Conference debates reforms to the justice system

Policing in America

The past several years have been fraught with concern over American policing tactics, whether prompted by the killings of Tamir Rice and Freddie Gray, the wasteful and invasive War on Drugs, or the rampant abuses of civil forfeiture. At a Cato conference, law enforcement experts gathered to debate whether the justice system is in need of reform. Participants included scholars and policy experts as well as members of law enforcement, such as Ronald L. Davis, the Justice Department’s director of community oriented policing services.

Cato public opinion analyst Emily Ekins presented the results of a Cato/YouGov poll, which found that requiring police body cameras remains one of the most overwhelmingly popular reform proposals—92 percent of Americans support the policy, across ideologies and party lines. Policy analyst Matt Feeny, who recently published a detailed analysis of the costs and benefits of body cameras along with recommendations for implementation, led a panel discussion on emerging police technologies. Alex Rosenblat of the Data and Society Research Institute argued that technology alone cannot create accountability, and warned against “unrealistic” expectations of what body cameras can accomplish.

Cato’s poll also found stark differences among racial groups on the topic of police favorability. Seventy-three percent of Caucasians view the police favorably, versus 43 percent of African Americans and 57 percent of Hispanics. Vicki Gaubeca of the New Mexico American Civil Liberties Union detailed the intimidating tactics used by Border Patrol agents at the Mexican border, including unjust detentions and racial profiling. “Border communities generally feel that border enforcement agents who commit abuse are getting away with it,” she said.

Clark Neily of the Institute for Justice called the practice of civil forfeiture, by which police can seize and keep the property of citizens without ever proving them guilty of a crime, “one of the greatest threats to public perception of police legitimacy.”

Grover Norquist, the president of Americans for Tax Reform, urged conservatives to take up the cause of justice reform, lamenting that “they’ve turned the police, in a lot of cities, into tax collectors.” Jerry Ratcliffe of Temple University highlighted the fact that, contrary to most people’s beliefs, police spend only a minuscule amount of time on violent crimes. He explained that the public remains “heavily focused, almost fixated, on violent crime and serious predatory violence” when thinking about policing, despite the fact that statistically violent crime is down and police spend the majority of their time on minor disturbances like noise complaints. Other speakers throughout the day included Lynn Overmann from the White House, Nathan Freed Wessler of the ACLU, David Klinger of the University of Missouri–St. Louis, and Samuel Walker of the University of Nebraska–Omaha.

“We have a lot of work to do to make the case for a criminal justice system that protects rather than infringes on our constitutional rights; that allows people regardless of color or creed to view police officers as guardians rather than occupying soldiers or financial predators; that allows police officers to do the types of noble things they signed up for, and swore an oath to do,” Cato policy analyst Adam Bates said in his closing remarks. “Regardless of your political philosophy, these are issues of life and death that strike at the very heart of our constitutional republic and our community.”

Presentations from this conference can be viewed online at cato.org/events/archives.