



Mindfulness, Compassion, and the Police in America **An Essay of Hope**

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Abstract: The contemporary practice of justice in America most often causes more harm than healing. This essay applies core teachings of Thich Nhat Hanh to American policing theory in order to produce a more effective and compassionate policing model. Caveats and suggestions for implementation are provided.

*Justice that love gives is a surrender;
justice that law gives is a punishment.*

—Mohandas Gandhi

INTRODUCTION

“Fifty shots is murder. I don’t care what you say” (Feyerick, 2008) was clearly audible over the din as supporters of the defendants and the victim filed out of the

Queens, New York, courtroom. Three police officers of the New York Police Department had just been found not guilty of manslaughter, assault, and reckless endangerment in the shooting death of Sean Bell in late November, 2006. The Reverend Al Sharpton described the verdict as “aborted justice” (Feyerick, 2008), yet the judge presiding over the bench trial acquitted the three officers largely based on the combative demeanor and lack of credibility of the

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prosecution's witnesses. It seems clear that the judge, like the officers in the incident itself, followed established and tried procedure; the officers acted according to policy given their perceptions of imminent risk, and the judge weighed evidence, including the credibility of the witnesses and officers, and concluded that the evidence offered did not meet the established criteria of "beyond a reasonable doubt."

It is tempting for many who regard these events at some remove to chalk it all up to an object lesson to pick your friends, or your haunts, wisely, or at least as a case of extraordinarily bad luck. For those closer to the victims, of course, with the closer vantage comes a greater appreciation of the depth of injury suffered by Sean's family. Still others will regard the officers themselves as victims; it is certain the officers shall relive that night many times before they shuffle off their own mortal coils. Sadly, though, none of these perspectives—that of the officers, of Bell's fiancé, that of the judge, or even one that comes from a distanced, safe detachment—offers insight into the deeper meaning of the events, or how events such as these can be minimized in the future.

The "groom's shooting" as it has come to be called offers a powerful illustration of the social condition this essay seeks to address. The institution of the police in the United States has undergone some remarkable changes in the past century. But for all the progress, the police in America have remained largely as they began with regard to mindfulness and compassion, and indeed it is distinctly possible that any movement has been retrograde. It is the purpose of this essay first to argue for the concept of organizational compassion and organizational mindfulness. Second, the authors shall discuss the necessity of mindfulness in the area of policing, providing some caveats for implementation. Finally, the authors will suggest a few starting points for beginning the process of catalyzing organi-

zational mindfulness and organizational compassion in American police agencies. Ultimately, the authors invite a new paradigm in policing, one predicated upon interbeing, true power, compassion and mindfulness. Although the new paradigm is likely a way off, it may not be so far as one might think.

ORGANIZATIONAL MINDFULNESS AND ORGANIZATIONAL COMPASSION

The Venerable Thich Nhat Hanh has argued in many of his works that the surest way to cultivate compassion is for each individual to *be* compassion themselves (e.g., Nhat Hanh, 2005a) through a recognition of fundamental interexistence between subject and object. Applied to an organizational context, then, to make a compassionate organization, each member must become what the organization seeks to become; in this sense the whole existing within each individual. Once members of the organization (in this case a police department) deepen their practices sufficiently to exude compassion, being individually the thing sought organizationally, the police department will then deal with its constituencies in any boundary—spanning interaction in a compassionate manner.

The authors embrace this perspective. Indeed, support for this model comes from the work of deVries and Miller (1984), although they argue that when significant individuals or a significant number of individuals exhibit particular psychoses or neuroses, that condition will characterize the boundary-spanning interactions with organizational constituencies. But if it is possible to have a neurotic organization (deVries and Miller, 1984) it is certainly possible to have a compassionate, mindful organization.

A practical concern remains, however.

Given the nature of the American police force, in terms not only of educational preparation, intellectual flexibility, diversity of perspective or experience, but also of the cultural emphasis on adherence to rules, the faith in the Weberian hierarchical structure and rank system and transactional leadership, not to mention centuries of organizational inertia, the likelihood of making manifest to even a significant plurality of officers the central role mindfulness should have in the police organization is small. Some additional technology likely will be needed in the “compassionization” (see Freire, 2000) of the police in America.

