

UVU JOURNAL *of* CRIMINAL JUSTICE



VOLUME II, ISSUE 1
SPRING 2021

UVU JOURNAL *of*
CRIMINAL JUSTICE

Volume II Issue 1
Spring 2021

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UVU Journal of Criminal Justice is published fall and spring semesters by Utah Valley University Department of Criminal Justice, EN 101, 800 W. University Parkway, Orem, UT 84058.

UVU Journal of Criminal Justice is where individuals are able to publish their scholarly works as they relate to the field of criminal justice. Submission guidelines may be obtained by emailing uvucjournal@gmail.com.

Student publications require consistent financial backing and administrative support. *UVU Journal of Criminal Justice* is grateful for the support of UVU's Department of Criminal Justice. We would like to thank Interim Dean Cheryl Hanewicz and Department Chair Bobbi Kassel for their support. We would also like to thank all of you for taking the time to read this publication.

UVU Journal of Criminal Justice

Volume 2, Issue 1 (Spring 2021)

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A Note from the Editor-in-Chief

Austin G. Payne
Utah Valley University

There is perhaps no greater word to adequately describe the emotions I feel as I compose this particular Editor-In-Chief note other than the word, bittersweet. Sweet in the sense that I am proud to welcome you to the third publication of the *UVU Journal of Criminal Justice*. Yet bitter, in that this will be my final publication as Editor-In-Chief.

I can recall the moment when Dr. Marcy Hehnly mentioned the department was desiring to put together an academic journal. I was told by her to speak to Melissa Noyes about doing so. I can remember racing across campus on that September afternoon at a pace of deliberate intent to secure the position of Editor-In-Chief, and to take on the responsibilities of finding other students to bring this journal to life. I indeed found those students, we tracked down the first articles, and we brought the journal, that was only a mere conversation just months ago, to life.

Though it may seem like I have accomplished a lot with this journal, truthfully, none of the accomplishments that I have are by my hands alone. Rather, it is by those who have stood by me and supported me throughout this process. To the UVU Department of Criminal Justice, Melissa Noyes, Deb Thornton, Rylie Bullock, Liahona Bons, and Kiersten Swanson, I owe all of you the grandest amount of gratitude which I am able to produce. As stated before, the dream of starting this publication only became a reality because of your consistent support and thorough efforts.

With that being said, I am proud to announce that while two of us are leaving, two members of the original staff will be staying behind to see that the trek for academic publications continues on. I am elated to say that my Executive Editor, Rylie Bullock, will be taking over as

Editor-In-Chief, and Kiersten Swanson will be taking over as Executive Editor for the next two publications. I am beyond confident in their abilities to continue to provide the University and all those who read this publication with the highest standard of quality in academic publications relating to the field of criminal justice.

I am thrilled to have the contributions of Aranza Mendez, Cole Glazner, Heli Howell, Jake Schlesinger, and Trisha Caldwell. I am grateful for their desire and willingness to publish in this journal.

For those who read this, I implore you to ponder on the words which you will read throughout these pieces, and to seek how we can better further the field of criminal justice for years to come. We are in ever-changing times, so let us not merely just progress in our abilities and commitment to be excellent public servants, but let us progress in citizenship of this great nation as well.

Thank you, and to all of you I bid, farewell.

Austin Payne

Editor-in-Chief

UVU Journal of Criminal Justice

Issues of Recidivism

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Abstract

Recidivism is a common occurrence among criminals when they have spent time in jail or prison. Upon their release, they tend to go back to their old habits and continually commit crimes based on knowing nothing else or how to change their behavior.

Recidivism rates continue to increase—almost half are rearrested within two years upon their release. Specific punishments, such as monetary convictions, can lead to recidivism when offenders have not been given opportunities to earn money and are unable to pay their fines. Inmates can enter unending cycles because they are not being given the help that they need to stop themselves from being arrested once again.

Keywords: recidivism, rearrest, reconviction, reincarceration

Prisoners across the United States of America have to deal with a lot of new stress after they are released from fulfilling their sentences and/or are out on parole. Due to specific punishments and personalities, they struggle to find a place where they belong. Often criminals will fall back into old patterns because they do not know any other way to live and were not taught any other ways while they were serving their sentences in the prison system.

When offenders are released into society, most are likely to be arrested for reoffending within the first year. Recidivism rates are very high because inmates struggle in their rehabilitation process. Monetary sanctions, lack of education, lack of treatment, and many more issues cause them to recidivate and be placed back into prison. Their habits

tend to come back because they are unable to readjust to society once they are released.

Programs such as the Restorative Justice Program have been successful in lowering recidivism rates among youth. Bergseth and Bouffard's research has found "that the RJ [Restorative Justice] program was significantly more successful in preventing recidivism among girls than it was among boys, although both groups experienced reductions in recidivism likelihood after participating in the program" (2012, pp. 1060–1061). There are many programs built for rehabilitating prisoners when they enter society again, but they have had a hard time finding success.

In order to decrease recidivism rates among young and old prisoners, we need to find ways that the punishments will not be a reason for them to reoffend. Educational and treatment programs need to help them improve. Helping prisoners find work before they are released might be a great benefit in helping them to pay off their monetary sanctions as well.

We must be aware of what risk factors are more likely to cause recidivism rates among offenders. For some people, losing a job will not affect them as much as others. Cohen et al. (2016) emphasized the need for risk assessment:

When measuring changes in the risk of recidivism, an important component is assessing whether certain . . . risk factors are more likely to change than others. Specifically, are risk factors such as employment status more amenable to change than other risk factors such as social networks? (p. 265)

Changes in risk may often be due to the fact that an offender has previously recidivated for a particular reason. Many may have new reasons as to why they reoffend, and potential new risk factors need to be acknowledged.

It is also important for our society to learn how to reduce recidivism rates among prisoners once they are released from prison, whether they are old or young, male or female. According to Cohen et al., "There is a growing but still limited body of literature examining changes in risk over time and the relationship between these changes and offender recidivism" (2016, p. 265). Because of the limited amounts of knowledge and research on risk factors in offenders, it is vital that

we learn what can be done in order to keep our society safe.

Treatment programs have been created in order to help offenders overcome specific challenges they had before entering the criminal justice system. Often the problems they had before imprisonment come back fairly quickly once they were no longer incarcerated. Many offenders have been affected by substance abuse in their lifetime and need help overcoming their addictions to specific drugs, which is why drug courts have been very helpful in addressing recidivism. According to Cannavo and Nochajski, research has found that “regardless of the size of the drug court, drug courts seem to reduce recidivism among graduates when compared to those who resolve their charges in standard courts” (2011, p. 54). Treatment programs are very important to reducing recidivism rates because they can help people understand what they are going through and why they are going through specific challenges. Many people do not understand how hard the transition from prison back to society can be for prisoners and the effects that it can drastically have on their lives.

Restorative justice programs are widespread throughout the United States for both juvenile and adult offenders. These programs have been able to effectively reduce recidivism rates for many offenders. Bergseth and Bouffard noted that “the opportunity for the offender to apologize during a restorative process may do more to foster feelings of empathy and remorse, which may then work to effectively reduce recidivism likelihood, even among violent offenders” (2012, p. 1059). People tend to understand the consequences of their actions when they have to face them. Going through a restorative justice program can help offenders learn to recognize the influence they have and help them to orient themselves in a better direction than before.

Perception is dealing with how we understand a situation based on our or others’ experiences. Reality is what is real and is independent of whatever perceptions we may have of something. Our perception of certain things may often be inaccurate, but that does not mean that it can never be correct. Offenders are often perceived as a risk to the community in which they reside, which is why they are often incarcerated. When they have finished their sentence, or are released onto parole, the judges and Board of Pardons and Parole will reassess the likelihood of offenders’ recidivating and how much of a risk they will be to society.

Some early studies by Atkin-Plunk and Armstrong (2016) focused on the impact perceptions of procedural justice may have on an offender. They found that actual outcomes are independent from the perceptions of outcome satisfaction based on whether the offender is going to reoffend or not (Atkin-Plunk & Armstrong, 2016). Thus people believed that the more positive influence a court proceeding had on an offender, the less likely they were going to recidivate. However, in Atkin-Plunk and Armstrong's sample they discovered evidence to the contrary:

Findings demonstrated perceptions of procedural justice were not significantly related to the participant's likelihood of graduation [from drug court] nor recidivism. Instead, age was related to likelihood of graduation, while factors that are typically related to recidivism such as being younger and having a greater number of prior arrests were predictive of rearrest in this sample. (2016, p. 539)

Their results were different from the studies they had researched. Instead of positive influence from a judge, it was their treatment in drug court that helped them to do better in their situations.

The reality is that "training and education should continue to encourage methods and concepts that support procedural justice in drug courts so that clients perceive that they are given a voice and are treated with dignity and respect," (Atkin-Plunk & Armstrong, 2016, p. 541). When people believe that they are being heard and are important, they feel better about themselves and have more motivation to do better in their lives. If those who deal with offenders treat them as just another offender, they are more likely to recidivate because they do not have a positive support system from those whose jobs are there to help them.

Soyer explained in her essay on juvenile delinquents' recidivism rates that "the teenage years are formative in terms of identity development" (2014, p. 94). It is vital that they receive good support as they are continuing to develop. Giordano et al. stated that "the ability to imagine a negative sequence of hypothetical consequences that might flow from one's deviant behavior can have a deterrent effect" (2002, p. 1040). When offenders receive guidance, they are less likely to recidivate because they have learned ways to help themselves.

Several studies have found that the perception of helping offenders not recidivate has many routes. The reality is that if offenders receive

the education and support from those who are there to help them, they will be less likely to reoffend, but that does not mean they will not make another mistake. We must not let our perceptions of what people have done in the past influence us to treat them as horrible criminals. That will most likely keep increasing recidivism rates while we could have helped them to decrease instead. Treating people in a fairer manner can help to reduce conflict and establish better trust for offenders in other people. The more fairly criminals are treated, the more they will believe in being successful in their efforts to desist from their regular nature.

Recidivism rates are a serious issue in the criminal justice system and should not be taken lightly as they can cause a lot more trouble than the initial crimes committed. Figure 1 to the right, created by Alper et al. (2018, p. 2), explains the number of offenders who were rearrested in 2005 after being released from prison. Alper et al. estimated that these offenders were rearrested five times per person, on average, and that most of the rearrests took place four to nine years after the original release from prison (2018). The characteristics in figure 1 show that black/African American males, aged 25–29, with drug offenses are

the most likely to recidivate upon being released. This gives us a way to see what resources we need to provide and to what population to provide them. It is important for us to do what we can to help offenders desist in their criminal ways before they recidivate.

Recidivism can be measured through rearrests, reconviction, or reincarceration are some types of recidivism. According to Hunt and

Characteristics of prisoners released in 30 states in 2005

Characteristic	Percent
All released prisoners	100%
Sex	
Male	89.3%
Female	10.7
Race/Hispanic origin^a	
White	39.7%
Black/African American	40.1
Hispanic/Latino	17.7
Other ^b	2.4
America Indian or Alaska Native	1.2
Asian, Native Hawaiian, or Other Pacific Islander	0.8
Age at release	
24 or younger	17.7%
25–29	19.4
30–34	16.0
35–39	15.7
40 or older	31.2
Most serious commitment offense	
Violent	25.7%
Property	29.7
Drug	31.9
Public order ^c	12.7
Number of released prisoners	401,288

Note: Data on prisoners' sex and age at release were known for 100% of cases and race and Hispanic origin for nearly 100%. Detail may not sum to total due to rounding. See appendix table 2 for standard errors.

