EDITORIAL

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EDITOR'S INTRODUCTION

# Compassion as a leadership competency in justice

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We have seen calls for police reform at a higher rate than ever before. The murder of George Floyd highlighted many issues, including the need for the police to carry out their jobs with compassion and the need to humanize the individuals that police interact with on a daily basis. I recently wrote the article, "Universal precautions: A methodology for trauma-informed justice," calling for the compassionate treatment of the justice client by police and other justice actors. However, the question remains: how can we expect police officers, correctional officers, and other justice actors to be compassionate if they themselves are not treated with compassion, empathy, and procedural justice within their own organizations?

There have been many police suicides highlighted in the media. The leading cause of police officers' absence from work is psychological injury, and police officers take their own lives at a rate of four suicides to every one police officer murdered. A recent study that has yet to be published by Bucerius, Berardi, Krahn, and Haggerty showed that after going to just two overdose incidents, police officers have higher instances of depression. The key concept here is trauma. Understanding the impacts of trauma is necessary and is needed now more than ever.

This is a call to all police and other justice system leadership to look at the membership through a trauma-informed lens. As the leaders of institutions in justice such as policing and corrections, we need to be mindful of how policy decisions are made. Often, decisions on policy are made from a risk aversion or mitigation standpoint. I had two very personal experiences with policing leadership: one where I felt the leader was compassionate and empathetic and one where I felt the exact opposite. The first event occurred on 12 June 1997, ten days after I started my career with the Edmonton Police Service. On this date, my son was born and died at birth. This was devastating to me and my family. One of the staff sergeants in human resources attended the hospital, showing great care and compassion, informing me to only come back to work when my family and I were ready. This experience early on formed how I wanted to be as a leader within the service. Fast forward a few years and I had two deaths, one was my aunt and the other my grandmother, in very quick succession. As a result, I went to human resources and met with another staff sergeant. I asked if there was any way to extend the bereavement leave due to the emotional impact these two deaths had on me and my family. This person in a leadership role told me, "you get what you get, it's your contract." I felt that there was no compassion or empathy used in this situation, making me feel as if I did not matter to the organization.

Following arbitrary policies is not compassionate leadership. We need to reduce the stigma surrounding mental health and moral injury and listen to the needs of the individual. The concept of "universal precautions for trauma" that I developed for trauma-informed policing when interacting with justice clients can be used with justice actors as well. Justice actors must take a first aid course every two years to learn how to be safe when providing first aid. Statistics show that 0.6% of the population has Hepatitis C and 0.006% of the population has HIV. These numbers are small, yet we take special courses. In stark contrast, despite the fact that probably close to 100% of the police, corrections, and other justice actors have been exposed to some form of trauma, we are not required to take trauma-informed training. However, when not met with compassion, these trauma incidents, such as a death in the family, can manifest themselves as injuries. Such injuries can have an impact on how these individuals interact with the public in general, the justice client, and the people in their personal lives.

For years, I have seen multi-sector justice agencies talk about healthy lifestyles, fitness, exercise, and nutrition. Most police agencies in Canada have an annual physical exam and encourage the membership to see their doctors to ensure they are physically healthy. There is much less emphasis on mental health. We need to see health as a single issue and not separate physical and mental health into two distinct categories. Police leaders must start leading with compassion and empathy. Providing safe spaces for people to talk about their trauma backgrounds and working towards overall health of the membership is a must. This needs to be done for both sworn and civilian staff in the justice system.

The first step in this journey is providing the leadership proper training on trauma and its impacts. There needs to be an understanding at the leadership level of the types of trauma, such as experienced, vicarious, complex, cultural, etc., as well as additional training of people in leadership positions, as to the meaning of being trauma-informed and trauma-aware. Providing training on how to interact with

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staff in an empathetic and compassionate way is an opportunity to improve health outcomes for our staff and in turn give them permission to be compassionate and empathetic in the communities they serve.

The next step is instituting compassion as a competency in justice. Often words like accountability, integrity, courage, and community are found in the competency statements and requirements for promotion. Compassion is missing in the mix, and I would argue it is the most important part of the justice system. Canadian systems pride themselves on fairness and inclusivity. Dostoyevsky once wrote, "The degree of civilization in a society can be judged by entering its prisons" (*The House of the Dead*). I have spent time in several prisons across this country, and I see that compassion is not at the forefront for those incarcerated there. I believe the only way to change that is by bringing compassion to the forefront of all occupations in justice that contribute to the incarceration of people. This would hopefully have a domino effect of compassion, empathy, and trauma-informed policies for everyone.

## CONFLICT OF INTEREST DISCLOSURES

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# Confirmation bias: A barrier to community policing

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## ABSTRACT

This is a very challenging time for police–community relations, one characterized by a mutual lack of trust between police and citizens. But trust is an important tenet of effective community policing. Trust between police and communities can result in better problem solving, fewer legal violations by citizens, less frequent use of force by the police, less resistance by citizens during arrests, greater willingness to share information, less inclination to riot, and greater willingness of community members and police to cooperate. One key obstacle to fostering trust between the community and police is confirmation bias—the tendency for people to take in information and process it in a way that confirms their current preconceptions, attitudes, and beliefs. Recognizing and addressing confirmation bias, therefore, plays a critical role in fostering more productive engagement. If we are to improve police–community relations and co-create a way forward, learning to approach debates with open minds, an awareness of the lens of our own perspectives, commitment to considering the opposite, and the goal of listening with curiosity are essential.

**Key Words** Police-community relations; police; trust.

## INTRODUCTION

This is a challenging time for police–community relations. Citizens and police officers lack trust in each other (Pew Research Center, 2020). Trust-building through community policing has been hampered by a global pandemic (Montgomery, 2020). And trust has been undermined by highly publicized incidents in which officers have used deadly force on black and brown men and women.

These use-of-force incidents have become flashpoints in police–community relations. Although most arrests are made without using force, many prominent use-of-force incidents have involved the use of deadly force, including some in which the use of force was unlawful. At the extremes, citizens and police officers may agree that a particular use of force was appropriate or inappropriate, lawful or unlawful. However, in many cases citizens and police officers view these incidents quite differently. On the one hand, officers tend to justify the use of force by focusing on the possible risks of not using force. Citizens, by contrast, see the same use of force as excessive and unnecessary. These strong and opposing views contribute to an "us against them" mentality.

It is critical for citizens and law enforcement to develop mutual trust so that they can work together to identify needs, reduce crime, solve community problems, and enhance quality of life. While such "community policing" initiatives are vital, basic differences in how events are understood can make it difficult for the community and police to work together. Indeed, the divergent and often strongly held understandings, beliefs, and attitudes of police officers and community members create obstacles to advancing the goals of community policing. Understanding the ways in which "confirmation bias" influences our perceptions and interpretations of what we experience can help us make progress in this regard.

### What is Confirmation Bias?

Confirmation bias is the tendency for people to receive information and process it in a way that confirms their current preconceptions, attitudes, and beliefs (Nickerson, 1998). We seek out, pay closer attention to, and better remember information consistent with our own preferences and beliefs. By contrast, we tend to avoid, discount, and forget information that challenges those beliefs and preferences (Klayman & Ha, 1987). When information is ambiguous, we are adept at interpreting it in ways that concur with our preconceptions, attitudes, and beliefs. These processes are an inherent and often unconscious part of our human cognition.

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Take an example that most of us have experienced—watching sports. A classic study asked students from rival schools to watch a video of a football game between their teams and make a variety of assessments. Although students watched the same game, their evaluations of the behaviour of the players and officiating depended on which school they attended. Students' perceptions and interpretations of the action on the field were influenced by their pre-existing preferences and loyalties (Hastorf & Cantril, 1954).

In this example, preferences based on team loyalty influenced the way fans of opposing teams understood what happened on the field. However, our beliefs, attitudes, and preferences are wide ranging. We each carry with us a set of assumptions and stereotypes about race or ethnicity, gender, age, occupation, sexual orientation, how someone speaks or dresses, what sports team they like, and so on. These assumptions can help us rapidly process a great deal of information and make decisions quickly, but they influence our judgments in other ways as well. Each of us also has our own mix of preferences and hopes and we have each had different experiences and developed a variety of attitudes. All these aspects of our worldview can unconsciously affect our understandings, actions, and decisions. When it comes to confirmation bias, it is these attitudes, beliefs, and preferences that we are prone to confirm and that shape the way we perceive and interpret the world.

Confirmation bias influences a range of perceptions and judgments, many of which are more directly relevant to police–community relations than how we watch football. Consider a different example. In another more tightly controlled study, people were asked to watch a video of a protest and evaluate whether the protesters were blocking access, the risk of violence, and the extent to which they were engaging in persuasion or intimidation. Half of the participants were told that the protest occurred outside an abortion clinic; the other half were told that it occurred at a campus recruitment centre to protest the military's "don't ask, don't tell" policy. Although they watched the same recording, people with different pre-existing views on these two issues interpreted the protests and protesters differently. Protest activity was judged more favourably when the purpose of the demonstration was consistent with participants' views on that issue and more negatively when the purpose of the protest conflicted with their views. In other words, people seeing the same video footage judged the risk of violence differently depending on their attitude toward the issue motivating the protest (Kahan et al., 2012).

Similar findings come from research that explores how people perceive and interpret video evidence of interactions between police officers and citizens. How people assess the interaction and their judgments about the officer are influenced by their prior attitudes towards the police (Granot et al., 2014), stereotypes (Salerno & Sanchez, 2020), and other attitudes and beliefs (Jones et al., 2017; see also Granot et al., 2018). Police officers are inclined to look for circumstances to justify the use of force, emphasize the risks of not using force, and focus on the moment at which force was used. Citizens, by contrast, typically focus on how force could have been avoided and on the interactions leading up to the point at which force was used. In addition, police officers are more likely to focus on whether the use of force was *legal*, whereas citizens' judgments of legitimacy draw on perceptions that go beyond the question of legality (Celestin & Kruschke, 2019; Meares et al., 2015).

Other studies have shown that confirmation bias can influence the trajectory of a police investigation (Charman et al., 2017; O'Brien, 2009), the ways in which suspects are interrogated (Hill et al., 2008; Kassin et al., 2003; Lidén et al., 2018; Narchet et al., 2010), and how jurors and judges make decisions (Goodman-Delahunty et al., 1998; Lidén et al., 2019). In addition, we tend to pay more attention to and find more credibility in news and research that support the things that we believe and want to be true, while downplaying information that opposes our worldview (Lord et al., 1979).

One aspect of confirmation bias that can make it particularly harmful to good relations is that, although it is a human phenomenon and has a pervasive influence on perceptions and judgments, it is hard to realize that it is happening. It feels as if we are experiencing the world as it is—that our perceptions are objective (Ross & Ward, 1996). These feelings of objectivity make it difficult to appreciate that what we see and experience is significantly influenced by our perspective. Indeed, we each experience a "bias blind spot," typically finding it easier to recognize these sorts of influences on *other people's* thinking and judgment than on our own (Pronin et al., 2004).

## Confirmation Bias and Community Policing

Various forms of community policing have long been adopted in the United States and other countries. The terms used to describe this set of practices, including police–community relations, community-oriented policing, and simply community policing, have varied over time. But no matter the name, community policing practices reflect the need for the police to work with the community to not only prevent and solve crimes, but also improve the quality of life for everyone in their jurisdictions. As the President's Task Force on 21st Century Policing (2015, p. 45) puts it, law enforcement and communities need to "co-produce public safety."

Community policing is both a philosophy and a set of real actions. The Office of Community Oriented Policing Services (2003, p. 2) defines community policing as "a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime." According to Lawrence and McCarthy (2013), the three essential components of community policing are organizational transformation, community partnerships, and problem solving. Community policing requires officers and citizens to be willing to meet, discuss issues, and collaborate to solve community problems, with police officers at all levels (Administrative, Command, Sergeants, and Patrol Officers) developing relationships and collaborating with community members and community organizations (e.g., local governments, schools, churches, businesses, social service agencies).

An essential aspect of community policing is trust: citizens trusting the police and the police trusting citizens. Developing trusting relationships makes both citizens and officers safer (Tyler et al., 2015). A trusting relationship between the police and community can mean fewer legal violations by citizens, less frequent use of force by the police, less resistance

by citizens during arrests, greater willingness to share information, less inclination to riot, and greater willingness of community members and police to cooperate (Tyler et al., 2015).

Confirmation bias can undermine the trust that is central to community policing. Different perceptions of events—whether those events are high-profile encounters or everyday interactions—expand the gap between the police and the citizens they serve, making it difficult to work from a common understanding. Moreover, the bias blind spot makes it hard to appreciate that our own perceptions are influenced by our worldviews. Because we each feel like we are experiencing the world objectively, it is hard to imagine that a reasonable person could see the same events so differently. It is then easy to conclude that someone who does not see the same facts is blind, biased, unreasonable, or worse. Research has found that when others disagree with us, we tend to conclude that they are biased (Kennedy & Pronin, 2008).