In line with the principles of organizational learning (e.g., Argyris and Schon, 1974; Senge, 1990), organizational culture is both result and creator of knowledge. To some degree, organizational culture may have to lead the way for some to come round to the idea of valuing (and practicing) mindfulness and compassion in a profession that has operated under a paradigm of conflict and otherness. This means enlisting key individuals as advocates; the individuals would be selected possibly because of their openness to change, or because of their position, to advocate for a more carefully-constructed effort to cultivate mindful practice among line staff and supervisors, and especially among recruits.

In short, given where American policing finds itself at the beginning of the 21st century, it may be easier to rely on key individuals to change organizational culture, and for that culture then to demonstrate the value of mindfulness for serving police officers.

PROBLEM-ORIENTED POLICING AND THE ENGAGED BUDDHISM OF THICH NHAT HANH

One of the most influential theories in the literature on policing provides entrée for some of the key ideas that may make

room for organizational compassion. Problem-oriented policing (e.g., Bichler & Gaines, 2005; Eck & Spelman, 1987; Goldstein, 1979; 1990; Skogan & Frydl, 2004) deals with the idea of serving the ends of the policing role, through an identification of crime-based problems confronting served communities. Problem-oriented policing represents perhaps the most significant reorientation of management attention since the professionalism movement early in the 20th century, but not merely because of its current influence.

Defined narrowly, problem-oriented policing, conducted by officers in their daily work (e.g., Eck and Spelman, 1987), involves officers attempting to address patterns of recurrent, harmful, perhaps criminogenic events that concern members of the community (Skogan & Frydl, 2004). “Problems” are operationalized as collections of related events that are inimical to community interest or are seen as noxious by community members (Eck, 2003). In actuality, though Goldstein’s works called for (and catalyzed) a broadening of perspectives for the job tasks of the police in order to more effectively grapple with crime, the broadening has not been sufficient to address the social problems that cause crime (e.g., Bichler & Gaines, 2005). The related nature of events that collectively outline “problems” for purposes of problem-oriented policing imply common etiology (Eck, 2003), but a systematic examination of those causes is largely incomplete. Further, many of the problems examined in traditional problem-oriented policing research are more accurately viewed as symptoms, and the current problem-orientation better called a symptom-orientation.

Reading “problem” rather more broadly, though, just to begin with the police could identify some of the pervasive social problems in communities, like economic inequality, inadequate infrastructure, and substandard education. In doing so, they might have the opportunity to be-

come the primary force behind the creation of a more economically and socially just society. Required here would be (*inter alia*) a redefinition of “problem” in problem-oriented policing to include economic inequality, mental illness, individual suffering, and substandard education. Additionally, of course, the police would have to move away from their traditional order-maintenance worldview, and re-empower themselves to act in different (e.g., policy) spheres as well as in areas of public safety.

Indeed, such a liberal reading of the idea of problem-oriented policing is not unprecedented; it has support in the mission statement of at least one mid-sized police department that asserts it “will work assertively with the community to address the underlying conditions that lead to crime and disorder” (Fayetteville Police Department, 2006)—truly a tall order for a traditionally-equipped police department. Additionally, such a reading of the term is fully consonant with the idea of community justice. If the underlying conditions of crime are appropriate targets of police action, then it is reasonable to argue that the police should act to reduce suffering from social and economic inequality, mindless action and delusion. How better to address delusion and suffering than through mindful action and speech, and deep listening?

Finally, such a reading is virtually compelled by the reformulation of the Four Noble Truths, offered by Thich Nhat Hanh. Nhat Hahn presents the ideological foundation of Buddhism in very simple terms: there is ill-being; there is a path to ill-being; there is well-being; there is a path to well-being (specifically the Noble Eightfold Path). Nhat Hanh teaches that ill-being is essential for well-being in that one must look deeply, fearlessly, and with love into the causes of ill-being in order to discover the path away from ill-being (personal communication, 2008). Nhat Hanh (personal communication, 2008) teaches that insight into suffering is the result of mindful

concentration, and compassion is the inevitable outcome of the resulting insight. Often police officers seem to be in a near-ideal position from which to view community problems (suffering), but it seems that the current approach to problem-oriented policing falls far short of its potential (Bichler & Gaines, 2005). Individual officers’ practice of mindful contemplation of community problems might well offer a reframing of the current ailing approach to problem-oriented policing sufficient to help it fulfill its promise.