^aExcludes persons of Hispanic or Latino origin, unless specified.

^bIncludes persons of two or more races or other unspecified races.

^cIncludes 0.8% of cases in which the prisoner's most serious offense was unspecified.

Source: Bureau of Justice Statistics, Recidivism of State Prisoners Released in 2005 data collection, 2005–2014.

Figure 1: Prisoner Characteristics in 30 States

Dumville’s a study of federal offenders, “[a]most one-half of offenders released in 2005 (49.3%) were rearrested for a new crime or for an alleged violation of the conditions of their supervision over [an] eight-year follow-up period” (2016, p. 15).

Figure 2 below shows the difference in percentages among the three ways to measure recidivism rates (Hunt & Dumville, 2016, p. 15). Rearrest is the most common measure of recidivism and tends to have a higher average of reoffending than reconviction and reincarceration do. Recidivism, whether it be measured through rearrest or in another way, is becoming an increasing problem over time. Until offenders receive more education and treatment, recidivism rates will likely continue to the rise as more prisoners are incarcerated and released.

Overview of Recidivism Study Findings			
Recidivism Measure	Rearrest	Reconviction	Reincarceration
Percent	49.3%	31.7%	24.6%
Median Time to Recidivism	21 Months	30 Months	29 Months
Median Number of Recidivism Events	2	1	1
Most Serious Post-Release Event (%)	Assault (23.3%)	Assault (23.9%)	Assault (23.8%)
Median Age at Release	33	32	32
SOURCE: U.S. Sentencing Commission's 2005 Recidivism Release Cohort Datafile, RECID05. Median age at release is shown for recidivist offenders only.			

Figure 2: Overview of Recidivism Study Findings

It is important to be aware of the most frequent timing for offenders to recidivate so we can know when supervision or other aid would be best in helping to prevent such actions.

Figure 3 from Hunt and Dumville (2016, p. 16) presents their study of offenders who recidivated upon release between their first year up to eight years after. It was found that the longer a person has been in society, the less likely they are going to recidivate. However, 49.3% ended up recidivating during their first eight years of being released. This means that half of the population of federal offenders studied had recidivated at least once upon release and had been caught for it. Supervision is found to be most needed during the first three years.

The issue of recidivism within the criminal justice system is vast. There are many risk factors that play a part in causing a person to re-

Rearrest Rates for Recidivism Study Offenders		
<i>Years After Release</i>	<i>%</i>	<i>Cumulative %</i>
One Year After Release	16.6%	16.6%
Two Years After Release	10.5%	27.1%
Three Years After Release	6.6%	33.7%
Four Years After Release	4.7%	38.4%
Five Years After Release	3.7%	42.1%
Six Years After Release	3.0%	45.1%
Seven Years After Release	2.3%	47.5%
Eight Years After Release	1.8%	49.3%

SOURCE: U.S. Sentencing Commission's 2005 Recidivism Release Cohort Datafile, RECID05.

Figure 3: Rearrest Rates of Recidivism Study Findings

fend after they have been released from prison. Because the criminal justice system's success is mostly based upon rates of recidivism, it is important for us to figure out the best ways to help offenders desist. Klingele (2019) explained:

While recidivism data tell us whether those exposed to various interventions re-offended during the follow-up window, they tell us nothing about the nature of the re-offense or whether the trajectory of a person's subsequent contacts with the law suggest a move toward desistance or away from it. (p. 801)

For all the information collected in these studies, we do not know what crimes these offenders committed and whether they were on the path to desisting more than recidivating. This is why it is crucial for us to be willing to help offenders seek treatment and education that fits their needs. Nobody has had the same experiences, and everyone comes from different backgrounds. We each learn and understand at different speeds and in different ways. Helping offenders receive what they need will help them to gain support they may not have already had and help them to overcome whatever they are facing.

According to figure 4 below, Prescott et al. (2020, p. 1688) found that “within any given age bracket, individuals released after imprisonment for violent crimes recidivate at a lower rate than releases who served time for any other category of crime” (2020, p. 1688). Perhaps as criminals who were originally imprisoned because of a violent crime are released, they decide to commit crimes that are less likely to gain the attention of the police. They also might be supervised more frequently than others who have committed lesser crimes and have fewer opportunities to recidivate. This can make it so that they cannot go against the law as easily as others can. As seen in the table above, the older the prisoner is, the more likely it is that they will not recidivate, which means there can be more focus on younger populations.

PERCENTAGE OF RELEASED POPULATION WITH NEW-CRIME REINCARCERATION WITHIN THREE YEARS FOR ANY OFFENSE BY AGE ²¹⁴						
Crime Category for Prior Imprisonment	Age at Release From Prior Imprisonment					Any Age
	18-24	25-34	35-44	45-54	55+	
Violent	14%	9%	7%	4%	1%	9%
Property	17%	13%	10%	8%	5%	12%
Drugs	12%	8%	6%	5%	3%	8%
Public	17%	10%	8%	6%	4%	10%
Other	12%	8%	5%	2%	3%	8%
Any Crime	15%	10%	8%	6%	3%	9%

Figure 2: Overview of Recidivism Study Findings

Overpopulation in the prison system is also a problem. Many times, prisoners will be released before they should be to make room for newer prisoners. “Policies that seek to shrink the expansive prison population while ignoring prisoners who have committed violent offenses will fail to address the core of the problem and will likely exacerbate existing inequalities in the criminal justice system” (Prescott et al., 2020, p. 1697).

Studies can never be conclusive because there are always be factors that were not taken into account. One such limitation that Prescott et al. (2020) had from the data in their study was that

the data have important limitations: we are unable to label a new imprisonment as recidivism when an individual reoffends across state lines (which is also a problem in earlier studies), we must rely on potentially inconsistent voluntary

state reporting, and we depend on the accuracy of publicly available data in which individuals are matched across observations by a third party. (p. 1683)

Knowing and understanding what a study does not include can help to direct research on other aspects of recidivism that have not been focused on before. For example, offenders, once they are allowed to, might move to another state and recidivate there, but it cannot be considered recidivism in that state as it is often their first crime there.

The data confirm that recidivism is a very serious issue in the criminal justice system. Within three years, about half of the prisoners released will recidivate and be rearrested for crimes. This places society under risk for potential issues that would not have happened if the offenders had been kept incarcerated. However, characteristics of prisoners, such as sex, race, age, and most serious offense, can show us some of the best ways to resolve these issues before they become a problem. It can help us to know who is more likely to recidivate and need more supervision upon release.

Those who are least likely to recidivate are females between the ages of 35 and 39 who committed public order offenses (Alper et al., 2018); therefore, they need less supervision because they are most likely to succeed with their release. The offenders who have committed drug crimes will need the most supervision because that is the category with the most recurring offenses. Understanding what motivates these individuals based on their characteristics and crimes can help us take more effective and beneficial preventative measures.

Because there are different ways to measure recidivism, clear communication among entities supporting offenders is important. Each way to measure has different median times when offenders happen to recidivate. About half of offenders will be rearrested after 21 months from their release while about 32% of individuals will be reconvicted after 30 months (Hunt & Dumville, 2016), and “most offenders who were reconvicted were reconvicted once” (Hunt & Dumville, 2016, p. 15). It is important to note that there are also individuals who may not get caught while recidivating, so the numbers may actually be higher than we know.

Being aware of how long it usually takes an offender to recidivate is important in preventing recidivism. Recidivism most commonly occurs within the first three years of an offender’s release date. About

sixteen and a half percent of individuals are rearrested during their first year of release (Hunt & Dumville, 2016). After eight years, almost half have been rearrested for recidivating (Hunt & Dumville, 2016). This information can help parole officers know when their supervision will be most beneficial in preventing an offender from recidivating based on past statistics for individuals who have committed similar crimes and have similar characteristics.

Having access to data and statistics on past recidivism rates can greatly impact the criminal justice system. Studies have shown who is most likely to recidivate and for what crimes. This information can help police officers, parole officers, and members of the Board of Pardons and Parole make better decisions on whom to release, and how to best prevent those who are released from recidivating. It is important to help offenders desist from committing crimes the best way that we can by improving the criminal justice system.

In order to decrease recidivism rates, there must be assurance that prisoners have the desire to desist from their previous criminal lives upon release from their prison. Soyer found that teenagers “began to reconsider the choices they had made” and that “rather than conceptualizing their future desistance in positive terms, their desire to refrain from future criminality was motivated by avoiding future constraint” (2014, p. 98). The idea of not being confined was one of the greatest factors in helping juvenile delinquents change their behavior and work harder at desisting their crimes altogether.

Some people do not mind being imprisoned because they have no homes and lack support from others. Consequently, many will seek ways to be imprisoned in order to receive a roof over their head and have three meals a day. Therefore, we as a society need to build more shelters and keep them sanitary so that everyone has a place to live. Providing for the basic needs of the community is a step in reducing recidivism rates across the United States.

We must be aware of what prisoner’s areas of interests and desires are because those factors drive motivation. Soyer notes that “interests and desires . . . could potentially sustain [criminals] on a path of desistance” (2014, p. 104). Whom one spends time with is usually a factor in what a person is interested in. Criminals who spend time with other criminals may lead each other down rougher paths, and that will likely motivate them to recidivate. Unless they have other people they are

affiliated with, they will go back to being with the same people as before, which increases their chances of recidivating.

Work can be increasingly hard to find once a prisoner has been released. Due to lack of education and background that does not fit what an employer is looking for, criminals have a more difficult time gaining an income that can help them achieve a better lifestyle. As Giordano et al. (2002) explained it, "The solid manufacturing jobs that may have been associated with desistance . . . are not generally part of the economic landscape these [criminals] have inhabited." Instead, most prisoners are fighting to pay back monetary fines while trying to take care of themselves and their families. If jobs can become more available for criminals, and they receive more education, their lifestyles can change for the better.

Treatment programs are a great way to help individuals with issues such as those who abuse drugs. They are a way to help educate and develop plans to assist criminals with overcoming their addictions and other problems they have been experiencing in their lives. Giordano et al. (2002) explained what these programs can do for prisoners:

Treatment programs provide the [criminal] with a well-developed linguistic and cognitive guide to the change process. That is, they offer the [criminal] a great deal of specific detail about how one is to proceed as a changed individual. We refer to this as a kind of cognitive blueprint. (p. 1035)

Many people have shown vast improvements after they have gone through specific treatment programs. Though not all treatment programs work for individuals for various reasons, programs have been very beneficial and educational for criminals because they are able to learn more about what they are going through and are given the option to learn to do better things for themselves.

In conclusion, criminals struggle to find a place where they belong once they are released from prison or jail. It is hard for them to gain the support that they need to help them establish good habits in their lives. Giving offenders the education and support they need can help them in their process of desisting. Restorative justice programs, drug courts, and other treatment programs tailored specifically to the offender can help to reduce issues involved in their rehabilitation so that they are less likely to recidivate and return to prison. Considerable stress and pressure come with being released into society after spending years in

prison. It is important to keep all these factors in mind in order to develop the best programs to resolve issues released prisoners may have in their futures.