Both sides, therefore, conclude that the other side is biased and fail to recognize the influences of confirmation bias on their own thinking. This can lead each side to see the differences as wider than they are, the conflict as more extensive, and cooperation as likely to be less productive. It can also lead both sides to treat each other in ways unlikely to lead to finding common ground. The result can be a downward spiral (Kennedy & Pronin, 2008; Robinson et al., 1995). These patterns interfere with productive conversations and the kind of police–community engagement central to community policing efforts.

## Addressing Confirmation Bias

How can police officers and community members address the effects of confirmation bias in ways that foster more productive engagement? First, data and video footage can be helpful because they can place important limits on the range of interpretations that can be drawn. Think back to the football fans who "saw" different games. While they made different judgments about things like which team was responsible for the rough play, whether the nature of the play was unsportsmanlike, and the number of rule violations, few observers from *either* team thought that the game was "clean and fair," and they did see their own team commit at least some rule violations (Hastorf & Cantril, 1954). What actually happened in the game influenced their perceptions and limited the possible interpretations.

The less ambiguous the situation, the less room there is for divergent interpretation or justification (Hsee, 1996). Similarly, the more robust the research base, the less likely that research will be interpreted in different ways. As MacCoun (1998, p. 281) notes, few people "see whatever they want in the data. The available evidence constrains our interpretations… and the stronger and more comprehensive the evidence, the less wiggle room available for bias."

This intuition helps explain why members of both groups may welcome body cameras. Police officers and community members may have different beliefs about what body cameras are likely to reveal. Cops may expect that the cameras will show them acting appropriately, while citizens may expect such cameras to reveal misconduct. But both groups share an expectation that the footage will reduce disagreement about what happened.

Simply presenting new data or relying on camera footage may be insufficient given that confirmation bias means that different people can look at the same research or videos and come to different conclusions. But data and camera footage place some bounds on interpretation: "People do not seem to be at liberty to conclude whatever they want to conclude merely because they want to.…[P]eople motivated to arrive at a particular conclusion attempt to be rational and to construct a justification of their desired conclusion that would persuade a dispassionate observer. They draw the desired conclusion only if they can muster up the evidence necessary to support it" (Kunda, 1990, pp. 482–483). When a more robust body of evidence is available, understandings are more likely to converge.

Second, research has also found that one way to reduce the effect of confirmation bias is to explicitly "consider the opposite" (Kray & Galinsky, 2003; Lord et al., 1984). In other words, it is useful to consciously reflect on what a situation would look like from another vantage point, to deliberately look for aspects of a situation that could be interpreted differently, to look for evidence inconsistent with one's hopes or expectations, and to consider how one would evaluate the quality of a research study if it had come to the opposite conclusion. These sorts of active strategies are more effective at reducing reliance on preconceptions than simply trying to "be unbiased." Recognizing that our perspective influences our perceptions and that the bias blind spot clouds our ability to see our own biases can help motivate this active search for broader insights.

Third, and relatedly, this process of considering the opposite is likely to be the most effective when departmental culture supports disclosure and is open to acknowledging error, and when members of the police and community engage with each other, exchange information about their perspectives, and actively listen (Eyal et al., 2018). When people feel misunderstood, it is hard to work together. But when people feel that their perspective is understood by the other side, increased trust and more positive intentions towards each other are more likely (Livingstone et al., 2020). Listening also tends to lead to more listening on the other side and makes it more possible to grapple with complexity (Itzchakov et al., 2017). This highlights the importance of engaging from a curiosity-oriented stance directed at learning more about each other's contrasting perspectives, even if the two groups ultimately continue to see things differently.

## The Role of Law Enforcement

Police leaders committed to improving relations with the community must understand and address confirmation bias. A first step is to understand why confirmation bias exists and how it can impact officers' performance. As is the case for members of all professions, career is often central to police officers' identity. When the issues involved are closely connected with one's self-concept in this way, confirmation bias is even more likely to occur (Kunda, 1990; Sharot, 2017). This is because it can be difficult to simultaneously maintain a positive self-concept as a member of a profession sworn to serve and protect the community and recognize that fellow officers or practices of the profession have caused harm to the community or the profession (Tavris & Aronson, 2020).

Because the police occupy a position of authority, they bear the weight of responsibility for developing and maintaining

good relations with the community. Training in the academy, mandated continuing education classes, and police news outlets all present opportunities for helping officers understand how their perspectives influence their perceptions, how confirmation bias interferes with good policing and contributes to a lack of trust, and how to take steps to recognize and address these influences.

Police leaders can adopt specific strategies to address confirmation bias. This should begin in the recruiting and hiring phase, with greater attention paid to the breadth of experiences of job applicants. The narrower an individual's pre-existing beliefs and experiences, the more likely he or she is to take a narrow view of new information. Agencies, therefore, should seek to hire applicants with wide-ranging experiences. Background investigation, for example, could identify evidence of diversity in applicants' friendships, work experiences, and group memberships or affiliations (Blumberg et al., 2014); a demonstrable willingness to engage with and maintain broad networks across race and ethnicity, gender, nationality, religion, disability, or sexual orientation; and a sense of curiosity. In California, a 2020 bill was signed into law that directs every law enforcement agency to "review the job description that is used in the recruitment and hiring of those peace officers and…make changes that emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem solving, while de-emphasizing the paramilitary aspects of the job" (California Legislative Information, 2020, para. 13651). Leaders from agencies nationally should consider ways to adopt these guidelines. One unintended benefit of this approach may be to reduce the negative impact of confirmation bias among newly hired police officers.

Law enforcement agencies can also take steps to address confirmation bias during training. As agencies incorporate initiatives to improve policing practices and police–community relations, such as increased transparency and accountability, use-of-force policies, de-escalation training, implicit bias awareness, cultural competency benchmarks, and procedural justice (Quattlebaum et al., 2018), greater attention needs to be paid to training officers in ways that reinforce these principles and the ways in which traditional training fosters some of the problems police leaders are trying to correct (Blumberg et al., 2020). With regard to confirmation bias, officers can be taught to recognize that things are not always the way they initially appear and should practice testing their assumptions about the reasons underlying someone's behaviour or demeanor during an encounter. Training can focus on producing independent thinkers and creative problem-solvers by "increas(ing) opportunities for recruits' autonomous decision-making" (Blumberg et al., 2019, p. 5). Building skills associated with mental flexibility and the ability to recognize and adapt to ambiguity can increase recruits' capacity to consider alternative perspectives and interpretations.

In addition to training that makes police officers aware of the ways in which confirmation bias can impact their own perceptions and behaviour, it is critical for officers to be aware that community members will come into encounters with law enforcement with their own existing perspectives, including a range of different experiences with and expectations about law enforcement. These experiences and expectations can shape citizens' behaviour for reasons that may not be transparent to the officers. Considering alternative explanations for and testing assumptions about such behaviour is important. In addition, when an officer's demeanor, body language, tone of voice, and actions reinforce negative expectations, situations can escalate quickly. In addition to teaching de-escalation and non-escalation skills, training and supervision must focus on ways in which officers can build and reinforce positive, rather than negative, public expectations. Other promising philosophies and training include procedural justice and fair and impartial policing.

Implementing trauma-informed practice that "realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively resist re-traumatization" (SAMHSA, 2014, p. 9) would fundamentally alter the way in which police officers think about and interact with members of the community. A trauma-informed approach is service-oriented and compassionate and encourages officers to consider (and ask) "what has happened to you?" rather than approaching community members with the mindset of "what's wrong with you?" (Blumberg et al., 2020, p. 9). Officers with a trauma-informed mindset approach members of the community, including victims, perpetrators, and witnesses, in a respectful, compassionate manner, appreciating that part of their responsibility is to do what they can to avoid traumatizing or re-traumatizing others. Effectively teaching and implementing practices like this can expand the ways in which officers and community members see each other and decrease the negative bases for confirmation bias.

## CONCLUSION

It is imperative that law enforcement agencies collaborate with scholars, policy makers, and community members to develop comprehensive training programs that address confirmation bias in police work. To this end, the training of police recruits, early career police officers, and administrators should make clear that police work is not just about fighting crime or using force. Instilling a sense of the nuanced contexts of policing and the broad range of circumstances that officers may encounter can provide a broader base of expectations and beliefs in which to root interpretation and decisions. Failing to clearly provide this perspective early in police careers risks interpretation and decisions that are more likely to confirm more narrow and unfounded assumptions. An ongoing organizational environment that supports and reinforces this perspective is also essential.

Law enforcement researchers should further explore the circumstances and expectations that ground confirmation bias in policing. More nuanced exploration of how factors such as a citizen's racial or ethnic cultural background influence officers' perceptions, interpretations, reactions, and decision-making through confirmation bias is important. The circumstances in which confirmation bias may be less likely to occur should also be explored. It would furthermore be valuable to explore differences in the bases for and operation of confirmation bias among officers from different cultural backgrounds. In addition, research should explore how evidence-based training

programs might best help officers address confirmation bias, hence minimizing the likelihood that pre-existing attitudes and expectations will interfere with their decision-making in the line of duty or broadening the base of expectations on which they can draw. Studies that explore all of these issues will help inform strategies for addressing and mitigating confirmation bias as part of police work.

Recognizing and addressing confirmation bias is only one step in a much larger process of reform. But it is a step that can help pave the way to a better understanding, increased trust, and more effective collaboration. Confirmation bias is deeply embedded in all of us. If we are to improve police–community relations and co-create a way forward, learning to approach these debates with open minds, an awareness of the lens of our own perspective, a commitment to consider the opposite, and the goal of listening with curiosity are essential.

## CONFLICT OF INTEREST DISCLOSURES

The authors declare that there are no conflicts of interest.

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# Law enforcement wellness: Promoting the "good" during the "bad" and "ugly"

Konstantinos Papazoglou,*† Katy Kamkar,‡§ and Jeff Thompson¶

## ABSTRACT

Wellness and resilience have been at the epicenter of attention amongst many law enforcement researchers, clinicians, and professionals in recent years. Both resilience and wellness aim to provide law enforcement officers with knowledge and effective tools that can be employed during both professional and personal challenges. The current manuscript presents wellness within a context of prevalent conditions and/or situations (i.e., what is called "Good" during the "Bad" and "Ugly") that law enforcement officers experience as part of their duties as well as in their personal lives. The authors aim to raise awareness of police wellness that needs to be viewed within the context of police work and not in a vacuum. Considering that, tangible actions and recommendations are also discussed.

**Key Words** Resilience; moral injury; compassion fatigue; self-compassion.

## INTRODUCTION

Over the last centuries many scholars have devoted their work to studying the meaning of well-being and have examined the factors that appear to contribute towards one's well-being. To this end, it is believed that happiness, optimism, hope, and self-determination are integral components that formulate the epitome of one's well-being; in turn, well-being refers to one's capacity to increasing flourishing (Seligman, 2011).

A myriad of research studies (see, e.g., Gershon et al., 2009; Kuhns et al., 2015; Ma et al., 2015; Seigfried-Spellar, 2018; Walter et al., 2019) have shown that police work encompasses a plethora of challenges, some of which can be traumatic. Specific challenges include the multiple stressors police officers experience in their workplace at personal, operational, and organizational levels (Gershon et al., 2009; Kuhns et al., 2015; Terpstra & Schaap, 2013; Seigfried-Spellar, 2018; Violanti et al., 2013).

Aside from these known historical challenges police officers are faced with, recent events, including civil unrest, strained police–community relations, police abuse of powers, and having to police during the global COVID-19 pandemic, have further contributed to mental health and overall well-being concerns for police personnel.

These historical and current issues and concerns are complex and warrant a detailed plan to address them that is realistic, includes input from key public stakeholders and, importantly, provides a response that is sustainable. The authors appreciate the complex nature of this endeavour and will explore one specific aspect that can contribute to positive change in each of these areas: officer well-being. This paper reviews historical and current contributing factors that have led to diminished officer well-being. Then, two critical aspects of creating officer well-being are reviewed: occupational and personal. Finally, the paper concludes with recommendations for a path forward to increase the "good" (officer well-being) while persevering through the "bad" and "ugly."

### Detriments to Officer Well-being: Historical

It is not surprising that exposure to multiple stressors and potentially traumatic incidents may hinder well-being among police officers. Chopko et al.'s (2015) work suggests that over the course of their career, an officer can be faced with 188 critical incidents on average. Patterson's research (2001) states that police officers face an average of three traumatic experiences for every six months of service. Further, and more generally, research has also established a connection in officers between exposure to traumatic incidents and higher levels of depression and anxiety (for a review, see Violanti et al., 2017).

It is not just the incidents that adversely impact officers' well-being. In fact, it is the very structure of their work. To this end, shift police work appears to be one of the factors that impede police well-being. In particular officers who work

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afternoon and night shifts report more stressful events and exposure to higher physical and psychological risks than morning shift officers (Ma et al., 2015). Rotating shifts and the potential to disrupt sleep can also impact an officer's ability to handle incident-related stress (Baughman et al., 2014). Overall sleep deficiency remains an issue for police officers as well (Bond et al., 2013; Neylan et al., 2002; Pearsall, 2012).