CAVEATS

It would not be irresponsible to say that in the eyes of some, the institution of the police in the United States continues to suffer from a conflict of legitimacy (e.g., Engel, 2005; Roberts, 2007). In particular, the history of the relationship between the African-American community and the police has been antagonistic at best (e.g., Barlow and Barlow, 2000). Interestingly, in response to problems faced by police departments, a common response is the creation of specialized teams (e.g., Skogan & Frydl, 2004). Programmatic efforts to address the tense (and sometimes explosive) relationship between African-Americans and the police have often employed this task-force approach, often at the cost of meaningful successes. This division of labor likely would be employed in a department’s first foray into conscious efforts at the cultivation of mindfulness, virtually guaranteeing at best modest gains. Thus the first caveat is that traditional structural approaches to the inclusion of mindfulness efforts in policing should be studiously avoided.

Silvestri (2007), in an examination of the leadership styles of female police executives, found that although transformational leadership styles are likely to offer great benefit to police agencies, and that female police leaders were using these trans-

formational approaches to leadership, the rest of the organizations examined showed little movement toward a more transformational management default. The second caveat, then, is that parallel technologies, like transformational leadership, should be cultivated along with efforts to “compassionize” a police organization. Thus, “unfreezing” efforts might best be undertaken organization-wide, on several fronts at the same time.

CONCLUSION

Sean Bell’s death is a staggering tragedy, not only due to the loss of a son, fiancé, and friend, but because of the untold pain that made it possible, one that couches social reaction to the event. In a very narrow, policy sense, the police were acting within the scope of their authority when they shot fifty rounds at Sean and his friends, and the recent decision in that Queens courtroom on April 25, 2008, was well within the bounds of legal propriety. Thus, our problem: in a compassion-optimized model of justice legitimate action would seek to be ameliorative, and pay homage to minimizing pain; instead, the American justice system functions within an adversarial paradigm, and pays far more homage to punitive outcomes than to nurturing ones.

What is needed is nothing short of a paradigm shift in the role of the police (and indeed the rest of the justice system in America) toward a more practically compassionate and mindful worldview. Perhaps the place to start such a revolution is with the police. In particular, in the current organizational structure of most mid-to-large police departments, sergeants (line-level supervisors) have an extraordinary amount of influence over the practice of policing in a given context. For a program that cultivates compassion and mindfulness to be successful within a police organization, sergeants (at least a majority of them, or at

the very least some of the more prominent ones) need to be “on board.”

A second recommendation is to frame any initial efforts to cultivate compassion and mindfulness as something other than Buddhist, or even as compassionate. In part because of the limited intellectual and spiritual variety of experience of many Americans, things that are different are likely to be perceived as threatening or un-Christian. It might be helpful, therefore, to use a more familiar, secular approach to legitimize mindfulness training to the sometimes cynical eye of police culture. Goleman (1998) applies modern neuroscience to illustrate the practical relevance of “emotional intelligence” training in law enforcement. In summarizing the applicability of such studies to police training, Goleman concludes, “[c]ompetence studies in law enforcement organizations find outstanding officers use the least force necessary, approach volatile people calmly and with a professional demeanor, and are adept at de-escalation” (pp. 87-88). Helping officers and administrators understand the personal benefits of mindfulness training could also be a gateway for acceptance. Efforts to introduce police officers to meditation, for example, might be couched in terms of a “stress management” program in order to increase acceptability.

Of course it cannot be said with confidence that, had the New York Police Department been engaged in an ongoing effort to “compassionize” sworn staff that Sean Bell would not be dead. But it can be said if the justice system as a whole had been predicated upon compassion, and had consistently demonstrated mindful action and deep listening, as recommended by Nhat Hanh (2005b), the racial tension that resulted from Sean’s death, *inter alia*, would not make nearly as much sense. Instead, the police department would be able to rely upon its predicate relationship of trust, a reservoir of goodwill, to help salve the wounds of the community. As things are,

lawful police action and legitimate judicial decision-making are followed by multiplied grief and suffering. It is time, then, for the institution of the police to enter the stream.

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