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Mandatory Sentences Report

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Abstract

Mandatory minimum sentences sound great in theory, but they actually do more harm than good. From my perspective as a parent, the idea of guaranteeing that criminals are taken off the street for X amount of time for X offense is appealing. Upstanding contributing members of society would view this as a serious win—after all, what sane person wants a known active criminal perusing down Main Street while their kids are playing at the park across the street? However, one thing that we fail to understand as a society is whether or not these mandatory minimum sentences—particularly those relating to drug offenses—are actually doing any good. Studies suggest that they are often not fair to the offender and are even less so to the offender's family. Although it is true that drugs can and do destroy family relations, our mandatory minimum sentencing structure is also a serious factor in separating families, and we can do better. We need to be more focused on the intervention for offenders and less so on the punishment—especially for first-time offenders.

Introduction

This paper explores mandatory minimum sentencing for drug-related charges, particularly its effectiveness, and identifies the level of racial disparity resulting from this sentencing structure. To achieve the highest level of understanding on this issue, we investigate this issue by looking at mandatory minimums on a national level because demographics vary depending on location. Thus, the public's perception of this issue would vary by region, which would otherwise create bias and

would question the validity and integrity of this study. Researching this topic on a national level provides us with a much larger population sample size, which, in turn, provides more accurate results. The common public perception is that mandatory sentencing is adequate and justified, and that it is important to have a goal to get all criminals off the street. Thus, we perceive that mandatory minimum sentencing is effective and that, in theory, it creates no racial disparity.

Through my research I have discovered that the opposite is true, and I want to illustrate to you that mandatory minimum sentencing is ineffective and creates racial disparity, and that changes to this sentencing structure are urgently needed in order to facilitate a sentencing structure that prosecutes criminals fairly in a truly just and effective way that will reduce recidivism rates and positively impact our communities. I will demonstrate how mandatory minimums target African Americans, and that it is not just happenstance. I will discuss the effectiveness of mandatory minimums and the impact that they have on the lives of those who become subject to these minimum sentences and address the racial disparity that results from this sentencing structure. I also examine the impact of mandatory sentences on the families of those sentenced. At the conclusion of this article, I address current criminal justice issues—especially regarding how African Americans and other minority offenders are sentenced for drugs offenses—and other crimes that are associated with mandatory minimum sentences.

The Perception and Reality of Mandatory Minimum Sentences

There are some topics within criminal justice where the perception and reality of the issue are often quite different. The issue of mandatory minimum sentences, however, is not. The perception and reality, in general, are closely aligned.

Perception

The *New York Times* published “The Trouble With Mandatory Sentencing,” an article that illustrated the viewpoint of many Americans regarding this subject, which is, simply put, that criminals are people: “They are our parents and children, friends and neighbors. Our laws need to be updated to recognize the inherent humanity and potential for transformation that live in all of us” (Ring, 2019). However, this

does not necessarily mean that we should treat them like toddlers who sneak into the cookie jar in the middle of the night. These individuals are committing crimes and should, therefore, be held accountable for their actions.

The perception is that people who commit crimes are like you and me in the sense that they belong to a family, they are loved by someone, and, most importantly, they make mistakes. They should not be treated like basketball players whose punishment for committing a foul is clearly outlined in a rule book. People convicted of crimes, their circumstances, and their backgrounds are all unique, and their cases should be treated as such. Ring adds that “judges should have the authority to consider all the relevant facts about the crime and a person’s life before imposing punishment” (2019). Judges should be able to do what is best, and the most just, for society and the offender. In most cases, mandatory minimums are preventing people from getting the treatment and/or services they need.

Reality

The realities of mandatory minimums are too punitive to be effective in the rehabilitation efforts for first-time and repeat offenders (Snyder, 2015). This is because mandatory minimum sentences have removed the judge’s original authority to deliver judgement to those convicted. Sentencing power is stripped from judges and given to the prosecutor, whose job is to ensure the offender is found guilty of the charges brought against them. Thus, defendants usually plead guilty in order to get a smaller sentence, which removes the factual and legal basis from the offender’s defense—factors that judges would otherwise be able to consider during sentencing. Additionally, because the prosecutor’s goal is to obtain a guilty verdict, if a defendant fights the charges, it often results in a longer sentence because the offender is not taking responsibility. Mandatory minimums remove the ability to achieve justice in individual cases (Criminal Justice Policy Foundation, 2017).

To illustrate the reality of the issue regarding mandatory minimum sentences, offenders who are found guilty of selling drugs would receive the same punishment as a powerful drug leader—even if it was this person’s first time selling drugs. Another issue surrounding mandatory minimum sentences is that this sentencing structure has resulted in larger prison populations. Mandatory minimum sentences cost US

taxpayers a lot of money. Since 2000, the federal prison budget has increased by more than double. In 2017, the budget was 7 billion dollars, which averages out to be \$32,000 per inmate (CJPF, 2017).

Issues with Mandatory Sentencing

Mandatory sentences are the “catch all, send everyone to jail” sentences for offenses that are often victimless crimes. Such sentences are thought to serve as a crime deterrent. Understanding that dealing drug X will land you in jail for a minimum of X years is theoretically a great way to prevent crime. Unfortunately, mandatory minimum sentencing isn’t common knowledge, and many people are forced to learn the hard way; this frequently leads to recidivism. Many who receive minimum mandatory sentences are African American because they are targeted for drug offensive crimes. Through my research, I have found many articles and studies that discuss the fairness of mandatory minimums and the impact they have on the lives of those who become subject to these minimum sentences and the impact on their respective families.

Danielle Snyder’s research illustrates that mandatory minimums are anything but fair. She points out that mandatory minimums for drug offenses directly target those in the underprivileged African American community. This implies that although the mandatory minimum sentencing strategy was not purposefully intended to target the underprivileged African American community, the impact of this sentencing structure is still disproportionate. Thus, when we view the effects that stem from mandatory minimum sentences, we can clearly see that “the real victims of [the war on drugs] are the disadvantaged members of the African-American community, who continue to be the chief target of the drug war’s harshest weapon—mandatory minimum sentences” (Snyder, 2015, p. 118). This is because the mandatory minimum sentences are unfairly applied to low-level, non-violent, drug offenders. Targeting these individuals directly impacts their families and the community. Mandatory minimums “have exacerbated racial disparities by impeding the growth of black men and black communities and contributing to the lack of black male figures in households, single parent homes, homeless families and even a decrease in education” (Gillon, 2018). Although drugs themselves often destroy families, the criminal justice system is also to blame. In a report sent to the United Nations

by The Sentencing Project, they discuss how racial disparity “pervades the U.S. criminal justice system, and for African Americans in particular” (2018). They mention that African Americans are 5.9 times more likely to be convicted and serve longer prison sentences than white Americans. This single statistic shows us that something is wrong, and one of the contributing factors to this statistic is the biased use of discretion (The Sentencing Project, 2018).

Fischman and Schanzenbach’s studied “doctrinal changes that affected judges’ discretion to depart from the [Sentencing] Guidelines,” and found “that racial disparities are either reduced or little changed when the Guidelines are made less binding” (Fischman & Schanzenbach, 2012, p. 729). In other words, through Fischman and Schanzenbach’s research, they discovered that mandatory sentences were advised by the Supreme Court, and racial disparities increased as a result of mandatory sentences. In 1993, Marc Miller and Daniel J. Freed also illustrated this point in an opinion piece that Blakemore brilliantly summarized as follows in his annotation: “The onset of mandatory minimums has shifted discretion from the judges to prosecutors and caused higher trial rates and often resulted in punishing minor offenders more than major offenders they are already targeting” (1998). One thing to consider from this statement is an idea that originates from the Blackstone ratio being that “better that ten guilty persons escape, than that one innocent suffer” (Volokh, 1997, p. 174). If this sentiment is true, should this principle also apply to drug offenses in an effort to eliminate racial disparity? It is better that one major offender be under-punished, than harshly and disparately punishing 10 minor offenders.

The Sentencing Project (2018) illustrates that prosecutors are twice as likely to charge an African American with an offense that results in a mandatory minimum sentence than white Americans in similar circumstances. Additionally, in a separate study, Starr and Rehavi (2013) concluded in their research that since the implementation of judicial discretion, racial disparity has decreased. Thus, we see that mandatory minimum sentences target underprivileged African Americans. Levy-Pounds claims through her research that “immense damage . . . has resulted from [Congress’s] current approach [to fighting the war on drugs]; an approach that, in addition to having a discriminatory effect on African American women, has also been largely ineffective in addressing the drug trafficking problem in the United States” (2007, p.

286). Levy-Pounds indicates that these mandatory sentences target the most vulnerable poverty-stricken individuals in our society—women of color and their children (2007). Going back to the report written by The Sentencing Project, all 50 states enforce some form of law that focuses on drug-free zones and populations with a high urban density. As a result, these laws disproportionately affect individuals living within these areas. For example, a study published by The Sentencing Project found that in New Jersey 96% of the people who were subjected to these Drug-Free zone laws were minority groups comprising of mostly African Americans and Latinos (The Sentencing Project, 2018). Another statistic that illustrates the issue of racial disparity is that even though African Americans only represent 37% of the United States population, racial disparity is found when an astonishing 67% of the prison population are people of color (Gillon, 2018).

Figure 1 illustrates that during Ronald Reagan's presidency, the Anti-Drug Abuse Act established mandatory minimums of five-year prison sentences for five grams of crack and 10 years for 50 grams of crack. This graphic also illustrates the high level of racial disparity that

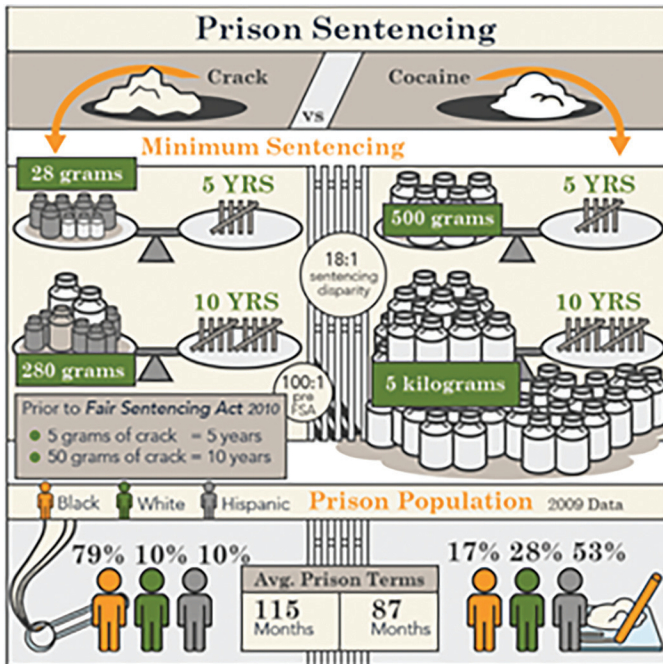


Figure 1: Prison Sentencing (Gillon, 2018)

results from mandatory minimums: people of color make up 79% of the prison population for drug offenses involving crack; white persons make up only 10% of the prison population for the same offense.

The right side of the graphic shows the contrast between crack and cocaine and the level of racial disparity that results from the similar offense. The numbers clearly illustrate that a problem exists with the sentencing structure we know as mandatory minimums. When looking at the statistics for offenses involving cocaine on this same infographic, Gillon (2018) illustrates that African Americans are six times more likely to be incarcerated than Caucasians, and Hispanics are more than twice as likely to be incarcerated than non-Hispanic Caucasians. Thus, we see through the visual representation in Figure 1 that racial disparity does indeed exist.