The police agency itself is known to contribute to considerable stressors for police officers (Violanti et al., 2017; Violanti et al., 2016; Violanti et al., 2014), and some studies have shown the organization to be the most significant stressor (Collins & Gibbs, 2003). The significant role of occupational stressors on the psychological health of public safety personnel has recently been further confirmed. Carleton and colleagues (2020) found that, among public safety personnel, across different positive screenings for mental disorders, believing you need to prove yourself to the organization and believing if you are sick or injured your co-workers seem to look down on you were found to be the two organizational stressors with the highest odds ratios.

Morash and colleagues (2006) explain that organizational stress encompasses a variety of aspects such as lack of influence over work activities, racial and gender bias, harassment, lack of opportunity to advance, and lack of a support network.

## Detriments to Officer Well-Being: Mental Health Conditions

The aforementioned described factors may not only impede police well-being but may also create a lethal combination of risk factors that potentially threaten officers' lives and increase susceptibility to mental health disorders, such as depression and posttraumatic stress disorder (PTSD) (Gershon et al., 2009; Mumford et al., 2015; Carleton et al., 2020). Officers' coping strategies, in particular maladaptive coping, have also been found to increase the risk of psychological disorders. For instance, avoidant coping (e.g., alcohol use) was found to be detrimental and debilitating for officers' well-being in a group sample of police officers from Sweden (Arble et al., 2018). Analogous results were also found in a study conducted with police officers from India, whereby maladaptive coping strategies (e.g., self-blame, denial, substance use, behavioural disengagement) rendered officers more susceptible to health issues that were eventually detrimental to their well-being (Singh & Mishra, 2010). In their research work conducted with police officers from upstate New York, Violanti et al. (2013) found that police officers' life expectancy was significantly lower than that of the general US population. More specifically, the years of potential life lost was 21 times greater for police than for the general population. Potential risk factors contributing to such outcomes were shift work, stress, and exposure to hazardous work-related conditions.

## Detriments to Officer Well-Being: Current Events

In addition to historical factors, such as traumatic incidents inherent to the nature of police work, the contributing factors of an agency on officers' well-being, and the increased risk of mental health disorders, current global events have only further increased the negative toll on officers' mental health. Thompson and Drew (2020) detail that this includes having to police during the global pandemic, the increasing rise in police officer suicide rates, and the growing anti-police rhetoric that has called for police agencies to be abolished and defunded. This all can contribute to various negative coping strategies and diminished officer well-being.

Work by Kamkar et al. (2019) and Papazoglou et al. (2020) explains that additional consequences can be the result of what is described as a "moral injury." Moral injury refers to one's moral and ethical beliefs and expectations being transgressed by an event, action, or inaction (Litz et al., 2009; Kamkar et al., 2019). Although moral injury is not a diagnosable mental health disorder, it still can have a significant and long-lasting detrimental impact on an officer. In fact, moral injury has been found to impact, for instance, psychological, emotional, and social functioning (e.g., Drescher et al., 2011). Internal psychological conflict or disequilibrium can worsen social functioning by leading to self-isolation and avoidance, as well as mental health conditions such as anxiety, suicide risk, and symptoms related to PTSD (e.g., Bryan et al., 2018; Papazoglou et al., 2020). Combining the historical toll policing is known to have on the well-being of police officers with current events stressors, the state of policing today can certainly be viewed as being in the midst of both the "bad" and the "ugly."

Despite this cause for alarm, which undoubtedly is warranted, instead of capitulating to these mounting unfavourable policing conditions, "good" can arise. This "good" includes both actions by police organizations and by the individual officers themselves. The next section details how officer well-being can be promoted and enhanced through organizational and personal actions.

## Advancing Officer Well-Being: Organization

The role of an organization is integral to promoting officers' well-being. In their study of police officers from Germany, Wolter and colleagues (2019) explored the role of job demands—job resources framework to either hinder or promote well-being among police officers. Their study highlighted that whenever police culture places emphasis on shared values and the sense of belonging and fairness, well-being flourishes in the department. In addition, the term *job resources* refers to the availability of adequate social support from other colleagues and supervisors. Despite the stressors or other challenges experienced by an officer, it is suggested that the availability of adequate job resources (e.g., peer support, fairness, team cohesion) that promote the sense of hope and optimism in the department may not only empower an officer to overcome the hardships of police work but can also enhance well-being (Arble et al., 2018; Padhy at al., 2015). This finding is in accordance with Gershon et al.'s (2009) work, which found that it is not the police work stressors per se that create mental health problems but rather the perceived stress and whether or not officers are able to employ effective coping skills to overcome work-related hardships.

In their work with Australian police officers, Birch et al. (2017) conducted in-depth interviews and found that occupational justice can empower well-being in police. The authors defined occupational justice as officers' active participation and inclusion in work-related matters and decisions. It is argued that occupational justice instils positive working relationships, closeness, and familiarity with other police colleagues. In addition, Birch et al. (2017) found that altruism plays a vital role in promoting well-being in police since it helps officers to realize that contributing to

communities by helping civilians and, especially, those who need support is vital in ensuring the quality of the services in the communities they serve. In addition, altruism is one of the human strengths that helps a person make meaning and find purpose in police work. The vital role of officers' commitment to the organization, as well as their discretionary effort to dedicate additional time, effort, and power to their work have been shown to be factors that promote police well-being (Hesketh et al., 2016). It is possible that engagement in an organization's processes and activities increases officers' sense of self-control as well as their perception of control over their work-related conditions.

Psychoeducation and related activities pertaining to well-being and physical health have also been found to promote a healthy lifestyle focused on well-being. In their research study with police officers from Italy, Acquadro Maran et al. (2018) developed a program in which officers were invited to participate in practical exercises that included tai chi, autogenic training, yoga, and meditation. Findings showed that officers were able to reduce significantly their perceived distress levels and improve well-being by participating in the activities. In addition, researchers concluded that officers who participated in their study were able to employ a number of practical exercises that helped them adopt adaptive coping strategies, creating a virtuous cycle of positive feelings as they reflected upon and introspected about their emotional experiences while they practiced the exercises. Wild et al. (2020) do caution that psychoeducation alone has limited results and should thus be combined with the promotion of activities to increase officer well-being.

The connection between mind and body is further enhanced through focus not solely on physical sensations but on monitoring emotional sensations as well. Analogous conclusions were drawn by Trombka et al. (2018), who recruited officers from Brazil and had them attend a mindfulness-based program. Their results showed that officers who attended mindfulness sessions were better able to reduce distress and improve perceived quality of life.

## Advancing Officer Well-Being: The Individual

It is clear that it is the responsibility of each police organization to continually look after the well-being of its workforce. However, it is important to emphasize the proactive and voluntary role the officers must play in their own well-being. Being active agents in enhancing their own well-being contributes to countering a learned helplessness. Seligman describes learned helplessness as a mental state wherein a person is unwilling or unable to avoid negative situations and further feels like they have no control over it. Seligman adds that this learned helplessness further contributes to an unwillingness to act, weakened self-esteem, and diminished mental and physical health.

Thus, as much as a police agency can provide and promote officer well-being initiatives, the officer must not only take part but want to take part. This of course helps counter the development of learned helplessness, with the officer being, as described by Hanson & Hanson (2018), the "hammer" and not the "nail." In resiliency terms, this is further described as possessing agency—acting on and addressing what can be controlled. When a police agency promotes officer well-being, it can motivate the officer to follow through and act, demonstrating the symbiotic relationship between the individual and the agency in promoting officer well-being. Developing and enhancing personal resilience involves a variety of terms and practices. Three of them, mindfulness, self-compassion, and psychological flexibility, are discussed below.

Mindfulness and self-compassion have been found to be positively associated with well-being (Neff, 2012) and negatively associated with psychopathology (MacBeth & Gumley, 2012). Self-compassion includes being mindful of one's negative emotions and thoughts, practicing self-kindness, and recognizing that pain and suffering are part of the human experience (Neff, 2003). Both mindfulness and self-compassion have been found to be negatively associated with PTSD and with functional disability (Dahm et al., 2015). Thus, prevention, education and interventions around mindfulness and self-compassion might offer further support towards the prevention of mental health problems and the promotion of well-being among police officers.

Psychological flexibility is another modifiable factor found to be negatively associated with disability and positively associated with quality of life (Bond et al., 2013). It is defined as being in contact with the present moment and being aware of one's thoughts and feelings within the present moment to be able to take a broader view of the situation (Hayes et al., 2006).

After accounting for PTSD symptom severity, mindfulness, self-compassion, and psychological flexibility comprised a single factor that predicted disability and quality of life among war veterans (Meyer et al., 2018). Thus, interventions aimed at building resiliency through self-compassion, mindfulness, and psychological flexibility can help achieve better therapy outcomes, better prognosis for recovery, and improved functioning and quality of life.

## Making the "Good" Better

Fortunately, comprehensive work already exists in agencies and organizations across the world demonstrating that rigorous research and data collection are informing and guiding practices to enhance officer wellness. This section details some of the existing work and is not intended to be an exhaustive list.

The Fraternal Order of Police, along with NBC News, distributed a survey and collected responses from more than 8,000 officers. This type of data can strategically guide specific outreach and initiatives to address issues officers are experiencing (in contrast to generic outreach). Two important findings from their survey include trying to combat stigma associated with help-seeking and increasing the use of peer support.

The United Kingdom-based Oscar Kilo program engages in similar data collection using a yearly survey of police personnel on wellness (Durham University, 2020). The findings are used to create specific programs to assist officers in areas where they have asked for assistance ("Fatigue to be tackled," 2020). For example, they created a series of webinars addressing sleep concerns, collaborating with experts to provide information and tips ("Better sleep webinars," 2020).

With respect to identifying the literature on resilience and how practices can be developed specifically for policing, Tabibnia's work (Tabibnia & Radecki, 2018; Tabibnia, 2020) conveniently outlines numerous practices that fall within

three categories: upregulating the positive, downregulating the negative, and transcending the self. This work has already helped guide the creation of resilience programs that have been used by police personnel and other first responders across the world (Thompson & Drew, 2020; Thompson, 2020). Other resilience programs have embraced collaboration with researchers aimed at measuring their programs (Andersen et al., 2015; Balmer et al., 2013; Fikretoglu, 2019; Ramey et al., 2017). Notably, this includes a partnership between the International Association of Chiefs of Police, the Bureau of Justice Assistance, and the University of Pennsylvania with the Valor Program that is being distributed across the United States.

Finally, New Zealand Police, in partnership with Synergy Health, created a comprehensive digital platform, the Wellness Hub. Based on the continual collection of anonymous data, the content they provide is specifically curated. This includes podcasts, workout programs, mindfulness exercises, and blogs written by staff.

## CONCLUSION

Police agencies have to acknowledge the burden and toll policing takes on its workforce. This acknowledgement of the daily "bad" and ugly" that is involved in policing, both in public interactions and those caused by the agencies themselves, requires action on their part in order to support their staff on a continual basis to demonstrate they legitimately want to increase the "good." This does not relieve the officers of their personal duties, however.

In order for the "good" to prevail, each individual must also be an active participant in developing and enhancing their personal resilience and overall mental health. In order for this to effective, both agency and individual practices must be not only evidence-based but practically designed. Practices grounded in science that have been created specifically for police officers are showing promising results and rigorous research needs to continue to test its efficacy, scalability, and sustainability. For the "good" to continue as the "bad" and "ugly" certainly will, this work and collaborations too must push forward.

Moreover, it appears more proactive to view wellness from a collective, multi-faceted perspective that incorporates various components, including a person's cognitive, emotional, social, physical, and spiritual well-being. In keeping with this approach, it appears vital that an officer strives to incorporate all those strategies to maintain wellness in life. Nevertheless, the role of the organization and leadership in police agencies is crucial in building an organizational system and culture that encompass wellness and mental health promotion. Of course, compared with decades ago, law enforcement has made progress towards wellness. Currently, most police agencies have wellness units and wellness coordinators, and most law enforcement professionals openly discuss issues of police wellness in professional meetings and academic conferences. As research progresses, with new findings and continuous conversations, we will have the opportunity to build on extant knowledge as a way to help officers maintain wellness and support not just for the officers but also their families.

In addition, while the establishment of wellness units, wellness programs, and related infrastructure is crucial, it is equally vital that wellness units be organized in a way that maintains open channels of communication with healthcare providers and police executives. These channels of communication will allow wellness to evolve over time, prioritizing police officers' needs and developing a philosophy of openness and trust amongst different stakeholders that aims to support officer wellness. To conclude, we are hopeful that further knowledge (both evidence- and practice-based) will allow police agencies to implement sophisticated, evidence-based wellness programs that are flexible enough to be customizable to each officer's needs.

### CONFLICT OF INTEREST DISCLOSURES

The authors declare that there are no conflicts of interest.

