oregon, that much like John described, a deputy was investigating a burglary at a farm, said the suspect tried to flee. Instead of getting out of the way of the vehicle the officers shot into the driver of the vehicle who was killed. But the overwhelming public reaction was, you were involved in committing a crime, even though it was nonviolent. There was not pushback from the public that walked that demanded a change in that agency policy. It was within policy, nothing was done by the prosecuting attorney in that county. Change didn't happen. And so I think that proportion— that issue of proportionality is it's a societal change that I think we're starting to see where these issues about defunding and saying we can handle some of these situations differently and sometimes with different people than the police. And that could be one of the end result.

**Dr. Nelson:** So I'm going to make a comment about proportionality but I'm warning all three of you now I'm going to ask for your closing thoughts on the impact of the trial. As someone who was a field training officer and I do this also in my classes, slow down was probably the most common term I ever used. With my rookies I tell my students that all the way through the 343 class that I use. There are such few times where you have to rush in. You might be seeing an assault in progress that you have to go stop but many times you can take just a few seconds to stop and listen when you get out of the car, take in the scene survey it slow down your communications all of that. So I will say slow down again was probably the most common thing I told rookies and I field trained about 45 of them. And that's probably the most common thing I tell my students even in their communications role play. Now, slow down would have not changed the George Floyd incident because Derek Chauvin came in after things were already in place but it may help other ones. But it doesn't fix everything so. All right, I'm going to do this in reverse order. We're going to talk— we're going to ask Carl for his closing thoughts on the impact of the Chauvin trial.

**Dr. Lafata:** I think what it will do is, I think it will influence the students and the potential police officers out there that are considering joining wherever they are, our students and others, to really take a hard look at the role of policing in communities and really take into consideration, not only what the public expects of their peace officers, but also you know the immense responsibility of using force and again in a firm consistent manner that is within the confines of law in policy. And if they are able to do that and if they have the emotional maturity and if they have the ability to know when to use force appropriately, when to dial it back when the person stops resisting and render first aid if they did have to use force, those types of things. They will realize that they can do a full career and not feel as though they have some sort of a target on their back from the prosecutor's office or the public. And the public will in turn come to gain greater faith in their peace officers and law enforcement will retain some of that legitimacy and public support that has been lost in I would say the last 20 or 30 years.

**Dr. Nelson:** Thor, your closing thoughts?

**Dr. Dahle:** I think that issue of legitimacy is key. And I think part of it, the way forward might be as the conversation develops and people are a little bit less sensitive especially in law enforcement, that defunding the police might not be such a dirty word. That accepting that the police have been given a bunch of roles that they never should have been responsible for in the first place. But there are alternate solutions to some of these things. Whether it's having more Mental Health resources for some of these calls where the police are sent in a wide variety of different areas that could be influenced. And that could actually improve the relationship between the police and the community because they're not putting some of these situations where they didn't belong in the first place where we've seen some of these bad outcomes. So right away the natural instinct is pushback. I don't want change, protect my empire, so to speak. But this may be the opportunity to do that. To do some of the things that many leaders have said in policing for years which are we’re given too many responsibilities, we’re not trained for all of these things. Maybe now there can be a little bit better understanding both within policing and the public that, that change is necessary.

**Dr. Nelson:** John your closing thoughts?

**Dr. Reed:** Yeah, I think we've talked a lot about change and we all know that most people don't like change, but I think we're in a point in society where right now police agencies, and not only just the police, but a lot of different entities, the time is ripe for change. And one of the ways that, whether they be public or private organizations, do better and better is by change. To be able to identify things that we need to make better and make those changes to make things better. And I think police agencies are specifically talking about the police are in that position right now. And personally, I think policing is needed to be changed for quite some time. A lot of different ideas in reference to it and I hope that that we as police are smart enough to take that ball, so to speak, and run with it and try to make our agencies better for society.

**Dr. Nelson:** Well, I do want to thank you gentlemen for joining me. I mean I look at the four of us and we have like over 80 years of law enforcement experience if you added up between the four of us. And that we chose to come to academics because we’re committed to the education of our up and coming law enforcement professionals. So I love having these conversations with you, I'm always surprised that we do share many of the same thoughts, although we might have different interpretations of it or different paths as we go forward. But I look forward to next academic year and we can do some more podcasts and see what happens this summer. So thank you for your time.

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