Under the 100:1 power-to-crack cocaine sentencing ration referenced in figure 1.1, African-Americans serve longer prison sentences for crack cocaine than for the equivalent amount of powdered cocaine. Additionally, Gillon (2018) also illustrates the likelihood that a United States citizen born in 2001 would become imprisoned for various ethnic groups, including Caucasians, to further demonstrate the racially disparate impact of mandatory minimums. One in three Black men are likely to become imprisoned. There is a 1 in 17 possibility that a white male will be imprisoned. The statistics for the respective counterparts of the aforementioned groups show a 1 in 18 likelihood that a woman of color will be incarcerated, as opposed to 1 in 111 white women.

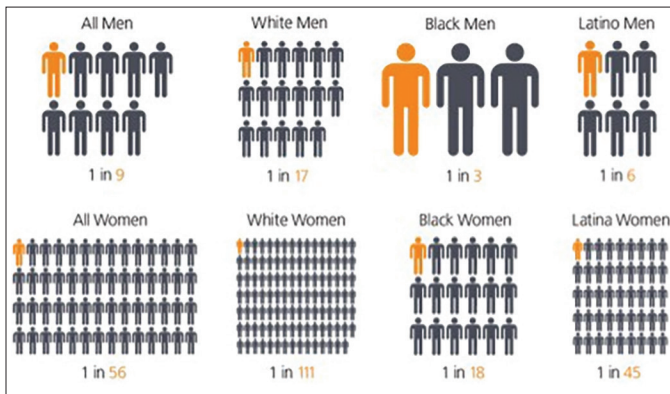


Figure 1: Likelihood of Imprisonment for US citizens born in 2001
(Gillon, 2018, citing Bureau of Justice Statistics)

These advised sentencing guidelines are unjustly destroying families of color, which then results in children following the same path later down the road. “Mandatory minimums became the new Jim Crow Laws, as discussed in Michelle Alexander’s book *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, and these laws have prevented many from becoming productive members of society by punishing black men at a young age” (Gillon, 2018). One of the compounding issues that pertains to mandatory minimum sentences is that mandatory minimums often implicate the rehabilitation process of drug offenders. The byproduct “is that many offenders will cycle through the criminal justice system repeatedly. Over time, as offenders repeatedly cycle through the criminal justice system, the small disadvantages suffered in each sentencing episode grow and may become *substantial* disadvantages” (Mitchell & MacKenzie, 2004, p. 13, emphasis added). This is a destructive cycle of systemic racism caused by mandatory minimums and desperately needs to be brought to an end.

Solutions for Mandatory Minimums

The easiest solution to this problem is to eliminate mandatory minimum sentences. As outlined earlier, this type of sentencing structure adversely affects minority groups—particularly African Americans. In the United States of America, judges should be urged and allowed to be able to treat every case individually. No two criminals are the same. They may have a similar upbringing, engage in similar criminal activity—but ultimately, everyone is unique, and they should be treated that way (Fischman & Schanzenbach, 2012). The Sentencing Project illustrates that “Mandatory Sentences do not eliminate discretion in the courtroom—they simply shift it from judges to prosecutors, thereby reducing transparency in decision making” (2018). We need to put the discretion back into the judges’ hands—not the prosecutors’.

In addition to eliminating mandatory minimums, all 50 states need to adopt some sort of policy that requires legislators to produce racial impact statements for proposed legislation. The use of racial impact statements will help prevent any unintended effects of racial disparity because such a policy would allow legislators to analyze and assess any possible disparate racial consequences that could result from their proposed legislation before it is enacted.

One of the underlying issues that comes with judicial discretion is

racial bias. To combat racial bias, we need to develop and implement a training at every level of our judicial system—including judges, prosecutors, attorneys, public defenders, and law enforcement officers.

For many years, the United States has been so focused on mass incarceration, mainly because it is a simple and convenient solution to all the difficult questions that no one wants to answer. The disparate effects of mass incarceration are apparent when looking at mandatory minimum sentences and it is time that the United States government put an end to the inequalities they have been fostering and perpetuating that so clearly violate the ethics of today's society and the commitments that have been made through the International Covenant on Civil and Political Rights (The Sentencing Project, 2018).

Conclusion

Underprivileged African American individuals are unfairly punished for essentially living the only life they have ever known. They do what they must to survive. If our judicial system were to take a step back and see the problem that is being exacerbated by imposing mandatory minimums on these victimless crimes, they would see that reform is needed. We need to focus more on treatment and allowing judicial discretion for these types of crimes. Understanding the living conditions of these individuals—putting ourselves in their shoes—we would see that the treatment they receive is unjust and that we need to do better. Those who would normally be subject to mandatory minimum sentencing deserve to be treated with equity and individuality in accordance with their circumstances. The families of those who are impacted by this sentencing structure need us to help them improve their situations—not continue to make it worse. Rehabilitation is key (Snyder, 2015, p. 118).

We need to shift our mentality and focus away from answering questions like, “Does the punishment fit the crime?” to “Does the intervention meet the needs of the individual?” Eliminating mandatory minimum sentences will free up all the of the resources that have been diverted towards incarceration and punishment and can then be focused on prevention and treatment initiatives which will produce a more effective and restorative approach to reducing crime. It will help improve the lives of the offenders and their families. Children of offenders will no longer only be able to know their mother or father

through the rushed, inconvenient, and intimidating visiting rooms within prison walls. Our Pledge of Allegiance states that we desire and promote “liberty and justice for all”—we desire freedom and fairness for every individual in the United States. Not just white Americans, not just African Americans or any other minority group—but to all. Now is the time to put to rest the racial injustice that our country and criminal justice system was built on for good. Let us step up to the plate and eliminate mandatory sentencing and take the necessary steps to ensure that our criminal justice system’s sentencing structure treats everyone equally, fairly, and most importantly, in a manner that is rehabilitative and less destructive.

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Police Encounters with the Mentally Ill

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Abstract

People with mental illness (PMIs) can struggle to abide by societal norms because of their conditions. Consequently, PMIs have higher frequency rates of encounters with the criminal justice system than the rest of the population. Herein will be discussed the interactions that police have with the mentally ill on a regular basis. The paper begins with a brief explanation of the scope of the issue and an analysis of perceptions versus the reality of the matter. Accounts of police interactions with the mentally ill will be presented, followed by an evaluation of the effects of the criminal justice system upon the mentally ill. This paper will explain struggles faced by PMIs involved in the criminal justice process and discuss possible solutions for the overarching problems.

First Contact

Mental illness can be debilitating and even crippling for those who suffer from it. That is not to say that people with mental illness cannot be quite successful, cope with their symptoms, and even contribute greatly to society as many historical—and mentally ill—figures have.

However, living with a mental illness is certainly an immense challenge. When a person with a serious mental illness—schizophrenia, bipolar disorder, depression, and related disorders being the most discussed—goes through a mental break or meltdown, the expressed symptoms are often seen as an emergency by witnesses. Thus, whether the situation occurs in private or in public, the police are likely to become involved.

The unfortunate fact of the matter is that “in a mental health crisis, people are more likely to encounter police than get medical help” (National Alliance on Mental Illness [NAMI], 2019). A law enforcement officer is often the first point of contact between a PMI and society when the mentally ill person’s world is falling apart, perhaps even before the PMI is ever formally diagnosed. One study has found that not only do mentally ill people see the police first when experiencing a breakdown—they also encounter police more often than everyone else: “PMI participants were more likely than GSS (general population) participants to have contact with the police in the prior 12 months” (Desmarais et al., 2014, p. 431). There is a significant occurrence of police encountering mentally ill people when the latter are at their most confused and vulnerable. While this is arguably true in every encounter the police have with the public they serve, there are distinct challenges when officers are faced with the added component of mental illness.

Tragically, the higher incidence of encounter with the police can have irreversible, dire consequences for anyone with a serious mental illness (SMI)—such as severe bipolar disorder, schizophrenia, and severe depression—from those who have failed to take prescribed medication, to those experiencing the first mental breakdown they have ever had. For those who have not been treated, “the risk of being killed during a police incident is *16 times greater for individuals with untreated mental illness than for other civilians approached or stopped by officers*” (Fuller et al., 2015, p. 1). It is understandably bewildering, to say the least, to handle someone who is displaying symptoms of a mental breakdown, which can include screaming, running, throwing oneself on the ground, and threatening to cause harm to oneself or others through words or actions. Witnesses of an adult throwing themselves on the ground or yelling obscenities would be reasonably frightened and worry about escalation, and officers share in this human tendency. In these situations, it is difficult to realize and act on the fact that mental illness requires a different approach, which can be the difference between death and treatment for the PMI in question.

Although PMIs are quite rare, they make up a significant portion of those who die in police encounters:

Every credible source—official, academic or private—consistently finds that the sliver of the adult population with untreated severe mental illness (half the 3.3% of the total

adult population with schizophrenia or severe bipolar disorder) is victim in not less than 25% of fatal police shootings—and more likely closer to half of them. (Fuller et al., 2015, p. 6)

When someone is “out of control,” it is easy to attribute their behavior to them personally and view them as a threat that needs to be neutralized, especially in the fear of the moment. When officers encounter PMIs, the opportunity to help a uniquely vulnerable person can spiral terribly out of control.

Encounters

People with mental illness are not inherently violent. Even those with the assumedly nefarious title of “schizophrenic” are not less human nor more monstrous because of their diagnosis. In fact, Varshney et al. found that only 1 in 35,000 people diagnosed with schizophrenia are considered homicidally dangerous, and those with severe mental illness are much more likely to be the victims of violence rather than the perpetrators (2016). With that said, it is relevant to discuss a couple of incidents where PMIs were killed during a police encounter, so as to show some distinct elements of these encounters.

In 1987, a 27-year-old with a history of mental illness and comorbid substance abuse was apprehended in front of his mother’s house. The case was rather tense because Joseph Robinson (the PMI in this incident) had been “cutting himself and threatening people. According to the police officers, Mr. Robinson did not respond to verbal requests and ‘lunged’ at the officers, who shot him multiple times” (Rogers et al., 2019, p. 415). Of course, it would be reasonable to assume that one would comply with police requests, given that the person was of sound mind. However, Joseph did not respond the way a “typical” person would, which resulted in the officers using deadly force in order to subdue him. There is an inflated sense of danger when mental illness is involved because officers are unable to anticipate the PMI’s actions. This results in more extreme measures being taken than need be. Unfortunately, this means that other, non-deadly methods were passed up, and that Joseph would never receive needed treatment that could easily have resulted in his recovery.

There has certainly been a lot of societal progress in understanding mental illness in the last few decades. However, normal responses to

abnormal situations still abound in police encounters. In the case of *City and County of San Francisco v. Sheehan* (2015), a mentally ill woman

had brandished a knife and was threatening to kill her social worker. The police were called, and two officers entered Sheehan's room, where she grabbed the knife and threatened to kill the officers. The officers left the room, regrouped, and then re-entered in order to take Sheehan into custody. The officers again encountered Sheehan, who was still wielding a knife. After pepper spray failed to gain Sheehan's compliance, the officers shot her multiple times as she continued to advance on them. (Harr et al., 2018, p. 101)

In these circumstances, it is understandable that officers would react to erratic and violent behavior as they did—however, a different approach is needed when mental illness is factored in.