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ORIGINAL RESEARCH

Journal of
COMMUNITY SAFETY & WELL-BEING

STRENGTHS

# Pandemic meets epidemic: Co-location of COVID-19 and drug overdose deaths in the United States

Navya Tripathi* and Nancy Hardt†

## ABSTRACT

Drug overdose deaths (DOD) in the last two decades have increased over 300 percent. In 2019 alone, 71,000 deaths represented a 7% increase from the previous year. According to recent data released by the Center for Disease Control and Prevention (CDC), 81,230 overdose deaths occurred in the United States from June 2019 to May 2020, the highest number of DOD recorded in a 12-month period. Early 2020 saw the spread of the COVID-19 pandemic in the United States, which CDC suggests has amplified the previously alarming rise in drug-related mortalities. A hot spot analysis of COVID-19 and DOD rates, as well as a spatial correlation between the two datasets at the state level on a monthly time step, showed a significant increase in DOD during the COVID-19 pandemic. This study, conducted for the period of March through July 2021, showed a spatial correlation between the two types of mortalities in the initial months of 2020. Furthermore, the hot spots for both types of mortalities were concentrated in the northeastern states. The COVID-19 mortalities shifted southeast in July 2020, but DOD data was unavailable for further analysis. Since DOD are a leading contributor to preventable deaths, the results of the study may help focus the efforts of effective and innovative programs to reduce substance use disorder and related mortality through increased access to treatment. During the pandemic, access to such facilities was reduced.

**Key Words** Spatial correlation; hot spot analysis; 2020; census regions.

## INTRODUCTION

Drug overdose deaths[a] (DOD) in the United States have gained national attention, and in 2018, a national epidemic was declared. With more than 800,000 DOD in the United States since 1999, the rate of DOD has dramatically increased (Centers for Disease Control and Prevention, CDC, 2021a). According to the CDC, in 2019 there were 71,000 DOD reported, a 7% increase over 2018, and 2020 saw a further increase in overdose deaths. According to the data released by the CDC National Center for Health Statistics, approximately 68,446 deaths occurred in the first three quarters of 2020 compared with 52,591 deaths over the same time period in 2019 (CDC, 2021b), which represents a 26% increase in DOD in 2020 over 2019.

Health-care experts have speculated on reasons for the increase of overdose deaths in recent years, with leading causes being the increased availability of drugs (Cicero et al., 2014; Mann, 2021) and reduced awareness and public education on substance use disorder (RHIhub, 2021), as well as increased mental illness in the United States due to depression and anxiety (Baumgartner & Radley, 2021). Distressed individuals often self-medicate in their attempts to gain relief, especially in the absence of mental health care. Thus, the increase in DOD in 2020 could be due to the COVID-19 pandemic affecting both the social and economic aspects of peoples' lives (Carrasco, 2021; Czeisler et al, 2020; Mann, 2021; Stephenson, 2020). Decreased access to medical and social support during the pandemic may also be one of the contributing factors to the increase observed (Mann, 2021; Volkow, 2020; Weiner, 2020).

Drug overdose deaths are unevenly distributed across the United States. Specific geographic areas, such as parts of West, the Midwest, South, and Northeast, have reported higher mortalities due to substance abuse than other areas (DHEC, 2020; Tripathi, 2019), with rural areas more heavily affected (Ghertner & Groves, 2018; Wagner et al., 2019). Similarly, COVID-19 mortalities affected the nation inequitably,

[a]"Drug Overdose Deaths" and "Drug Overdose Mortalities" have been used interchangeably in this paper.

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with areas in the Northeast, New Orleans, and Detroit experiencing higher mortalities during the first wave before the southern region was hit during subsequent waves (Johnson et al., 2021). According to the American Medical Association Issue Brief (2021), "Every state has reported a spike or increase in overdose deaths or other problems during the COVID pandemic." This study aims to determine whether there is any spatial correlation between the drug overdose deaths and deaths due to the COVID-19 pandemic from the months of March to July 2020.

Substance abuse disorder is a contributor to preventable deaths. The results of the study may help focus the efforts of effective and innovative programs to reduce substance use disorder and related mortality through increased access to treatment. During the pandemic, access to treatment facilities was reduced (Volkow, 2020).

## METHODS

The study was done using state-level data. The March–July 2020 COVID-19 data and the January–July 2020 drug overdose data were downloaded from the CDC National Vital Statistics System (NVSS) website (NVSS, 2021). The total population data for each state was downloaded from the Census website to calculate the crude mortality rates. To study co-location between the two datasets, a Geographic Information System (GIS) was used. The crude mortalities were spatially joined with the state data using GIS software, ArcGIS Pro (ESRI). After data preprocessing and preparation, ArcGIS Pro software was used to create a map of statistically significant hot and cold spots for each dataset on a monthly basis. Getis-Ord Gi* statistic (ESRI) was used to find z-scores and p values to identify where features with either high or low values clustered spatially. Spatial and temporal correlations (if any) were studied between the two datasets for each month from March through July 2020 using the Band Collection Statistics tool in ArcGIS Pro. States and regions with the highest DOD during the COVID-19 months were identified. The results were also analyzed by Census region—West, Midwest, Northeast, and South.

## RESULTS

Early in the year, there was an overall increase in drug overdose mortality rates in some states, but not all, when compared with the 2019 data. By July 2020, as the pandemic progressed, almost all states showed an increase in drug overdose mortality compared with the same months in 2019. In other words, even states that were showing success in their efforts to reduce overdose deaths started experiencing an increase in DOD as the pandemic continued. Figure 1 shows the steady increase in the number of states experiencing higher DOD in 2020 as the COVID-19 pandemic progressed.

### Regional Analysis

The mortalities under each dataset were analyzed to see whether the states that were hit hard by the pandemic also experienced higher DOD. At the national level, five of the top ten locales that experienced higher COVID-19 mortalities also experienced higher drug overdose mortalities. Those

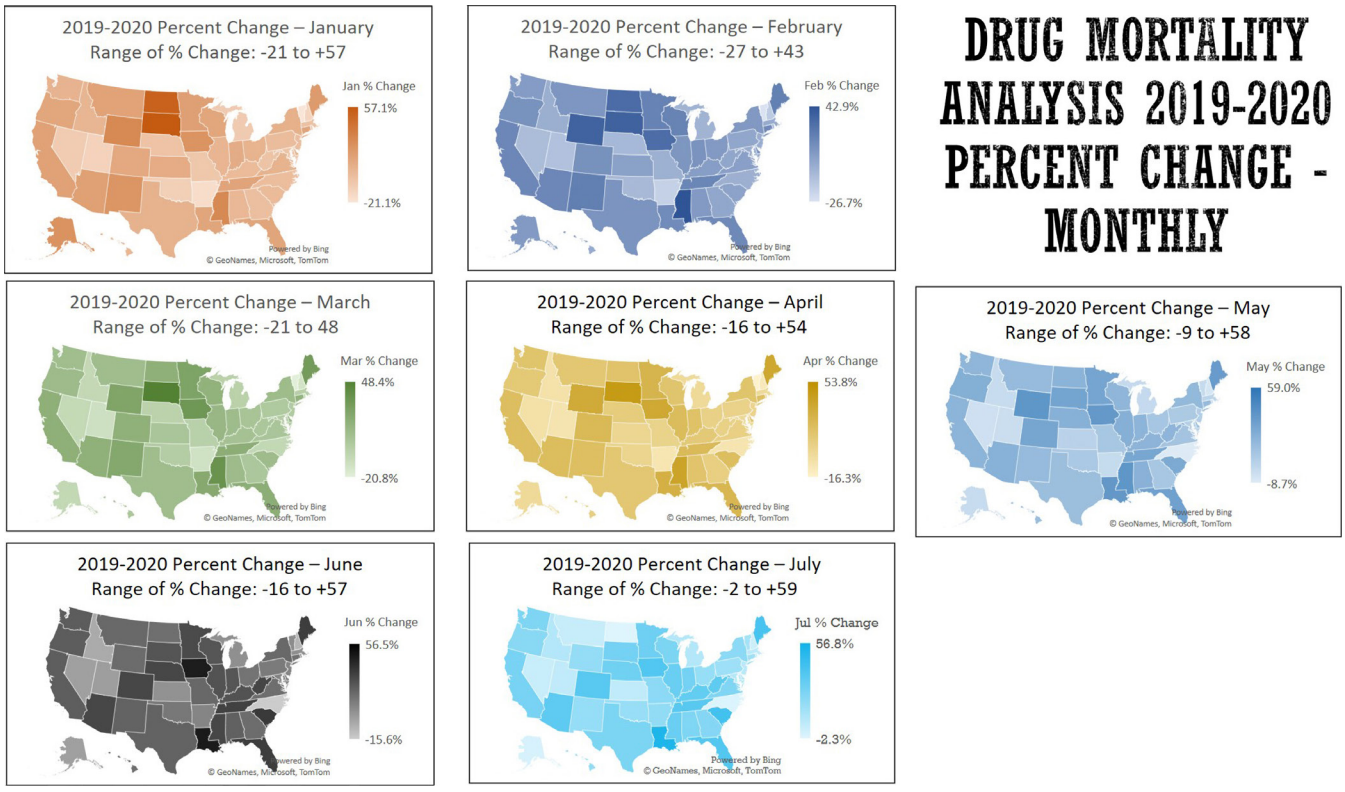


**FIGURE 1** Monthly percent change in drug overdose mortalities 2019–2020

locales were District of Columbia, Maryland, Pennsylvania, Connecticut, and Louisiana. New Jersey, in the Northeast region, recorded the highest COVID-19 mortalities during the initial period (January–July), while Washington D.C. had the highest drug overdose mortalities during the same period (January–July). Comparing the drug overdose mortalities in 2019 and 2020, most of the states showed an increase as the pandemic progressed. Analysis of the Census Regions showed that states with the highest drug overdose mortalities coincided with the states with highest COVID-19 mortalities. Table I shows the top five states with the highest mortalities in both datasets. The states in bold are present in both datasets.

### Spatial Analysis to Study Co-Location

There was a spatial correlation between drug overdose mortalities and COVID-19 mortalities in all the months that were studied (March–July 2020) except for the last month for which data was available (July). The spatial correlation between drug overdose mortalities and COVID-19 mortalities was weak positive for March and June (0.3 for both) and moderate positive for April and May (0.4 for both), while July showed a very weak positive correlation (0.1). Mortality hot spots with >90% confidence levels for both causes of death are shown (Figure 2). Drug overdose mortality showed very little change during the months observed, but COVID-19 mortality changed hot spots month to month with the biggest change in July as southern states began to experience more deaths due to COVID-19.

**TABLE I** Regional breakdown of the top five states with highest mortalities from DOD and the COVID-19 pandemic

| Regions | Top 5 locales per region for overdose mortality | Top 5 locales per region for COVID-19 mortality |
|---|---|---|
| Northeast | **CT, MA, NJ,** PA, **RI** | **CT, MA, NJ,** NY, **RI** |
| Midwest | **IL, IN, MI,** MO, **OH** | IA, **IL, IN, MI, OH** |
| West | **AZ, CO, NM, NV,** WA | **AZ,** CA, **CO, NM, NV** |
| South | **DC, DE, MD,** TN, WV | **DC, DE,** LA, **MD,** MS |

Note: The states that overlap between the two datasets are in bold.

## DISCUSSION

The study showed that the COVID-19 pandemic was associated with increased mortality rates over time in most states. An examination of drug overdose mortality in the study period showed that the hot spots initially followed the COVID-19 hot spots, but in July, COVID-19 mortality shifted to the southern belt of the United States. A limitation of this study is that full drug mortality data for 2020 was not available. Therefore, this analysis should be repeated when full 2020 drug overdose mortality data is released by the CDC.

## CONCLUSION

The study showed that drug overdose deaths increased during the COVID-19 pandemic. Although there was a moderate to weak positive spatial correlation between the two types of mortalities in the initial months, the COVID-19 mortalities shifted to the southern region in July. Drug overdose mortality data was not available beyond July 2020 to see whether those mortality rates also followed the same regional pattern. Other studies suggest that COVID-19 affected the lives of people both socially and economically, causing distress (Carrasco, 2021), which may have increased drug usage or perhaps reduced access to drug treatment and social service supports (Mann, 2021; RHIhub, 2021). Meanwhile, the COVID-19 death rates fluctuated by state depending on local weather, testing, treatment, and policies such as mask mandates and closure of businesses. Early in the pandemic, strict lockdowns and quarantines may have made substance use disorder treatments hard to access (Volkow, 2020). The shifting treatment

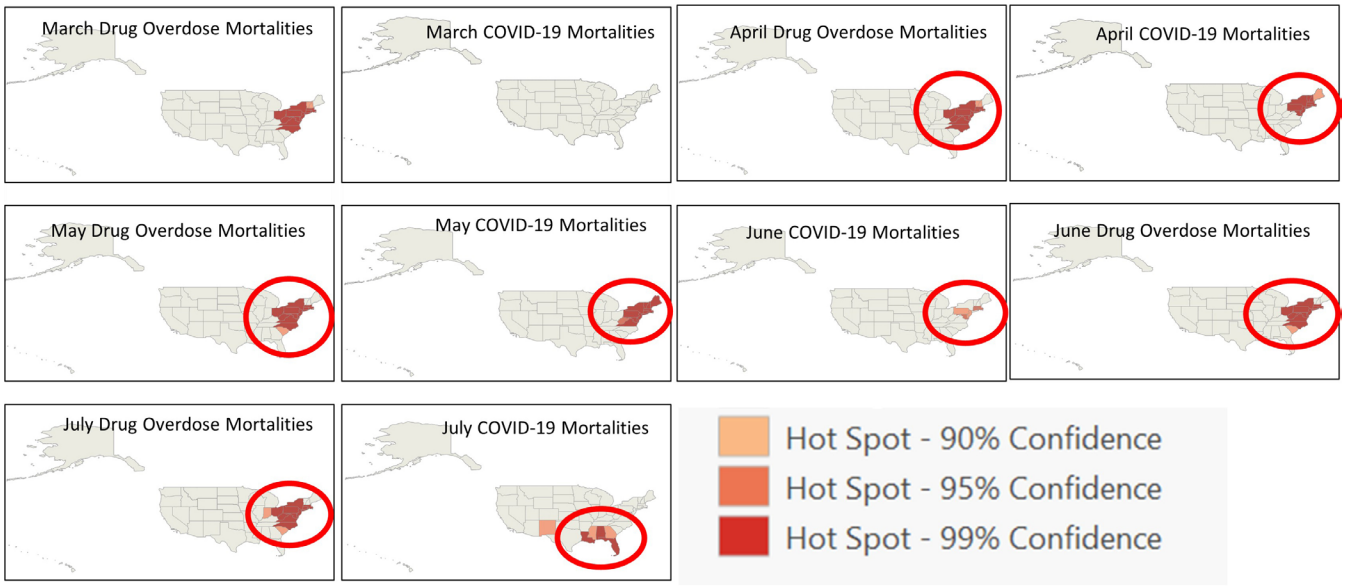


**FIGURE 2** Monthly hot spot analysis of DOD and COVID-19 mortalities. DOD = drug overdose deaths.

to available online providers and the lack of usual in-person meetings may also have had effects on patients who did not trust unfamiliar providers and treatment methods (Weiner, 2020). Another reason for many patients to not seek in-person substance use disorder treatment during the pandemic was the fear of contracting COVID-19 (Weiner, 2020). However, towards the end of 2020, policy changes helped those with substance use disorder by allowing changes in reimbursement rules, allowing telehealth, combining telemedicine with street access to people with limited access to internet, expanding access to medications for substance use disorders, and other policy changes such as suspending certain waiver requirements to provide greater access to buprenorphine (Baumgartner & Radley, 2021; Volkow, 2020; Weiner, 2020). This may affect the co-location of drug overdose mortalities and COVID-19 mortalities. Further analysis should be continued when full 2020 drug overdose mortality data are released by the CDC.

## Recommendations

Once the final data from 2020 are available, it will be important to see whether the hot spots for drug-related deaths moved to southern regions along with the hot spots for COVID-19–related deaths. It is important to carry out policy analysis to determine whether the changes influenced by COVID-19 to improve access to drug treatment had a beneficial effect on overdose mortality rates. These changes in rules for access to drug treatment may be continued after the pandemic is over in order to improve delivery of care and services to those at risk for DOD, thereby preventing more of these deaths.

Evidence-based prevention and response strategies, including substance use disorder treatment and overdose prevention and response efforts focused on polysubstance use, must be adapted to address the changing drug overdose epidemic.

## Limitations

The data availability was the biggest limitation for this study because of the >6-month lag in availability of drug overdose mortality data. Drug overdose data from 2020 were available at the state level but not at the county level, which also hindered the timely identification of hot spots within states that might have helped locales to concentrate service delivery where needed. In addition, the drug overdose mortality data did not include any demographic information that might have allowed study of the correlation between COVID-19 mortalities and drug overdose mortalities for different segments of the population.

### CONFLICT OF INTEREST DISCLOSURES

The authors have no actual or potential conflicts of interest to declare.

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# Modern-day slavery, human rights and the sex industry

Robert Chrismas* and Brandi Chrismas†

## ABSTRACT

This article explores the sex industry in Canada as modern-day slavery and an ongoing violation of basic human rights. Some argue that the sex industry is something that women or children choose to do as a legitimate profession, and others argue that they are exploited and manipulated by other people for indebtedness, for clothing, food, shelter or to support substance or alcohol addictions. How should the laws around sex trafficking and sexual exploitation be designed? The government could be in a position to legally ensure dignity and human rights protection for those engaged in selling sex. This paper highlights the perspectives of survivors of the sex industry as they describe heart-wrenching experiences that include torture, physical threats, psychological fear, and manipulation. As the public discourse grows around this ongoing scourge, momentum for change is also growing. There have been numerous efforts to address, disrupt, and end this social scourge. Our awareness of modern-day sex slavery atrocities seems to coincide with a greater sense of respect for fundamental human rights and a desire to protect them.

**Key Words** Sexual exploitation; laws; protection; sex-industry survivors; public discourse; dignity; Canada; abuse.

## INTRODUCTION

Human trafficking for forced sex is a massive worldwide industry that is growing despite ever increasing efforts, cross-sectoral resources, and financial investments over recent decades. Prostitution has historically been seen as a socially acceptable crime that women commit to fulfill a need that many argue will always exist. However, our universal understanding has begun to shift from one of women selling sex as a "trade" that they choose voluntarily to a form of modern-day slavery that women and girls are most often forced into.

Some have argued that women need the protection of government to do this work freely, protected by the law. Indeed, many choose it as their profession. Many, however, are brought into it as children, against their free will. Many are targeted and exploited for profit by traffickers who make a great deal of money through criminal enterprise. Historically, "prostitutes" were viewed as criminals. Much of the discourse, in the literature and among law enforcement and the public across North America, now views sex-industry workers more as victims. Hence, we argue that the law should protect those most vulnerable as a first priority. This paper explores the sex industry in Canada as modern-day slavery and an ongoing violation of basic human rights.

Sexually exploited women and youth are physically and socially isolated, coerced, threatened, and tortured. All of these are forms of oppression as defined in the *Universal Declaration of Human Rights* (Canadian Women's' Foundation, 2014). In the Canadian context, the sex industry often involves survival sex, which includes impoverished women selling sex as they struggle to feed addictions, eat, and keep a roof over their heads (Chrismas, 2020).

Significant events have driven a national agenda to curb the sex industry in Canada in recent years. The Oppal inquiry into the Pickton mass murder case in British Columbia highlighted that people selling sex were historically seen as expendable (Oppal, 2012). It signalled changes in policing and the way missing persons cases were prioritized and investigated across Canada (Chrismas, 2013). Canada's *Missing and Murdered Indigenous Women and Girls Inquiry* later recognized that sex-industry survivors have rights to safety, security, and dignity that need protecting (Chrismas, 2020).

## AN AGE-OLD PROBLEM THAT IS GROWING

Sexual exploitation and sex trafficking affect people in every country in every corner of the world (UNODC, 2014). Internationally, the industry is estimated to generate US$99 billion

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yearly for organized criminal traffickers (Nelson, 2014). The United Nations reports that the problem in most regions of the world is worsening despite the massive resources that have been invested in an attempt to interrupt it (INODC, 2014). The *Palermo Convention* brought together 147 countries and acknowledged the seriousness of sexual exploitation and human trafficking internationally, highlighting the need for improved collaboration to combat it (Buttigieg, 2015).

The horrors of human sex trafficking and its continued violation of human dignity are accessible through the narratives of young women who have survived it (Chrismas, 2017). Following is one Canadian story. Pseudonyms are used throughout, to protect the identities of the survivors.

> ***Ashley:*** From a survivor's view, I was first victimized at the age of 15. I was groomed and coerced into entering the sex trade, and then to selling myself on Ellice and Home. All the money I made went to drugs. I was then introduced to an older man who pretended he was my boyfriend. He had me working out of an older girl's apartment who was out of town. I was advertised on the Internet and I would see many men a day there. He said he was keeping all the money and that I would get a car, my own condo, clothes. He bought me jewellery, but I didn't see any of the money. Then I ended up moving from Winnipeg to Vancouver, and back to Winnipeg to an abusive dangerous predator, and then to Toronto, where I was with a very controlling abusive predator who actually sold me. I was in jail and I had a surety, and I guess he had had enough of me, so he essentially sold me to another predator who ended up being murdered. He was shot in the head after which I returned to Winnipeg. Then when I came back to Winnipeg, I was trying to get help for my addictions, and I had ended up getting a big settlement from a lawsuit I had in Vancouver. And I wasn't able to manage the money, and I felt so hopeless, so much guilt, and so much shame that I jumped off of the Maryland Bridge. I landed on the ice. I broke my back and my legs, and my feet were crushed. So, I spent six months in the hospital rehabilitating from that. And from then I still was entrenched in the sex trade. That's all I had known my whole teens and adult life. I had been brainwashed by these men into thinking that I needed them. So, I had a son and I lost him to CFS. The turning point really wasn't for me until I was pregnant with my daughter. (Chrismas, 2017, p. 110–111)

For most, it starts in childhood, when the trauma of abuse and neglect makes them vulnerable to being targeted. It is challenging for them to resist and even harder to escape due to limited alternative options in life (Chrismas, 2017).

Some have argued that human rights change; they are not "timeless, unchanging or absolute" (Donnelly, 2013). The idea of individual dignity historically only applied to small elite segments of society (Donnelly, 2013). A more contemporary perspective views all individuals as having value, and some basic human rights. The idea of vast economic disparity that was common in the past is becoming increasing unacceptable in the Global North. In Canada, much of the discourse has been around rectifying the colonial oppression of Indigenous peoples. The idea of some communities living with water advisories and poor housing is less tolerable than it was. Similarly, increasing awareness of children and young women being targeted and oppressed in the sex industry is less and less tolerable in the modern context.

## LANGUAGE IS IMPORTANT

Terms such as "sex trade" and "prostitution" have significant implications in how the agency and self-determination of people engaged in it are viewed. Scholars have highlighted that the term "prostitute," for example, wrongly infers that someone willingly sells her/his body as a sexual service in exchange for money or drugs. While some do engage willingly in prostitution, for the vast majority the term sexual slavery better describes their lot. Nowadays, those who work in support of people who have been trafficked generally avoid those terms, favouring more respectful language that references survivors and their dignity. Hence, the term "sex-industry survivors" has been favoured by many (Chrismas, 2017).

### Human Trafficking vs. Smuggling

Scholars have provided in-depth discussions on the differences between sex trafficking and human smuggling (O'Brien et al., 2013). The legal definitions of smuggling involve people being moved across national borders. In many cases, they voluntarily seek assistance to be smuggled, with the hope of gaining meaningful employment and a better life. Often, their hope is quashed as traffickers change their final destination to a life of servitude (Chrismas, 2013). Trafficking, on the other hand, is characterized by deception and force in order for organized criminals to gain financially by exploiting others. Sex trafficking implies the exploitation for money that so often occurs (Chrismas, 2020).

### Sex Trade vs. Slavery

The term "sex trade" is politically incorrect and is now considered insensitive in most circles. It implies a willingness on the part of women and children participating in selling sex (Cook & Courchene, 2006). Kelsie is a sex trafficking survivor who later dedicated her life to helping others escape. She explains the importance of language.

> ***Kelsie:*** All of their stories are different. But for many reasons, multiple systems have failed them, and they end up doing sex. Some of our women don't even use "sex trade" because that indicates a choice, and we never had choices (Chrismas, 2017, p. 110).

She highlights that most people do not have a choice about entering the sex industry. Hence, it is not a profession they have chosen; rather, traffickers and poor life circumstances that make them less resilient have chosen them.

### Victim vs. Survivor

A leader in Canada's national anti-trafficking strategy, Diane Redsky encourages the use of the term "survivor" over "victim." She states, "Experiential women/survivors will always refer to themselves as "survivors" if they are [currently] in it or not. Referring to them as victims is disrespectful as it removes their agency and free will" (Chrismas, 2017, p. 23). The term "survivor" respects the agency and dignity of people who

have been trafficked and preserves the self-determination of people who thrive in spite of the challenges life has thrown at them. Scholars have warned us about the negative impact that labels can have (Said, 1979). Research has confirmed that, in many cases, people refuse to reach out for help for fear of being labelled a "prostitute" (Chrismas, 2017, p. 23).

## FREEDOM TO CHOOSE AND MODERN-DAY SLAVERY

Some argue that women should be free to choose the sex industry as a legitimate profession and have their rights to do so protected in the law (*Canada vs. Bedford*, 2013). Others argue that any time a woman sells her body for money, she is likely being exploited and manipulated by pimps and sex predators (Meyers, 2014). My research in Manitoba found the latter in the majority of cases (Chrismas, 2017). Many are brought into it through manipulation and trickery, not realizing, at first, that they are on a path to being exploited.

Ashley, a sex-industry survivor, describes how she was sexually exploited and didn't realize it.