It is notable that in both cases, a violent PMI with no firearm was shot multiple times after threatening to harm or kill others. The level of force with which they were subdued was deadly, even in the case where officers had time to regroup and think on their strategy. Much of what happened in the Sheehan case would have been advised against by a psychological professional: the officers entered all at once, crowded into a small place, and invaded Sheehan's personal space, for a start. Officers also took the threat of death as seriously as they would have for someone who was saying it with the intention of a typical individual. Both cases had blood-pressure-raising circumstances, but reactions toward aggressive PMIs must still be different from those toward mentally healthy aggressors, and the inflated sense of danger brought about by the unpredictability of PMI behavior must be accounted for.

The court case, *City and County of San Francisco v. Sheehan*, resulted in an undecided verdict on whether ADA laws protecting those with disabilities apply to the mentally ill—the justice system as a whole is uncertain of what to do about PMIs.

Effect on the Mentally Ill

An inability to interpret the behaviors of PMIs results in higher rates of incarceration for this vulnerable population for every level of legal violation. In fact, “2 million people with mental illness are booked into jails each year. Nearly 15% of men and 30% of women booked

into jails have a serious mental health condition” (NAMI, 2019). People who suffer from mental illness may struggle to recognize and heed laws due to disorganized thinking—or as the result of symptoms of their illness—and therefore have a higher likelihood of breaking the law incidentally rather than intentionally.

To further deconstruct the idea of mentally ill people as inherently violent, the National Alliance on Mental Illness (NAMI) explains that “the vast majority of the [incarcerated] individuals are not violent criminals—most people in jails . . . have not yet gone to trial, so they are not yet convicted of a crime. The rest are serving short sentences for minor crimes” (2019). Instead of receiving Cognitive Behavioral Therapy, being prescribed a proper medication, or another effective method of behavioral redirection and healing, PMIs are going to jail.

Part of the problem is a massive shift away from mental health facilities: “The number of public psychiatric beds in America has plunged more than 90% since the 1950s while the US population has nearly doubled” (Fuller et al., 2015, p. 11). Those who cannot be housed in mental health institutions are subsequently sent through the criminal justice system—the best-case scenario once this juncture has been reached is for the PMI to be introduced to a Mental Health Court, which is inclined to accept non-violent offenders charged with minor crimes (Utah County Attorney, 2017; Wolff et al., 2011). Unfortunately, this is often not the case, “with 64 percent of jail inmates, 54 percent of state prisoners and 45 percent of federal prisoners reporting mental health concerns” (Collier, 2014). Collier refers to a National Research Council report from 2014.

Statistics regarding prison inmates confirm that a problem exists. From “10 percent to 25 percent of U.S. prisoners suffer from serious mental illnesses, such as major affective disorders or schizophrenia. . . . That compares with an average rate of about 5 percent for serious mental illness in the U.S. population” (Collier, 2014). The problem may be more extensive than this, however, as “individual facilities report that up to 50% of the prisoners in their facilities have a mental illness” (Fuller et al., 2015, p. 11). Compounding the harm that PMIs face without receiving proper treatment is the fact that “incarceration of mentally ill individuals increases recidivism and criminal acting out” (Utah County Attorney, 2017). Mental illness is not something one just “unlearns” with punishment, and being imprisoned exacerbates symptoms.

People with mental illness—if they are not killed in their initial encounter with the criminal justice world—will likely become worse once they are confined, devolving into more unhealthy behaviors because of their incarceration.

Struggles in Addressing the Issue

There are two major issues that must be overcome in order to remedy the problems of police encounters with the mentally ill. The first is a lack of reliable and sufficient reporting, and the second is the lack of resources police face regarding the issue—these are interconnected dilemmas.

A study conducted on addressing mental illness in the criminal justice system found that there is an overarching problem in the reporting of this subject. According to Fuller et al., a strange “feedback loop” has developed: the government seeks to provide data on mental illness and crime but cannot provide accurate statistics because of a lack of standards for this field of study. They then turn to independent sources to provide the best data. Independent sources, in turn, rely upon government sources in order to attain the same goal, and the data that is produced (such as the very rough estimates that were retrieved from the depths and presented in this report) is a result of government and independent data hacky-sack (Fuller et al., 2015). This is in part because, as Rogers et al. assert that “individual programs demonstrate differences in terminology and thresholds to identify an encounter as a mental health crisis” (2019, p. 418). The lack of standards has everyone who is involved in studying this issue chasing their tails.

The “First Contact” section states that PMIs are 16 times more likely to be killed in a police encounter, a statistic that has been recounted in multiple news articles and has become common knowledge for those who study mental illness in the context of criminal justice. However, because of the reporting skew, “31%–41% of likely fatal law enforcement encounters are still not captured” (Fuller et al., 2015, p. 2). This means that there are likely more deadly encounters with the police for PMIs than the already immense number that has been communicated. The broad range of estimates for mental illness within jail and prison populations also reflects the lack of precise data. Police departments and mental health initiatives, as a result, are crippled in their ability to achieve funding to address the issue because of a lack of

“solid” evidence. This is itself a loop that keeps the criminal justice system from getting started on the problem effectively.

Resources are impacted by an inability to secure funding as well because of the vast effect of mental illness on the criminal justice system. While they number

fewer than 4 in every 100 adults in America, individuals with severe mental illness generate no less than 1 in 10 calls for police service and occupy at least 1 in 5 of America’s prison and jail beds. An estimated 1 in 3 individuals transported to hospital emergency rooms in psychiatric crisis are taken there by police. (Fuller et al., 2015, p. 1)

The minute portion of the population that suffers from mental illness requires much more time and manpower from the justice system. This is troubling, considering the prevalent lack of support for mental health initiatives and the increased risk of death for PMIs which police calls result in. Let me be clear: this is not an initiative for those who call the police to deescalate the situation themselves—although in an ideal world perhaps everyone would be mental health and neurodiversity conscious, that is unrealistic in modern times. The problem—for the professionals who have mentally vulnerable people’s lives in their hands a daily basis and for these people who have to live with that statistic as a reality—is already immense, and it has been found to be trending upward.

A survey conducted by the Mental Illness Policy Organization (an initiative aimed at raising awareness and support for policy change by way of thorough independent study and involvement) found that 84.28% of respondents were seeing an increase in the PMI population, and 70.7% said the time spent on PMI calls—which “take significantly longer than larceny, domestic dispute, traffic, and other calls”—had increased (Mental Illness Policy Organization, 2019). Most relevantly, “56% said the increase in calls is due to the inability to refer mentally ill [patients] to treatment and 61% said more persons with mental illness are being released to the community” (Mental Illness Policy Organization, 2019). Police take PMIs into custody and then become part of the process for directing PMIs toward resources. Unfortunately, officers can be unaware of resources available within the community and are unequipped to properly usher the PMIs through the next steps of such a process. If a person suffering from a mental illness is released from

custody, they still face the same troubles that they did before their encounter with the justice system, which will inevitably lead to another call for help that is likely to end in much the same way, with yet another possibly perilous encounter.

Additional dilemmas are encountered by departments located in rural areas, where officers are already stretched thin and act as transporters to faraway mental health facilities, at times on their days off (Mental Illness Policy Organization, 2019). In fact, most departments are at a loss to confront this increasing problem, given that “most U.S. police officers work within small, local departments with limited resources. Half of all agencies have fewer than ten officers, and nearly 75 percent have fewer than 25 officers” (Rogers et al., 2019, p. 416). The majority of departments simply do not have the time, funding, or staffing to expand their responsibilities, even for solutions that would make an immense impact if implemented.

There do exist opportunities to pursue training that have had promising results—Crisis Intervention Teams, which are discussed in a later section—but these initiatives also have a crux: “The core element of CIT [Crisis Intervention Teams] involves 40 hours of training, usually for officers who are voluntary and self-selected” (Rogers et al., 2019, p. 417). This solution requires that officers, who are most likely already overloaded with calls and other responsibilities, pursue a significant amount of training on their own time. Department resources and an officer’s personal resources are exhausted by current working strategies for addressing PMI calls.

Many possible solutions hinge upon the inevitability of encounter, which inherently increases the danger to PMIs and officers in that the possible solutions “all require that [individuals] with mental illness deteriorate sufficiently to become [subjects of] a police incident before [the solutions] are activated” (Fuller et al., 2015, p. 11). Essentially, police must wait for severe mental illness to manifest before they can do anything about it—this causes actual danger to individuals involved as well as an inflated perception of danger to the public once the incident is publicized, which, in turn, escalates the false idea that mentally ill people are especially violent. Police can only go so far in their responsibilities—they cannot manage the entirety of the issue of mental illness on their own.

Perception Versus Reality

According to a study published by the American Psychological Association, people with mental illness viewed police in a somewhat less positive light than did the general population, accounting for sociodemographic differences (Desmarais et al., 2014). It was concluded in this publication that the most important thing to the PMIs surveyed was fair and equitable treatment. It can be inferred from this data that the perception of police by those with mental illness is somewhat negative. As in most studies on the subject, it was found that PMIs were more likely to encounter the police than were members of the general population.

A survey noted by the Mental Illness Policy Organization (MIPO) found that seasoned police officers across the nation have observed a rising problem with mental illness. Not only have a significant majority of officers observed an increase in the frequency of encounters with the mentally ill, they also report that the calls involving the mentally ill take longer than calls for other serious situations (MIPO, 2019). Officers have also noted the need to expand their ability to refer the mentally ill to a proper facility, a measure which is well worth looking into, considering the prevalence of these encounters.

Police often receive the first call people make when they witness a person having a psychotic break or a meltdown (these can also occur in the neurodivergent population—although neurodivergence and mental illness are not the same, it is relevant to mention this population because many of the circumstances overlap), and this results in police being the first contact for the mentally ill during an episode. “Police are being forced to be mental health counselors without training,” said Jim Pasco, executive director of the . . . largest police organization in the country” (Szabo, 2016).

Although there have been formations of Crisis Intervention Teams, the number of officers trained in crisis intervention for these purposes is quite limited. The unfortunate reality is that while officers are typically the first to make contact with those suffering from mental illness, departments across the nation are largely untrained in how to deal with these situations. While efforts are being made—by advocacy groups, psychological associations, and police departments—to increase understanding of mental illness and how it should be approached, there is an ocean of progress that still needs to be traversed.

Promising Solutions

All potential solutions require a connection between mental health resources and law enforcement. This is a necessary component in any solution because mental illness is a frequently encountered problem, one that requires specialized knowledge to avoid escalation while dealing with the immediate situation.

One potential solution for a given department is to provide their officers education on mental health resources and to make each officer competent in how to handle encounters with the mentally ill. This allows officers to be their own mental health consultants—however, this solution can only do so much. Knowing about critical resources for the mentally ill within the community would do wonders for those who need them. However, officers taking it upon themselves to know everything necessary for handling an encounter with a PMI could exhaust themselves in the enormity of the task and spread themselves even more thinly than before, or they could potentially not learn enough and be woefully inadequate for the task.

Another solution would be to introduce mental health specialists into police departments.

Doing so allows for a concentrated resource to be available for mental health questions and could come in the form of a single consultant per department, a team of consultants per county, or an officer assigned specifically to be a liaison between police departments and mental health resources. The solution requires time and funding to implement across the board, especially if the option to employ behavioral health specialists is pursued. It would also still be quite a limited option, although it would give an opportunity for officers to develop their own knowledge of mental health issues if they opted to expand their skills.