> ***Ashley*:** I think to me it's all the same really. In my opinion, "prostitution" is "sexual exploitation" and a form of violence against women. No child says, "When I grow up, I want to be a prostitute. I want to be in the sex trade." I was a victim and like I didn't even identify—and this is what I think is a crucial point—I didn't identify as a victim because I didn't know what sex trafficking was. I didn't know what sexual exploitation was. (Chrismas, 2017, p. 23)

Ashley highlights the importance of education and awareness programs to reduce vulnerability at a young age.

Many activists, scholars, and policymakers now define sex trafficking as modern-day slavery (O'Brien et al., 2013). The *United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons (2014)* defines slavery as

> the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for exploitation.

Some scholars have stressed that modern-day trafficking is slavery because it is an "assault on fundamental human dignity" (Venkatraman, 2003, p. 2).

Predators often use debt bondage, psychological manipulation, social isolation, and threats of violence to groom and exploit young girls to lure them into prostitution (Chrismas, 2020). Street-level activity is relatively easy for the police to enforce and prosecute; however, arresting exploited people does not solve the problem. The real challenge lies in prosecuting traffickers. There are no complainants; the victims won't report and most of the activity is now hidden on the Internet (Chrismas, 2020). Solving these deep social problems will require looking much deeper than what the police or any other service agency can do.

## PERFORMING SEX TO SURVIVE

Recent research has found that many survivors engage in survival sex, to pay off indebtedness for clothing, food, shelter, street drugs, and protection (Chrismas, 2017). Kaitlin, who was trafficked in the sex industry for many years, describes the degrading and oppressive experience that is typical of many survivors' experiences.

> ***Kaitlin*:** Usually with the gang members, they—, you know, they scare you up. And I remember I had one biker tell me that "You know what? I'm gonna [expletive]' have you locked in the basement. And no one's gonna know you're down there. Guys are gonna be coming from all over just to [expletive] you. And they're gonna be paying me, not you. They'll do whatever they want to you. [expletives]. And I remember I was crying I was so scared, "I'll do whatever you want." "They'll do whatever they want, but they'll pay me, not you." And then I was just, "Okay, I'll give you your money." It really scared me. I paid, doing what I had to do. And I just gave them all the money." (Chrismas, 2017, p. 116)

This account by Kaitlin depicts what can only be characterized as slavery and torture, according to The *United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children* (United Nations, 2014).

## CURBING THE SEX INDUSTRY AND PROTECTING HUMAN RIGHTS

The 1979 *United Nations Convention on the Elimination of All Forms of Discrimination Against Women* urged countries worldwide to take measures and create laws against trafficking and sexual exploitation of women (United Nations, 1979). In 2005, Canada adopted the United Nations *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (United Nations, 2014). Signing these declarations signaled an intention by the Canadian government to act; however, real changes did not come until a decade later.

Canadian laws historically treated prostitution more as a nuisance than as oppression and violence against women. Vagrancy and bawdyhouse laws were designed to keep prostitution from being a public nuisance. Solicitation laws from 1972 and the communication laws from 1985 discouraged "prostitution" by keeping it out of public view. The *Criminal Code of Canada* prohibited communicating for prostitution in any place open to public view. These laws were designed to keep sex selling activity hidden from public sight, not for the safety of people performing sex acts (Smith, 2014).

The 2013 Supreme Court of Canada *Bedford* decision resulted from an appeal by three women who were charged with existing prostitution-related offences (*Canada v. Bedford*, 2014). They argued that the old laws were unconstitutional, as they impeded their ability to safely earn a living through selling sex for money and jeopardized their safety. The old laws prevented women from negotiating with customers to determine whether it were safe to perform sex acts with them for money. The *Bedford* decision ruled that the existing laws would stay in place for one year, at which time

they would be struck down; this gave the government and police agencies in Canada one year to generate new strategies. Three broad and very different approaches have been considered around the world, as well as in Canada; they include the following: (1) abolition, (2) full legalization, and (3) limited legalization.

### Abolition

The abolition approach would prohibit prostitution altogether for both the seller and the buyer and at least legally ensure dignity and human rights protection for those engaged in selling sex. Many have argued that this would criminalize women and children who participate in the sex industry. This approach could victimize sexually exploited people with criminal records and exacerbate their already formidable social challenges. This strategy would be contrary to the changing beliefs around the oppressive nature of the sex industry.

### Complete Legalization

Another broad approach is complete legalization, making neither purchasing nor providing sex for money illegal. In Germany, Australia, and the Netherlands, prostitution was previously legalized. Subsequent studies revealed that the trafficking of girls and young women increased with legalization (Kelly et al., 2009). This may be in part because legalization brings licensing and government oversight. This could further marginalize those deemed illegal by virtue of failed medical health checks or other bureaucratic requirements.

At a 2016 forum on sex trafficking and sexual exploitation at the University of Winnipeg, Gunilla Ekberg, a widely published Swedish Canadian lawyer and advocate for victims of sex trafficking, explained how legalized prostitution in Amsterdam had failed. An audit of the famous legalized prostitution district revealed that most of the women working there were being trafficked by organized crime. A study of human trafficking trends in 150 different countries has concluded that legalizing prostitution generally correlates with increased human trafficking (Cho et al., 2013).

### Limited Legalization: The Nordic Approach

Limited legalization recognizes sex sellers as victims of exploitation by traffickers. This approach favours anti-prostitution laws targeting traffickers and pimps and also arresting and sentencing the purchasers of sex. This is known as the "Nordic Model," employed in Norway and Sweden since 1999, with some reported success (Smith, 2014). The Nordic Model has three significant aspects, as follows: (1) a national public education campaign, raising awareness about the harms of sexual exploitation, (2) programs with enhanced support for people escaping the sex industry, and (3) stringent laws prosecuting traffickers and johns (the purchasers), and not the survivors (Smith, 2014). With the Nordic approach, sex-industry activity in Sweden reportedly dropped by up to 50 percent between 1999 and 2004 (Eckberg, 2004).

In December 2014, Canada's version of the Nordic Model was enacted as Bill C-36, *The Protection of Communities and Exploited Persons Act* (Department of Justice, Canada, Bill-C36, 2014). The Department of Justice reported at the time that, "Bill C-36 reflects a significant paradigm shift away from the treatment of prostitution as 'nuisance,' as found by the Supreme Court of Canada in *Bedford*, toward treatment of prostitution as a form of sexual exploitation that disproportionately and negatively impacts on women and girls" (Department of Justice Canada, Bill-C36, 2014, p. 3).

## INTERVENTIONS

There are tangible strategies that can work to interrupt sex-industry exploitation. They include recognizing that people trafficked in the sex industry are intersectionally challenged and need flexible supports that meet their needs. This requires a systemic focus on resources and improved training and education for all involved.

### Trauma-Informed Approaches

Research has found that vulnerability to sexual exploitation involves the following factors: (1) being female, (2) being poor, (3) having a history of violence or neglect, (4) having a history of child sexual abuse, and (5) having a low level of education (Canadian Women's Foundation, 2014). Eighty-two percent of women in the Canadian sex industry experienced sexual abuse or general abuse as a child prior to being recruited into the sex industry (McIntyre, 2012). Other studies have confirmed high correlations between childhood sexual abuse and later childhood exploitation in the sex industry (Klatt et al., 2014). These findings indicate off-ramps and opportunities for intervention.

People who have been trafficked often suffer from multiple layers of challenges, including deep trauma and substance abuse. Caregivers must meet each of these intersectionally challenged individuals where they are. Trauma cannot be treated, for instance, through cognitive therapy, when a person is suffering from severe substance abuse. Systemic resources must be tailored and adjusted for each unique person and their individual needs (Chrismas, 2020).

### Education and Training

Research has identified that there is an urgent need for more education and awareness. Children need to be more aware of lurking predators and how to avoid them. Professionals in law enforcement, social work, education, and health care all need greater awareness of what trafficking looks like and how to intervene when they see the signs. Education is also a key component in addressing the market. The customers have been found to respond well to awareness training, such as john schools, which have been used in many regions across North America. More research is required to find the most effective balance of education and enforcement in order to achieve the optimum deterrence of the market (Chrismas, 2017).

### Collaboration

A key finding in recent research is the need for more effective partnerships and collaboration between the federal, provincial, municipal, and Indigenous governments. Also, there needs to be improved coordination of existing government and non-government support agencies. They often provide similar services and fight for the same limited pot of funds. More efficiency could be achieved if provincial governments, which are responsible for services such as law enforcement

and child welfare, played a more active role in coordinating the system (Chrismas, 2013; 2017; 2020).

## CONCLUSION

Survivors of the sex industry describe heart-wrenching experiences that include torture, physical threats, psychological fear, and manipulation. These dynamics definitively reveal the industry, for many, as modern-day slavery. Many complex issues lead women and girls to be sexually exploited. The solutions and opportunities to disrupt it are equally problematic. It seems that our historical tolerance for the sex industry has left modern society in a position of having ample opportunities to improve.

As the public discourse grows around the sex industry, momentum for change is also growing. We, as a society, have devoted massive resources and considerable public attention to disrupting this tragic social menace. Our awareness of the atrocities of modern-day sex slavery seems to coincide with a greater sense of and desire to respect and protect people's fundamental human rights. With a growing awareness of these injustices, we have a chance to improve our culture with a more profound sensitivity to the value, dignity, and human rights of every citizen and the need to prioritize them.

### CONFLICT OF INTEREST DISCLOSURES

The authors declare that there are no conflicts of interest.

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BOOK REVIEW

Journal of
COMMUNITY SAFETY & WELL-BEING

STRENGTHS

# Sex industry slavery: Protecting Canada's youth—A book review

Julie M. Craddock*

***Robert Chrismas.***
*Sex industry slavery: Protecting Canada's youth*. Toronto: University of Toronto Press, 2020. 277 pp. https://utorontopress.com/us/sex-industry-slavery-2

## INTRODUCTION

It was an incredible honour to be asked by the *Journal of Community Safety and Well-Being*'s Editor in Chief, Norm Taylor, to review a newly published book by Robert Chrismas entitled *Sex Industry Slavery: Protecting Canada's Youth*. The enclosed comments are mine alone and do not necessarily represent those of the Halton Regional Police Service. Reading about the lived experiences of survivors is difficult. I can only imagine how impactful conducting the research and sharing the stories through the written word would be for the writer. Dr. Robert Chrismas is to be commended for his ability to take a difficult topic and introduce the reader, who may have little prior knowledge, to the realities of the issue. In sharing the details of survivors' stories, he helps cultivate empathy, reminding us that these are real people. Each unique story highlights the diversity of people and experiences, and yet, throughout the book, commonalities are identified. We know that in order to have safe communities we need to address systemic issues in our institutions, educate ourselves and those around us, and deliver tangible results. Dr. Chrismas takes the experiences of the many participants who agreed to be interviewed as part of his research and uses their stories to create a roadmap the reader can follow to the end of the book, where he shares recommendations going forward. He is to be applauded for bringing together perspectives from a variety of subjects, including survivors, workers from government agencies mandated with public safety, political and Indigenous leaders and non-governmental organizations (NGOs) with knowledge of the sex industry.

As an Anishinaabe Kwe, I understand the power of storytelling. It can be healing for both the person who shares and the listener. It can also be influential. For all who shared their thoughts, I am confident it is their hope this book will have a transformative impact on cultural attitudes, public policy, and social change. On a personal note, the stories will stay with me and will help guide my own discussions when it comes to delivering policing services to the community.

### The Reviewer's Perspective as a Police Professional: Why the Words We Use Matter

As a police professional, my perspective has been influenced not only by my 29 years of policing experience but also by the fact of being an Indigenous woman. I have served in a number of roles throughout my career, and, as a front-line officer, I was a "First Responder" for complaints of sexual assault, the first officer with whom a victim of a sexual assault will usually meet. The role did not come with a lot of training, and I was likely chosen based on my gender and an institution that welcomes women but often keeps us tethered to traditional roles within a patriarchal system. I also spent time in criminal investigations, where I was assigned to the Persons Portfolio, which investigated sexual assaults, child abuse, and family violence occurrences. That was in the early 2000s and while I pride myself on always trying to help and comfort victims, at that time we never received trauma-informed training or paid much attention to how our language and the words we used could cause harm. We now know that language matters—especially for people who use substances and for survivors who have been exploited or trafficked for the purpose of sexual exploitation. Negative language discriminates, making victims and survivors feel isolated and alone.

Dr. Chrismas from the outset discusses how critical the language we use around sex trafficking and sexual exploitation is. The research in this book sheds "light on the dispute between those who view prostitution as a legitimate profession of choice and those who hold that prostitution necessarily involves exploitation and victimization" (p. 29). He writes that it "frames the debate around voluntariness and whether people can freely choose to sell their bodies for sex" (p. 9). Several of the experiences that are shared in the book are those of children, and, as a parent myself, I find it unfathomable to even think that there could be any debate

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about voluntariness. While I acknowledge there may be merit in the discussion surrounding voluntariness, to debate it here is outside of the scope of my review.

Dr. Chrismas himself was also open to this controversy. He writes, "At the outset, I anticipated each side of the debate would have a large number of adherents, possibly equal numbers. I found, however, that interviewees strongly feel that working in the sex industry is not a choice that children make—that young people wind up in the sex industry as a result of a lack of resilience in the face of predators who manipulate, coerce and threaten them" (225). Although the word "slavery" wasn't often used by the survivors who recounted their stories, the recruitment tactics, threats, and abuse endured meets the definition. Dr. Chrismas was careful in his choice of language, and it was evident that it was most important to choose words that would respect the dignity of the people he was writing about.

As the Commander of the Regional Community Mobilization Bureau, I oversee Equity, Diversity, and Inclusion. We spend a considerable amount of time addressing the concept of stigma and how we can potentially impact outcomes by choosing our words carefully. I vividly remember a young officer who clearly understood this as he recounted this story: while he was working with a young female victim of an assault who was also being sex-trafficked, she told him that it bothered her that the cops she had dealt with thought she was a prostitute. When this young officer approached numerous other officers and asked them to change the language in their reports to "victim of human trafficking," all but one understood the significance of this. They had used "prostitute" because others before them had, and this is what they saw in the database. They agreed that it changed the way in which they dealt with the victim. But one officer refused. He rebuffed the idea that language and how we label someone plays a significant role in how we interact with each other. The situation escalated and was addressed by a supervisor who, luckily, understood how important this was. The final report was changed. When the officer told the young victim, she was elated, and for the first time in her interactions with police, she began to develop a little glimmer of trust.

## Beyond Truth and Reconciliation: An Urgent Need for Targeted Work

My own post-secondary education has been focused on Indigenous Studies and Equity, Diversity, and Human Rights. An Indigenous person myself, I grew up in an urban area, my father a police officer and my mother a school secretary. My grandmother, very much aware of the Indian Residential School (IRS) system that was in place, never spoke outside of the home about our cultural background for fear her children would be removed from the home. My connection to Indigenous language, culture, and ceremony has been taught to me through a combination of excellent educators, elders, and the urban Indigenous women whom I now call my sisters.

In chapter two, Dr. Chrismas describes his experience of taking part in a blanket exercise and the emotional impact it had on him. He writes, "I was so shaken that I cried, realizing in many ways not much has changed" (p. 83). Birth outcomes amongst Indigenous peoples remain consistently less favourable than among the non-Indigenous population. For females born Indigenous and poor, Dr. Chrismas describes it as the cards being "stacked against you from the start" (p. 83). My first policing assignment was in Northern Ontario with the Ontario Provincial Police (OPP). The inequities between those living in the Town of Marathon, where I was posted, and the two First Nations Communities in the area were striking. The marginalization of Indigenous people and the impoverishment of the reserves were eye-opening to someone who was raised in an urban community in central Ontario. Housing and food security were lacking, and instead of treating addiction from a health perspective, it was managed, albeit poorly, using enforcement and incarceration.

The National Inquiry's final report on Missing and Murdered Indigenous Women and Girls (MMIWG) revealed the need for transformative legal and social changes. Canada's staggering rates of violence against Indigenous women, girls, and the LGBTQ2S community is a direct result of patriarchal policies that have left them vulnerable to sex industry slavery. Dr. Chrismas shares research conducted by the Royal Canadian Mounted Police (RCMP) across Canada, which showed an upward trend in Indigenous victimization from 1980 to 2012 across a variety of categories. These include heinous crimes, such as murder, but also social disparity issues, such as disability insurance, addiction, and engaging in illegal activities for financial support. The RCMP found "12% of murdered Indigenous women had known involvement in the sex industry." This research, coupled with the work of Dr. Chrismas, connects the relationship between ongoing economic hardship, colonization as gendered oppression and a "continuing movement around missing and murdered Indigenous women" (p. 86). The 231 individual Calls for Justice that came out of the MMIWG inquiry speak to the urgent need to overhaul "the daily encounters with individuals, institutions, systems, and structures that compromise" the safety, security and human rights of Indigenous peoples (MMIWG 2019).

Another area that resonated with me was Dr. Chrismas's research on the social challenges faced by Indigenous people who are raised in isolated rural reserves and then move to larger urban centres. This was a phenomenon my son witnessed first-hand during an educational opportunity he had at the Royal Military College (RMC) in Kingston, Ontario. Chosen as one of 25 students across the country to participate in a year-long program called ALOY (Aboriginal Leadership Opportunity Year), his roommate was a young man from Grise Fjord, Nunavut. A small Inuit hamlet on the southern tip of Ellesmere Island, Grise Fjord is an isolated place with a population of only 130 inhabitants. While the lure of the big city was appealing, the reality was overwhelming to this young man, and my son's roommate left the program only four weeks into his year. Many rural communities across the country lack educational opportunities "so (Indigenous) youth frequently have to leave their family and community to attend high school in larger urban centres" (p. 89). This transition can create an adverse combination where young people are removed from the social connections of their community, lack support and/or the knowledge to access support in the city, and many may already be dealing with transgenerational trauma (p. 89). All of this creates opportunities for traffickers who prey upon vulnerable children.

In my current portfolio, two of the many areas I oversee are Equity, Diversity and Inclusion and Mobile Crisis Rapid

Response Teams (MCRRT). I sit on numerous internal and external committees grappling with social issues such as the opioid crisis, mental health and addiction and policing with Indigenous Peoples. Recently I was made aware of an incident involving an Indigenous woman attending college in Oakville, Ontario. She was from an isolated fly-in First Nation community and she experienced a mental health episode that resulted in a police response. The responding MCRRT team recognized the opportunity to provide culturally appropriate services and connected her with the urban Indigenous community. This is just one example of the kinds of changes in response that Dr. Chrismas calls for throughout his book.

## Peacekeeping: Over-Protecting and Under-Policing Vulnerable Populations

Living and working in the Greater Toronto Area (GTA), my colleagues and I are very much alive to the urgent need to address the crime of human sex trafficking. The GTA is near all major transportation routes and an international airport, making it the largest sex trafficking hub in the Canada. Dr. Chrismas's research focuses primarily on Manitoba, but the lessons learned and the recommendations in the book can be applied across the country. Dr. Chrismas points out a key finding in his research is "that the trauma that survivors endure causes damage that can take a very long time to undo, and this recovery takes unique resources" (p. 224). He provides critical insight into challenges and barriers that sex industry survivors face, and confirmed my own beliefs about child welfare. Of his research he writes, "the participants highlighted the need for a paradigm shift in child welfare, suggesting that the child should not, unless absolutely necessary, be removed from the family home and support systems" (p. 227).

Although he ends the book on a positive note, the sex industry is complex and multi-faceted and the solutions need to be too. This book is a valuable resource and offers tangible actions that will contribute positively. I encourage educators, police officers, and anyone else who wants to be part of the solution to read it.

To conclude, I leave you with this. My son is a Peace Keeper (Police Officer) with the Nishnawbe Aski Police Service (Canada's largest Indigenous Police Service) and is posted to a remote First Nations community on James Bay, Ontario. We talk often about the challenges of policing for both Indigenous and non-Indigenous officers, for those assigned to large urban centres and for those working in isolated communities. I usually end our phone calls by reminding him that putting on his uniform and serving his community is a privilege, that by responding to an incident or answering a call, he gets to be a part of someone's experience, and that the expectation is he will contribute to it in a positive way. This is true whether the person he is facing is a survivor, a victim, a community member, a colleague, or a person in conflict with the law. We talk about being kind and serving with compassion. We have also talked extensively about this book and his role and responsibility as a police professional in protecting Canada's youth.

Miigwech (thank you). Aangwaamzik (be safe).

### CONFLICT OF INTEREST DISCLOSURES

The author declares that there are no conflicts of interest.

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# Peeling the paradigm: Exploring the professionalization of policing in Canada

Kelly W. Sundberg,* Christina Witt,† Graham Abela,‡ and Lauren M. Mitchell¶

## ABSTRACT

Maintaining public trust, legitimacy, and credibility in a constantly evolving society has proven challenging for police in the 21st century. Rising public concerns regarding police accountability are driving the need to advance the paradigm of policing by reassessing the organizational structure of law enforcement in Canada. Supported by research identifying primary directives for maintaining public trust, this proposal argues that the time has come for policing to evolve from an occupation into a formal profession. Just as any other occupation that has advanced into a profession, provincial regulatory colleges of policing should be formed with the key objective of protecting the public from malpractice and malfeasance. A provincial college of policing would allow for (a) sustained and inclusive recruitment strategies, (b) foundational knowledge of the scholarship of policing, (c) evidence-based academy training, (d) mandatory ongoing (in-service) police education, and (e) expert, objective, community-focused, independent oversight. This proposal uses characteristics of the College of Policing in England and Wales as a guiding framework for the support and preparation of professionalizing policing in Canada.

**Key Words** Professionalization of police; professional college; college of policing; police reform; knowledge-based policing.

## INTRODUCTION

Police professionalism and the professionalization of policing are two important and linked concepts, yet distinct in their definitions. Whereas police professionalism classically refers to the ways in which individual police officers carry out their duties, the professionalization of policing refers to the policing system. Notwithstanding that most police perform their duties professionally, the occupation of policing has yet to evolve into a formal profession (Blandford, 2017).

The developing nature of the professionalization of police continues to spark debate among both police practitioners and academics regarding its definition. This discourse is guided by contradictory understandings of what constitutes a profession and what is needed to sustain a professional police organization. On one hand, policing fits into definitions identifying professions as "structural, occupational and institutional arrangements for dealing with modern lives in risk societies" (Fyfe, 2013, p. 408). On the other hand, when evaluating formal definitions of a profession—being an occupation directed by a government registered body that establishes the scope of practice, minimum educational credential, continuing education requirement, and oversight process (Morris et al., 2006)—Canadian policing falls short.

Former structures of policing, particularly in the 1970s and 1980s, required little engagement with the public. Separation between the police and the public was normalized, as it was an era in which the police "always knew best" (Fyfe, 2013, p. 410). However, the rise of public concerns about police malpractice in recent decades exemplifies why division should be left in the past. An Angus Reid Institute (2020) study illustrated that while 74% of Canadians viewed their local police either favourably (53%) or very favourably (21%), ≈35% of younger Canadians and ≈25% of Indigenous and visible minority Canadians viewed the police unfavourably or very unfavourably. With pressures to diversify and the current Indigenous strife occurring in Canada, policing needs to pay attention to these demographics.

### Mistrust of Police

Scholars have recently noted a growing public mistrust of the police, resulting in new criticisms being levelled at law enforcement (Dowler & Zawilski, 2007; Wortley & Owusu-Bempah, 2009; Blaskovits et al., 2018; Bain et al., 2014). In response to negative perceptions, many police services are altering their mandates, goals, and priorities to better align with the public's needs. In spite of their special legal status, the police have faced challenges in the 21st century that

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have undermined their authority in the eyes of the public (Robertson, 2012). Specific to Canada, concerns relating to allegations of discrimination, toxic workplace culture, lack of transparency, and criticism regarding police use of force stand as the key issues of concern resulting in public mistrust of the police (Wortley & Owusu-Bempah, 2011; Rawski & Workman-Stark, 2018). Moreover, dispossession and systemic racism facilitated through law enforcement have promoted an especially distrusting relationship between Indigenous communities and the police.

Establishing trust, legitimacy, and credibility in the institutions of civil society (including police services) is primarily achieved through objective, fair, accessible, and community-focused regulation and external oversight. For centuries, the professionals responsible for leading and administering the foundational institutions of our civil society have been regulated by government-appointed, yet autonomous, professional colleges tasked with regulating and licencing professions, their key objective being to protect the public from malpractice and malfeasance.

To this point, a profession constitutes a "*knowledge-based*" occupation whose practitioners are tasked with developing and transforming "*formal knowledge*" into specific functions intended to support evidence-based, standardized, and ethical practices (Freidson, 1994; Burrage & Torstendahl, 1990). Sustained, comprehensive, and transferable "*professionalism*" can only be achieved once a diverse and expert foundation of knowledge specific to a profession has been learned, applied, and advanced by practitioners (De George, 1990; Larson, 1977; Richardson, 1988).

Peelian principles emphasizing the importance of public trust, crime prevention over law enforcement, and impartiality without favour have guided Canadian policing since its inception (Robertson, 2012). Although these principles continue to underlie the legitimacy of police in a democratic society, public expectations are fundamentally different from what they once were. In today's increasingly complex, interconnected, and diverse world, the ways public safety and security are achieved unquestionably have become significant societal issues brought to light by public discourse and debate.

It then becomes difficult to say, "the police are the public and the public are the police" (Lentz & Chaires, 2007, p. 73) when the public questions the police's adherence to the rule of law. To address mounting public concerns, modern policing services should recruit and develop more educated, comprehensively trained, and socially diverse officers. Furthermore, policing as a whole requires attention and investment in (a) sustained, inclusive recruitment strategies; (b) foundational knowledge of the scholarship of policing; (c) evidence-based academy training; (d) mandatory ongoing (in-service) police education; and (e) expert, objective, community-focused, independent oversight.