Crisis Intervention Teams combine both options. They consist of specially trained police officers who can respond to calls for mental health crises and assist officers who do not have CIT training. Although these teams were initially quite limited, their uptake by police departments has been fast and widespread, even expanding to the international community. As of 2019, 15–17% of departments deployed CITs, although they can have a widespread effect, depending on whether the area is urban or rural (Rogers et al., 2019). Clearly, there is room for growth here—CITs have been employed extensively already, and the

implementation has been successful (Bureau of Justice Assistance, 2019). For example, in Portland, Michigan, all officers are CIT trained. However, it can be difficult to implement these teams where resources are limited, such as in small or rural departments.

Another method for diminishing instances of escalation in police encounters with PMIs is to avoid the encounters altogether by way of prevention. The Treatment Advocacy Center prescribes directing efforts toward lowering barriers for the proper treatment of the mentally ill so that they do not reach the point of needing police intervention (Fuller et al., 2015). This shifts the focus back onto the behavioral health field, but the means of accomplishing this goal are unclear. While “lowering the barriers” in general may be arbitrary, developing a better understanding of mental illness in connection to crime may be worthwhile in order to create more efficient programs and interventions for treatment of PMIs.

A major way to address the issue is with inter-field cooperation, a movement which would have to develop over a long period of time or consist of an upheaval—the former is more likely. Departments are already beginning to partner with professionals in the behavioral field in the form of Police–Mental Health Collaborations (PMHC), a move that shows major promise (Bureau of Justice Assistance, 2019). This includes such formations as CITs, mental health liaison programs, mobile crisis teams, co-responder teams, and case management teams. These specialized groups involve inter-field teams working to provide effective initial responses and redirection to proper resources for PMIs who come in contact with the criminal justice system.

Unfortunately, Police–Mental Health Collaborations are not yet a concept that is in full bloom. As criminal justice students, we could be aware of the mental health issue and actively seek to partner with behavioral health departments once we are in the field, if we are not already working within it. Current law enforcement can take the same route and work to strengthen this crucial bond between behavioral health resources and their own workplace.

Conclusion

It is clear from the explored sources that the first contact a mentally ill person will have after a breakdown will likely be with the police. This is overwhelming for law enforcement officers, who spend more time

and resources on mental illness calls than any other type of call. A significant population of those arrested will have mental illness, and the officers who encounter them can be at a loss for how to refer these people to get help. The most relevant of these mental illnesses according to these sources include (but are certainly not limited to) schizophrenia, affective disorders, depression, and bipolar disorder.

Even with extensive resources available from outside agencies, a lack of knowledge causes major gaps in getting help for those with mental illness. When officers are not connected with community resources—or if there are sparse community resources available—people with mental illness are forced into the system, resulting in a high percentage of mentally ill people in jails and prisons. Similarly, the statistical data for the performance of countermeasures and the frequency of police encounters with PMIs is vastly ambiguous, especially data that comes from government sources. This results in an inability to direct resources, because not enough information is able to be gathered to justify such an allocation.

Programs such as Police-Mental Health Collaborations can be effective and have been successfully implemented repeatedly, but they have limitations on time, manpower, and the will of officers to seek this training on their own (which is typically what they must do). One body of research suggests that the focus should be on preventative measures—that is, ensuring that people with Serious Mental Illnesses are receiving proper treatment—to avoid encounters with the police altogether (Mental Illness Policy Organization, 2019). Responses that essentially interweave the behavioral health field and the criminal justice field tend to have remarkable success, and even better are solutions that expand and exercise community-based resources.

We are living in an era when the stigmas surrounding mental illness are actively being broken, making way for people suffering from serious mental illness to seek treatment without shame. This gives great promise for the future of law enforcement regarding the problem of police encounters with the mentally ill, in that resources are becoming more advanced and more normative. However, positive change cannot happen without proper catalyst and upkeep, which is incumbent upon every criminal justice professional. We can make an interweaving of the mental health and criminal justice field happen—we just need to be aware of the situation and participate in the process.

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Perception and Reality of Community Policing

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Abstract

Police and law enforcement are vital parts of society in America and countries around the world. Communities change constantly, which creates new demands of police officers. The function and goals of police have changed since the start of policing in America. The constant transformation of police work is associated with the diverse factors that affect police and community relations. The perception and reality of the work and relation of police officers with the society they are a part of changes constantly. Media and news may cause the perception of police officers to be different from the reality. Different groups perceive law enforcement differently when determining their reasonableness in situations, but in reality, the police most likely made the same choice that many people would make if they were put in that situation. Research reveals the many factors that affect the relations of police suggests that law enforcement should regain trust and companionship with a broad range of demographic groups in society representing arenas such as race, political party, gender, age, and education. The most recent response to call for change encourage community policing to be implemented in police departments across the country.

Police–community relations are a very important topic in society today. Having support from the community is an essential part of a properly functioning police department. People have issues with the way that police do their job, and groups cannot always peacefully work together. This national issue reaches local police departments. There was an era of community policing throughout America, but eventually that practice changed. Community policing should be brought back

and reintegrated in programs across the country. Citizens do not always trust the police and are not respectful towards them, which hinders the success rate of law enforcement. Most of the time officers are trying to keep societies safe, but people see it as a burden when police stop them. Community policing will begin to create mutual trust, and people can learn to work together with police in order to protect each other.

Although some officers abuse their power, they should not determine the fate of officers throughout the country. Police departments have the ability to engage themselves in the community and to show that they care about individuals. Working with young children and teenagers will help create a generation that will enjoy the presence of officers and work with them. Eventually those teenagers and young adults will grow up and teach their children that the police are the “good guys” and that they are always there when needed. If society sees officers doing their duties to the best of their abilities and showing they are there for them, society will realize officers are important. Having police involved in school programs and engaging in society will help create a mutually trusting atmosphere and develop stronger relationships for years to come.

Policing in America has changed drastically since the start of the United States. The first police department was established by Boston in 1838, five years later New York City added a force, and in 1851 Albany and Chicago followed (Potter, n.d.). Almost all large cities had police forces by the 1880s (Potter, n.d.). It is important to understand the history of police and how they interacted with society. This contributes to the relationship and support from the community. The mid-1800s to the early 1900s was considered the political era (Hartmann, 1988). During this era, police were controlled by the local politicians and had very little training (Community Policing, n.d.). Police were usually patrolling alone on foot so they knew their communities well, and they knew who was not from the area (Community Policing, n.d.). Since there was very little supervision and lots of discretion, some officers would “shake down peddlers and small businesses. Officers allowed gamblers, pick pocketers and thieves to go about their business in return for a share of proceedings” (Community Policing, n.d.). This led to bad community relations and caused some people to view police as corrupt. Eventually reform became necessary, and police departments changed.

The professional era, or reform era, began in the 1930s and lasted

through the 1970s (Hartmann, 1988). During this era, police broke away from the control of politics and implemented civil service systems that created more regulated and monitored police departments (Community Policing, n.d.). This era brought major advancements and benefits across the country. Police departments began creating training programs and professional police training organizations were created to study, educate, and develop a stronger and better law enforcement (Community Policing, n.d.). This era was focused on “crime control and criminal apprehension,” which led to disconnection between the community and police (Community Policing, n.d.). The police and society created a culture of “us vs. them” due to the violent riots and extreme conflicts from civil rights movements and the Vietnam War (Community Policing, n.d.).

Following this era, studies began to find that “police-community collaboration was essential,” which led to the community policing era in the 1970s (Community Policing, n.d.) This era is still part of society today and should be further developed. The goals of community policing are to reduce crime, fear, and disorder as well as to show that the police department is listening and responding to feedback (Community, n.d.). Dr. Gary Potter described community policing as having an emphasis on “close working relations with the community, police responsiveness to the community, and common efforts to alleviate a wide variety of community problems, many of which were social in nature” (n.d., p. 14). Originally, community policing was seen as a way to figure how to work with the community and build a trusting relationship.

However, in recent years, tensions have grown among minority groups, society, and police. This has caused a lack of trust and companionship between the community and law enforcement. Some people have little confidence in police officers, or they perceive officers to be untrustworthy or aggressive. News and media may show incidents in which officers were in the wrong, or the media does not cover the full story. In reality, police officers are there to protect and serve people and their families—but not everyone perceives them this way. There are many factors that affect community and police relations as well as perceptions. These factors include race, political party, gender, age, and education. There are different perceptions of police officers depending on the person. Whether a person is more left or right leaning can determine how they believe police act or whether a person is white, black, or

any other race. Many times, people forget to think about the police officers' views and perceptions on different situations.

Community and police relations have recently been very low with tensions growing. There is often a lack of trust and cooperation between police and community members. James et al. note that "confidence in the police varies by race, gender, age, education, and political ideology/party affiliation, age, and education level" (2020, p. 2). These factors play a major role in determining which groups support law enforcement. Knowing the demographics also allows police officers to focus on groups with whom they want to build relations and trust over time.

Relations between different races and police officers are a very important topic in society today. Confidence in police officers treating people of different races varies dramatically. A 2020 study done by the Congressional Research Service found that "70% of white people had a great deal or fair amount of confidence that police treat blacks and whites equally while 31% of African Americans and 63% of Latinos had the same amount of confidence that the police treat blacks and whites similarly" (James et al., 2020, p. 3). Some people of non-white ethnicity fear that interacting with police will cause physical harm or unfair treatment. A study from 2019 found "that black men and boys face much higher risk of being killed by police in their lifetimes—96 deaths out of 100,000 are by the hands of police" and, on the opposite hand, white males' likelihood of being killed by an officer "is 39 out of 100,000" (Santhanam, 2020). Having almost 60 more deaths because you are not white is a contributing factor to why there is inequality in the treatment of people in society. There will continue to be disparities in the confidence and trust in officers until people in the community see there is more of a balance in the treatment of different races.

Age can also play a large role in whether a person trusts the police and has confidence in their actions. Confidence in police seemed to increase as subjects grew older. Only 39% of people 18–34 years old were confident in police; however, 53 percent of people between the age 33 and 54 were confident in police compared to 63 percent of adults 55 and older (James et al., 2020, p. 3). Community relations with people of different ages varies drastically in America. Many interactions with police officers involve traffic stops. If police officers were able to engage in the community in other ways and build a relationship

with people, it may boost the trust and confidence in officers. Since people who are 18 to 34 years old have the least confidence in officers, there should be programs to engage and build cooperation between officers and these people in society. An increase in trust with this age group will help create a long-lasting partnership between community members and police officers.

Another issue in which police trust and cooperation falls short is in the large differences between political parties. Members of the two main political parties have different views and levels of trust in police officers and law enforcement. A 2017 survey found that

about a third of Democrats (31%) and independents (33%) say they see police in this country more as enforcers than protectors, roughly double the share of Republicans who say this (17%). Republicans, for their part, are more likely to say police in this country fill both of these roles equally (67%) compared with Democrats (52%) and independents (53%). (Brown, 2017)

Each political party has some similar and some different beliefs on what they would like to see in law enforcement. Both groups can agree on certain police reforms and proposals (Doherty et al., 2020). Consensus can build support from not one party but two major political parties. This will show that the law enforcement agencies are listening to the parties' proposals and taking action. There are many ways that the police can incorporate the ideas from both the Republican Party and the Democratic Party.

Everyone human has their own perception of different aspects of the world. Perception is defined as "a way of regarding, understanding, or interpreting something; a mental impression" (Oxford Dictionary, n.d.). In policing it is important to understand how people perceive law enforcement officers. This allows departments to adjust their tactics and policing styles accordingly. Perceptions of law enforcement can be different depending on region (Reisig & Giacomazzi, 1998). People may perceive police officers as a problem in society, but in reality, they want to help and build trust through community policing and relations.

Another perception regarding police concerns their competency. This involves their beliefs in police to enforce the law, protect them from violent crimes, and respond promptly to calls (Ekins, 2016). Four in ten African Americans give their departments high ratings in these

aspects compared to six in ten white Americans (Ekins, 2016). For different political groups, five in ten independents, as well as Democrats, believe that the police are highly competent in contrast to seven in ten Republicans (Ekins, 2016). The truth is many departments are overloaded with calls and are often understaffed; they respond as fast as they can. These realities need to be known in society in order for police and community relations to improve. Community policing is a way to get the community involved and allows officers to better serve their community (MacKillop, 2019). Both law enforcement and the community need to be engaged and dedicated in order to maintain a partnership (MacKillop, 2019).

People in society are not the only ones who can have a perception on the use of community policing; law enforcement officers have their own perceptions. One study, in which officers filled out a survey, found that there was a consistent theme in the responses: the officers believed community policing is effective in building relationships with the public and should be implemented in other departments (MacKillop, 2019). The officer's perceptions align with the reality that community policing is a helpful tool that departments can use in order to build relations and trust with society. Departments can employ a small number of officers to be involved in the community on a regular basis in order to build relations (Roberts, 2018).

Data is important when it comes to policing. It is vital to find out what works and what needs improvement. Community and police relations are no different. Community and police interactions are recorded in order to find out where law enforcement can build their relationships and trust. This allows police to also understand the statistics of crime rates in specific areas.

One very important agency that shifted to community policing was the New York City Police Department. The NYPD implemented community policing in an effort to reduce crime in their city and build relations with the members of society. Just in 2017 alone, New York City saw a dramatic decrease in violent crime rates (Nandi, 2018). The number of shooting incidents dropped to under 800, and murders were below 300, which has not happened since the 1950s. Commissioner Brown in New York City created police strategies that

instituted a form of community policing that linked neighborhood outreach by patrol officers, schools for at-risk

youth, (and Beacons) and schools-as-community-centers in the evenings and on weekends, with other innovative youth programs designed to give young people something to do and safe places to be. (Adams et al., 2015)

All of these programs are credited with reducing the number of crimes committed in New York City. From 2013–2015 the “major felony crime rate drop[ped] 5.3%” in New York City because of community and neighborhood policing (Lortz, 2017). Community policing has the potential to work in many cities as it has in New York. Another place that saw a drop in violent crime and property crime was the University of California Berkeley Police Department. “The campus saw a 12% decrease in violent crimes and a 24% decrease in property crimes in 2015” after enhancing their community policing and relations (Lortz, 2017). In many cases, community and neighborhood policing correlates with a decrease in crime in corresponding communities.

The community and police relationships are an important factor to decreasing crime as well. According to a study done by Pew Research, having “detailed knowledge of the people, places and culture in areas” officers patrol is “very important” to 72% of police officers and is “somewhat important” to 25% of officers (Morin et al., 2017). Knowing the area that officers patrol is vital for their understanding how to respond and where to patrol while working in specific neighborhoods. Of the officers that are between the ages of 18 and 34, 68% believe that “some or most of the people in the neighborhoods where they work share their beliefs and attitudes,” and among officers over 50, 76% “express a similiar view” (Morin et al., 2017). As officers get older, they realize that the people of the community where they police generally share similar values. Showing respect for everyone is important in law enforcement. It helps build community relations. People living in areas with less than 100,000 residents have a 67% increase in feeling respected compared with larger population cities (Flexon et al., 2019). It is important to have expectations when developing new systems in policing. However, implementing a new system takes time and is a long-term fix. Good relationships are built over time.

Community policing has been accepted and implemented in many police departments across the nation. There will continue to be support and growth of this style of policing. It can be fully accepted by departments, or key components can be used, depending on the

municipalities that house the departments. Within the past 15 years, community-oriented police programs have been initiated in more than 13,000 of the nation's 16,000 law enforcement agencies (Hartmann, 1988). Continued training is very important in police work. More than 700,000 law enforcement and community members have been trained on community policing topics (Hartmann, 1988). These different strategies are important when dealing with the community and its members. Officers will continue to be trained in different tactics and procedures in order to better their community relationship. Creating a proactive community policing system takes time and patience; having a long-term plan and procedure to develop this system is crucial.

There are multiple solutions to growing the relationship between police and the community. One key development that police need to adjust to is the presence of social media and the news media responding to videos of police officers (Davis, 2019). The social media and news outlets a threat to the support of community policing. Many times, news outlets portray the incidents where officers appear to be doing something wrong and create a bad perception of police. Having trainings and an understanding of how the media works and portrays incidents with police officers is vital when trying to build relationships with the community (Davis, 2019). Having a social media program for police departments can help to minimize the effects of negative media and news articles (Gelles et al., 2019). The biggest threat to police and community relationships is negative media, which has can spread misinformation and claims against the police that do not result in positive outcomes. The police must be able to explain their reasoning for the way they acted and the steps they took in certain situations.

The perception of police varies between different individuals and communities. Community policing is a great way to build the relationship and trust between law enforcement and society. Building relations can be done in multiple different ways in order to have effective outreach with the community. Creating partnerships is one way that police can build relationships with the people of the community.

Partnerships can be between different groups in order to develop solutions and increase trust from members of society. One example of a partnership is between the officers and community members and groups. This can be done through volunteering or becoming members of different groups around the city. Having officers at events such as

town hall meetings, marketplaces or other services where community members gather would be beneficial for law enforcement (Community Oriented Policing Services [COPS], 2014). Multiple police departments have partnered or created groups for the community in order to reduce crime. For example, Boston police partnered “with faith-based, community, and criminal justice agencies” to create the “Boston Re-Entry Initiative,” which “help[s] former prisoners adjust to the life in their communities” (Fields, 2007, p. 26). Another example is a program developed by University of North Carolina, where police “established a pedestrian safety committee and began addressing pedestrian concerns” (Fields, 2007, p. 25).

Another form of partnership can be between nonprofit organizations and service providers as well as private public sector agencies. These groups are often composed of people who have similar interests and advocate for a group’s beliefs (COPS, 2014). These organizations include victims’ groups, support groups, the faith community, advocacy groups, food pantries, and many others (COPS, 2014). Police in Rolling Meadows, Illinois, formed partnerships and created two community resource centers; they partnered with their community hospital through the early childhood services staff, health services staff, and a domestic violence group, among other service communities (Fields, 2007). California has partnered with social workers and formed the Homeless Outreach Psychiatric Evaluation (HOPE) unit in order “to address long-term solutions for the homeless and mentally ill” (Fields, 2007, p. 27). Using partnerships and organizations to build relationships and trust between members of society and the police is beneficial to combat the negative perception of law enforcement. Interactions with police officers should be through non-enforcement situations (Hodges, 2019). Having these interactions with people in the community will reconnect the officer to the beat that they patrol. As an officer, “being a public servant should not stop when you take the uniform off—volunteering keeps you connected to the community you are policing” (Hodges, 2019). When officers volunteer they are showing the community that they are human and average citizens too (Hodges, 2019).

The media creates a perception of police and law enforcement officers that is broadcast to society. It is important to create positive interactions and relationships with media in order to be portrayed in the best ways possible. The media can also publicize concerns that the

community has and solutions that are available from the police or government agencies (COPS, 2014). It can be frustrating for officers to watch the news or see on social media negative stories that portray officers in a certain way. Officer Hodges believes that officers avoid interacting with certain communities “because of how we perceive they perceive us” (Hodges, 2019). If police think that a certain group in society perceives them a certain way, then, because of confirmation bias, officers will believe that until they are proven wrong. Having public relations experts and social media experts communicate effectively with the community is a great way for police to show that they can be trusted and build positive relationships through online interaction. Media helps create an atmosphere of cooperation and open communication with the community (International Association of Chiefs of Police [IACP], 2019a). Working with the media creates transparency and allows for “releasing public information in a consistent, impartial, accurate, and timely manner” (IACP, 2019a, p. 6). Having a strong social media program also increases “community outreach, service development, officer and volunteer recruitment, and enhancement of criminal investigations” (IACP, 2019b, p.5). Being involved in the community has many benefits for the police officers and community safety.

The International Association of Chiefs of Police has specific steps that frontline officers should take in order to build trust in the community. Obviously, one of the recommendations is that every member should be treated with respect to earn trust (IACP, 2018). Interacting with people in society in a professional and sincere manner will help build mutual trust (IACP, 2018). This can be done by officers on foot rather than in their patrol vehicles (IACP, 2018) and having the officers interact with people in non-enforcement instances at community events, sports events, or in the streets. These are just some of the ways that police officers can build trust and focus on community policing.

Police and law enforcement have been around for centuries and will continue to be part of society in the future. It is important to adapt and change as society changes. For this reason, community policing is the best option for departments to gain trust and support. Although different factors can affect a person's beliefs or relations, police can learn to adjust their actions in order to build better relationships with community members. There is a perception that police are not active in the community and are not always reasonable. In reality, the police are

attempting to be as reasonable as possible and work with the community through different things. They have held events and are active in different roles that show they are also active members in society. There are many ways for officers to incorporate community police in their department, and it should be encouraged by their chiefs.

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Breaking Male Stigmas

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Does society accept the idea of male victimization? Throughout our nation in today's era, our society presumes that males being seen as victims of a crime is uncommon. However, human trafficking has increased throughout the world, which leads to having victims of different races, genders, cultures, sexual orientation, and even ages. Exploitation and the virtual slavery that is human trafficking knows no boundaries. Regarding sex trafficking specifically, there are numerous reasons why individuals will desire to engage in this environment and that include sex for survival and acquiring citizenship. Many are brought into trafficking through force, fraud, or coercion, which heightens their vulnerability due to lack of basic needs, financial status and may include mental and physical abuse (Kent, 2019). In her article, "Invisible Men: Male Victims of Sex Trafficking," Michelle Lillie (2014) emphasizes the importance of recognizing male victims who are entrapped in human trafficking. The International Labor Organization has researched and stated that there is roughly around 98% of victims are women but the other 2% are male survivors. At times, it is highly unlikely for male victims to speak about their victimization due to the rare occurrences.

Throughout the United States, there are more resources for women than there are for men due to the lack of support they receive from peers and society. In a residential treatment center for victims of sex trafficking, there is only a limited amount of space for men in shelters. According to Shared Hope International's report, they have found that out of the 43 organizations that they interviewed, none of them provided victim services for males (National Colloquium, 2013). Lacking these resources for men may become and interfere with the frequency

of reporting a crime as well as not being able to adequately accommodate the needs of these survivors since there is not residential housing for them to feel comfortable as well as safe causing this to be a worldwide dilemma and interfering with anti-trafficking movement across the world.

In the United States, it is harder to seek out male survivors due to the environment and resources we allocate. In Asia and the Middle East, the level of crime is more uncontrolled, which leads to a high level of risk for every individual who resides in these countries. In Abu Dhabi, the chairman of the United Arab Emirates had portrayed and implemented an idea that would find a resolution by creating their first center for male survivors of human trafficking as well as sexual abuse (Wam, 2013). President His Highness Sheikh Khalifa bin Zayed Al Nahyan, believes that building this center that is correlated with the Shelter for Women and Children in Abu Dhabi, will help stop the inhumane conditions that these male victims have lived through. The shelter provides a safe environment for victims of trafficking by recuperating their dignity. The President has also stated that he had decided to join the Bali Process which helps individuals who are being smuggled and any crime that is related to human trafficking.

Another example is the Urban Light, located throughout South-east Asia, and they target and provide help for young males who are survivors of the exploitation, and sex trafficking that occurs in their country. At Urban Light, their mission statement is as follows: “We PROTECT boys & young men by meeting their life development needs by EMPOWERing them to see their own resiliency, autonomy & purpose through education, counseling and overall health—all to give them FREEDOM to choose a live beyond exploitation (Urban Light, n.d.). Urban Light was founded by Alezandra Russell, who was visiting Thailand in 2009 and was exposed to the horrific trafficking, exploitation, and violence that were happening to vulnerable boys as young as the age of 11. Alezandra came home, quit her job and sold her property to start the foundation of this organization to end human trafficking.

Urban Light estimates that 27 million victims are trafficked, and that generates around \$150 billion dollars around the world (n.d.) and sex services from young children are in high demand due to their vulnerability that they present. Most people around the world do not acknowledge the reality of male trafficking victims. According to Urban

Light, there are around 60,100 individuals who are enslaved in the US, but in Thailand and Indonesia, it measures from 475,300 to 714,100 (Urban Light, n.d.). Male survivors who reside at the Urban Light Center have access to sex education, employment, housing, education, harm reduction, outreach, legal support as well as prevention. Rehabilitation services are often a very important part of the process because most organizations will treat HIV/AIDS for those males who have been sex trafficked.

There is also a high concern for male trafficking victims even in developed countries such as the United States and the United Kingdom (UK). The Salvation Army found that in the UK, 41% of people trafficked were male (Lillie, 2014).

Now, what about the United States? A study by Jennifer Cole and Elizabeth Anderson (2013) acquired vital information through research that was made in specific areas around the United States. This study consisted of data that was collected in rural states and through telephone interviews that were conducted by a professional who worked with at-risk youth, crime victims as well as offenders. In the study, they worked closely with 26 male participants who had suffered from human sex trafficking.

In a more recent article, Cole states that “of the 33 operational residential programs for trafficking victims identified in 2011–2012, only two reported they accepted male victims into their facilities, for a total of fewer than 28 beds for male trafficking victims” (2018, p. 424). The phone interview took around the total time of 29 minutes, and shortly after the interview had been conducted, the interviewer had provided human trafficking resources these individuals were able to get more information on due to the traumatic events they had to re-experience. In the results, they have found that 84.3% of males were exposed to pornography through a family member or a stranger (Cole, 2018, p. 427).

Most of the time, traffickers use force to control the victims but drugs and fraud had a connection as well. Because these males were often homeless individuals, they were more vulnerable to complying with commercial sex to support themselves or use the money to buy drugs for their addiction. Education is a primary source of implementing new resources that center around male but due to turnover rates, frequent training and education should be adjusted as needed.

How does society view men and masculinity? The Women and Gender Advocacy Center (WGAC) located at the Colorado State University has gathered vital and input to the views of how masculinity refers to behavior and culture while it is said that being described as a man you are describing a gender identity and oftentimes our society does not separate the two meanings. Gender socialization is a stigma that was constructed throughout many decades and has made boys, as well as men, learn “adequate” gender roles that are expected from society. This includes the education boys receive at a young age for how they need to behave and act. The Women and Gender Advocacy portrayed the differences through a Word Cloud that was frequently used in the manufacturing of boy toys (WGAC, n.d.). Chart 2 exposes some alarming words such as *battle*, *power*, *hit*, *weapons*, *attack*, *powerful*, and *explosive*; whereas Chart 1 portrays girl’s toys and it includes *love*, *cute*, *perfect*, *magic*, *girl*, *mommy*, and *magic* (WGAC, n.d.). Due to these strong words that are connected to “designated” toys, it shows the correlation of how boys should act as well as play with as well as how girls should act and play with, when in reality it should be normalized that boys can play with girl toy’s and girls man play with boy toy’s resulting in breaking stigmas at a young age. The primary source of gender roles is rooted in family and friends which build the stigma at an early age from direct primary care. Phrases such as “boys don’t cry, crying is for girls” or “man up,” except that if they are not achieved, it will result in the boy or girl in ridicule and sometimes even physical violence towards the child.

These young boys are often punished by a strong male figure in their life causing them to feel degraded. Someone’s viewpoint on masculinity roots from their social environment, role models, race, class, sexual orientation, gender and experiences throughout their lifetime. To further expand on male privilege, there are some scenarios where some males will not receive the same privileges as others such as being transgender, race, disabilities, and sexual orientation because it does not fit the correct “image” that society has drawn it to be.

Another factor that plays a role in masculinity is being grouped in the “hegemonic masculinity,” meaning most males will choose to distance themselves from any femininity, limit their emotions, avoid vulnerability, be highly sexual with women and prove that they are strongly heterosexual. These types of males are very integrated in cultures

where the male is the dominant partner of all decision making. This is taught through modeling and the environment they are exposed to.

Such stigmas create an environment where if sexual abuse does happen to the individual who is seen as a hegemonic, they will contradict the fact that they are considered “victims” rather than being “manly.” In some instances, due to this mindset, they will not thoroughly accept the idea of victimization but rather become an offender of the crime they were a victim to. This highly increases the victimization rate among women as well as men. In some cases, male-on-male rape is a dilemma that can trigger some confusion on their sexuality, which increases potential victims to include men and women. Another important concept to understand is that every one in six men will be sexually assaulted in their lifetime, typically at as young as the age of 14.

An example that portrays that male victims are in increasing is the fact that during late January of 2019, in Los Angeles, California, around 50 victims of human trafficking that was operating through 339 people. Marisa Gerber reported on the crime:

A 54-year-old man used a social media site to “groom and entice” what he thought was a 14-year-old boy, she said. The man sent the boy photos of \$100 bills and told the child to meet him at a park. When the man arrived, Gutierrez said, he was arrested by members of the task force, including the undercover officer who had posed as the boy online. (2019)

Male-on-male rape is in high demand in the human trafficking culture as many people keep increasing the demand of taking advantage of the vulnerable.

My desire to become a Victim’s Advocate will include creating resources available to more male victims. Although male victim cases are rare, it is vital to have equal resources available throughout the community like women have access to in the State of Utah. In the state of Utah, each police department should have a Victim’s Advocate available for support of any gender. The Center for Women and Children in Crisis is only for women who are victims of any crime but need a safe environment to reside in. I want to implement a program similar to this facility, but it would be available only to male victims who will be able to bring their children if they find the need to.

I researched programs that allow the intake of both men and wom-

en and came across the Safe Harbor, a Farmington, Utah, facility that helps individuals of domestic violence and rape. I called to ask the facility a couple of questions and they accept *all* genders and clients who require help. I believe we are taking small steps to achieve that all members of our society can feel safe. Safe Harbor separates both men in women when they are living in residential treatment, but they do share common areas. Sharing common areas can be implemented as a good idea, but some dilemmas may arise due to some challenges such as women being abused by another male and can becoming triggering causing more care towards the trauma that was initially there.

I have researched throughout the State of Utah to compare and contrast the differences as well as similarities that I would implement in my program versus what they currently hold in their facility. I have only come across facilities that offer victim services to either women or both but did not see any facilities that focused on men specifically. I acknowledge the fact that there are only a minimum number of cases where men are victims, but, in reality, those cases are only the ones that have been reported to authorities. Trauma and victimization are complex topics to discuss, and it compiles more upon men since they have the stigma of society in their mindsets. Implementation would include advertising the facility for men through primarily prisons, airports, social media sites, and places where there is a high concentration of individuals that go. Social media can be a great outlet for information because it has been growing rapidly with the amount of technology that we have been exposed to just within the last 10 years. Most traffickers will eventually just turn to social media to gather individuals who are vulnerable because minors will post about the challenges that they are currently living through.

The center itself would be confidential to the males who want help. It would include education, housing, support, counseling, prevention, after-care, children's program, and a 24-hour crisis line. The housing would consist of dividing males by minors and those who are 18+; the center would be more than welcomed to take in LGBTQ members who identify as "males." Regarding LGBTQ individuals, is vital due to the dilemmas that they have faced throughout the years as well as potential neglect. Education would show males about life skills, their trauma, for minors who are residing in the facility and still are attending school, they will be offered schooling that is adequate for their age.

Informing about how to heal their trauma is a step closer to positive education; along with that statement, group-therapy would be highly encouraged to these males in order to build from each other's vulnerability and seek help from each other as they are indeed in similar situations and it has been researched in the past that people heal better knowing they are not the only ones that are confronting and healing through their trauma. Support is vital as well, such as advising the individuals that they have access to a victim advocate, nurses, legal services and supervised visitations without invading their privacy.

As we continue to progress, our society should acknowledge the need for resources for male survivors although they may account for only 2% of the enslaved individuals found throughout the world. It is vital to understand the different challenges they are faced daily due to the stigma that was built throughout the years that males need masculinity and are not seen as victims. Although some choose to be a perpetrator of a crime, that does not support the fact that they could also be potential victims and survivors. As we start to deteriorate stigmas throughout the United States, we can implement these ideas to third world countries to help develop positive community outreach and change these negative mindsets people have on male survivors. Also including the importance of breaking stereotypes such as getting rid of the mindset of men being abusers and women being victims because anyone is capable of playing both roles.

Overall, as we continue to progress in the right direction with our criminal justice system, I hope to eventually see some implementation as well as change among our society and close relationships. Breaking the stigma for men to come forward and speak about their feelings will give males more confidence in reporting and getting the help that is needed to recover from their trauma. Educating our young generation is the root of change; along with advising them on how to deal with situations where a friend may be disclosing a trauma to you. Education is the key to success.

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Contributors

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Trisha Caldwell is a senior at Utah Valley University majoring in Criminal Justice and plans to attend graduate school to earn her Master's in Forensic Psychology. She has had the opportunity to offer resources to victims of crime and abuse as a volunteer at the Family Justice Center in Provo, Utah. Trisha hopes to become a Police Psychologist to aid officers in their line of work and help create safer communities.

Aranxa Mendez is a Utah Valley University graduate. She has plans to work in victim advocacy and plans to get a Master's in Social Work. She has a strong passion for nutrition and fitness and is planning to get certified as a personal trainer and help people achieve their fitness goals. She enjoys roller skating and painting in her free time.

Cole Glazner is a senior at Utah Valley University majoring in Criminal Justice. He has been a full-time fraud investigator for eBay since 2016, and he also investigated fraud at Snap! Finance for 11 months. His professional interests are centered around financial fraud and money

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Jake Schlesinger is a senior at Utah Valley University majoring in Criminal Justice. He has been involved in Utah Valley University Student Association, Utah Valley University Student Alumni Association, and was a Club Ambassador for UVU. He got his interest in policing from family members and the drive to serve others. Following his undergrad he plans to join a police force and earn his Master's in Public Administration. He has a long-term goal of becoming a Special Agent in the FBI. When not at school he focuses his time to the gym and outdoor activities as well as work.