## Conceptualization of Colleges of Policing

While discourse surrounding the issue of professionalizing the police has been ongoing for decades (Sloane, 1954; Stone and Travis, 2011; Neyroud 2011; Robertson, 2012; Canadian Association of Chiefs of Police, 2012; Blandford, 2017; UK College of Policing, 2021), it was not until 2012, when the United Kingdom established its College of Policing, that a liberal democracy meaningfully embarked on the path towards professionalizing its policing services. Considering civilian policing first emerged in the United Kingdom when Sir Robert Peel established the Metropolitan Police of London in 1829—the model subsequently used to establish policing services in Canada, Australia, New Zealand, and across the Commonwealth—it is fitting the United Kingdom once again provides an example for democracies like Canada to follow when seeking to improve and advance policing.

There is little question that, over the past several decades, policing in Canada has become increasingly complex, dynamic, and technical—especially since the enactment of the *Canadian Charter of Rights and Freedoms* and resulting jurisprudence. The foundational skills and knowledge needed to practice policing effectively and competently are strikingly more advanced today than they were only a few decades ago. Police today must be critical thinkers who understand the diverse and complex nature of the communities they police. Moreover, they must have a temperament and empathy that supports the police as both law enforcement and civil service professionals.

Arguably, just as law, engineering, nursing, medicine, and other occupations evolved to include self-governing bodies that establish professional standards, foundational educational credentials, and a defined scope of practice for the profession, the time has come for policing to "formalize its professional framework" (Neyroud, 2011) through the establishment of Provincial Colleges of Policing. The central aim of these colleges would be to protect the public from professional malpractice and misconduct. Moreover, these colleges would also be tasked with advancing professional practice by supporting profession-specific research, scholarship, and learning. Lastly, professional organizations play a vital role in upholding professional practice by regulating the licencing of practitioners, as well as responding to complaints against licenced practitioners.

In most regards, the profession of policing has not deviated from its rigid and historic paramilitary roots. While many police services have successfully created *ad hoc* training regimes for their officers, evidence-based or peer-reviewed methods remain a rarity in Canada. It is our view that colleges of policing can stand as central institutions for increasing public trust and confidence in the police. Central to our view is having provincial governments establish professional colleges of police based on the following core principles:

- **Trust and Legitimacy in Policing.** To achieve public trust and legitimacy, police policies, processes, and practices must be grounded on the Peelian principles of accountability, fairness, honesty, integrity, leadership, objectivity, openness, respect, and selflessness.
- **Evidence-Based Policing.** Evidence must form the basis of all police policies, processes, and practices, with education, research, and scholarship being foundational and sustained elements of all police services.
- **Democratic Policing.** The fundamental protections offered by the *Canadian Charter of Rights and Freedoms* must form the basis upon which all police decision-making and practice occur. Open and democratic debate must be the genesis for all police policies, processes, and practices.
- **Standardized Policing.** Standardized police policies, processes, and practices—including a uniform code of ethics,

cognate officers trained and educated, and comparable approaches to patrol and investigative services—must be consistently applied by every officer, at every rank, in every police agency across the province.

- **Accountable Policing.** An independent, transparent, responsive, capably staffed, adeptly appointed, and well-equipped police oversight and investigative body must be a central element for all police activities in the province. This body—proposed as a significant part of the College of Policing and entirely separate from any other police agency—will protect the public from police malpractice and misconduct and build community trust through transparency and accountability while also consolidating and streamlining the way complaints involving police officers are received, investigated, and addressed.

## DISCUSSION

A key aspect of any provincial college of policing would be the creation and enforcement of a code of ethics for *all* police service employees (officers and others). Currently, police malfeasance is primarily defined by either a province's police acts and regulations or the Criminal Code. Notwithstanding that every province has laws, regulations, and institutions in place to address police discipline, as do the Royal Canadian Mounted Police (RCMP), an established body of research clearly shows police oversight in Canada fails to meet public expectations and needs (Kwon & Wortley, 2020). Police oversight agencies exist in every Canadian province, yet the vast majority of those tasked with investigating allegations of police misconduct are themselves police. Civilian police oversight bodies were introduced to combat perceptions of pro-police bias in the complaints process and reduce intimidation. However, past government screenings have uncovered complaints received by these agencies being sent back to police services for internal investigations (Kwon & Wortley, 2020). Moreover, studies show the majority of police oversight bodies in Canada are underfunded, under-resourced, and lacking in meaningful authority to take corrective actions (Kwon & Wortley, 2020; Helme, 2015).

Arguably, colleges of policing, similarly to most professional regulatory colleges, would establish a self-sufficient, sustainable, and trusted structure through which police legitimacy and credibility can be maximized. Under such a structure, policing would transition from being an occupation into a self-regulated, publicly accountable, standardized, and evidence-based profession. Police officers would become licensed to practice policing. The practice of policing would be clearly defined, and any practitioners who engage in activities outside the established scope of practice would risk having their licence revoked—in essence ending their ability to engage in the practice of policing. Moreover, complaints of malpractice or malfeasance would be received, reviewed, investigated, and adjudicated by the College. Within this process, investigations ideally would be completed by non-policing professionals (e.g., lawyers, former investigators who worked for other investigative agencies, retired judges, etc.) and adjudicated by an independent, professional, publicly accessible, and focused tribunal. By requiring all police to complete continuing professional education, and also by supporting research and scholarship specific to the practice of policing, the public would be assured all police remain current in the understanding of their professional obligations and expectations of their performance.

Lastly, concerns of toxic hyper-masculinity, sexual harassment, and discrimination, along with deep-seated nepotism within policing services stand as some of the most significant issues concerning Canadians. Most notably associated with the RCMP, yet also prevalent within most sizable police services, reports of male officers harassing their female colleagues "demonstrate that the culture of policing continues to be resistant to the acceptance of females" (Barker & Tavcer, 2018, p. 283). Clearly, past endeavours to address toxic workplace cultures have fallen short, with little evidence that current efforts stand to be much more effective than past ones. A college of policing could allow for a new, provincial, culture to emerge—one grounded in excellence in professional practice and enforceable by peer review. To this end, a college of policing would not only professionalize policing, it would also establish a new, province-wide, and community-focused policing culture, ultimately resulting in heightened public confidence and trust.

## CONCLUSION

We posit that the only way to effectively and meaningfully advance policing is to advance the paradigm of policing. As with other occupations that have evolved into professions (e.g., law, medicine, teaching, engineering, etc.), a self-regulating professional organization needs to be established that (a) defines the professional scope of practice for the profession, (b) establishes the foundational educational credential to practice, (c) registers and licences those who are authorized to practice, (d) develops, supports, and advances a professional body of knowledge, (e) protects the public against professional misconduct or malpractice, and (f) ensures the ongoing legitimacy and credibility of the profession.

Provincial Colleges of Policing are not entities that can be quickly created. Although there are steps that can be taken in the short term, these bodies undoubtedly will take years to fully establish. Furthermore, attaining agreement on what a professional model of policing will look like remains elusive. In addressing this issue, we recommend using the College of Policing in England and Wales as a foundational model for Canadian provinces. With nationally recognized qualifications and standards (Montgomery, 2019), the College has set an unparalleled precedent for the development of professionalization in policing.

It should be noted that, in Britain, when professionalization was introduced, there was initial resistance to the change. However, an understanding of the purpose of the College, paired with the legitimacy and trust it built within police organizations and the public, allayed fears of change. There is no doubt the same may occur in Canadian provinces. Nevertheless, change needs to occur to enshrine trust and legitimacy within this profession.

The British Model relies on what they have labelled the Police Education Qualities Framework (College of Policing, 2017). The legitimacy of this framework is founded in the recognition that although police officers hold a tremendous amount of autonomy, they must also have the requisite knowledge, both theoretical and applied, to perform their duties

ethically and efficiently. It is authorized by statute that every police service employee in England and Wales is provided with the skills necessary to prevent crime, protect the public, and secure public trust (Neyroud, 2011).

For years, police leaders have talked about the concept of professionalization, but very few have taken the time to put on paper what that may actually look like. Often, leading change requires a crisis, and policing in North America is in crisis. When public confidence in the police diminishes, the efficiency of the criminal justice system as a whole becomes harder to maintain. In Canada, we have not seen the same multitude of complex issues, riots, and social changes that are occurring in the United States. However, we know enough to understand they are closer than we think. As academics, pracademics, and police leaders, we understand this important discussion needed to commence. Whether the outcomes of this proposal are accepted remains to be seen. What we do know is that police leadership needs to occur now. This proposal is one step in that direction.

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ORIGINAL RESEARCH

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JUSTICE

# Store robberies for tobacco products: Perceived causes and potential solutions

Marewa Glover,* Robin Shepherd,* Hamed Nazari,† and Kyro Selket*

## ABSTRACT

Robberies of New Zealand convenience stores for tobacco products spiked between 2016 and 2017. According to media reports, many robberies involved the use of weapons and resulted in injury to retailers. We conducted a content analysis of all online media articles containing commentary about these robberies, published between 2014 and 2019, to identify the perceived causes of the increase in robberies for tobacco and remedies implemented or demanded. The commentators in the articles were categorized into three groups of stakeholders: elites, grassroots, and interest groups. Overall, there was a mismatch between perceiving the primary cause to be socially and economically determined and suggesting solutions that were mostly situational shop level changes or tertiary prevention strategies, such as more and harsher policing. A further mismatch was that existing policing policy was not adapted to balance the perverse consequences of the tobacco excise tax increases. Early commentators tended to deflect blame away from their own sector. Later commentary converged to agree that the high tobacco excise tax was a critical causal factor.

**Key Words** Tax; convenience stores; crime prevention; policing.

## INTRODUCTION

Tobacco smoking is estimated to cause 7 million preventable deaths annually worldwide (World Health Organization (WHO), 2018). The WHO Framework Convention on Tobacco Control (FCTC) promotes an extensive range of interventions to reduce harmful tobacco use (e.g., raise the price of cigarettes via tax, ban advertising).

With its novel 1990 Smoke-Free Environments Act (SFEA), New Zealand (NZ) became a model for the FCTC. Over subsequent years, NZ extended its SFEA several times, adding ever greater restrictions on smoking behaviour and the advertising, sale, and distribution of tobacco products. Significantly, tobacco excise tax regularly increased many times more than the required annual Consumer Price Index (CPI) adjustments. As a result, tobacco in NZ is among the highest priced in the Organization for Economic Co-operation and Development (OECD). As of January 2021, a pack of 20 average brand cigarettes cost NZ$32 (US$21). The Customs and Excise Tax law has also introduced several other restrictions, such as reducing how much tobacco people can grow for their own use, banning the import of tobacco leaf for personal use, and reducing how much duty-free tobacco people can bring into the country for their own use.

In many other countries that have implemented a similarly comprehensive program of restrictions on access to tobacco, including high taxation, cheaper tobacco cigarettes have been smuggled across state and country borders. For example, Australia has surpassed NZ in how restrictive its tobacco control policies are, and they have a higher level of taxation. Australia has close neighbours, a vast sparsely populated coastline, and a growing market in smuggled illicit tobacco (Lauchs & Keane, 2017). By contrast, NZ is a few hours by plane, or a few days by sea, from its nearest neighbours, has a coast only half the length of Australia's, and a well-resourced and vigilant border control force.

In 2015, the media began to report with greater frequency that NZ convenience stores were being robbed for tobacco products. There are three reasons why this was shocking to the NZ public. Firstly, the stores most frequently targeted were what is known in NZ as the "dairy"—a small, usually family-owned corner store set on its own or in a small suburban-based block of small stores serving the local residential area (see Glover et al., 2021, for a fuller description).

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Briefly, these are iconic stores that have historically been safe community places needing little security. Secondly, many of the thieves brandished weapons, bashed shop staff, and caused property damage. Vehicles, many stolen, were driven into shopfronts in ramraid style. Thirdly, the frequency of tobacco robbery reports increased month on month, causing concern to mount. In a previous study, we outlined the characteristics of the robberies reported during the period 2009–2018 (Glover et al., 2021). That study did not investigate the cause of the robberies, which is a focus of this study. To the best of our knowledge, little research has been done globally on robberies of convenience stores for tobacco.

This study analyzed media articles published online during the period 2009-2019 to identify perceived causes of the tobacco robberies and potential solutions offered by three types of commentators: elites, grassroots, and interest groups.

## METHOD

### Study Design

Given the lack of previous research on this topic, an exploratory qualitative content analysis design was chosen.

### Data Sources and Search Strategy

In January 2019, the search engines Google and Bing were used to systematically search for online news articles published in NZ media from 2009 to January 2019, using 20 keywords such as tobacco, cigarette, burglary, robbery, dairy, shop, and store. Eighteen NZ news media websites were also searched using these keywords, including seven national sites, eight regional-focused sites, and three ethnic-focused sites. The search criteria were modelled on criteria used in our previous study on the characteristics of the convenience store robberies (Glover et al., 2021).

Articles were excluded if they were blogs, social media posts, letters to the editor, or editorials, or if the article contained no commentary on the causes of, or preventive solutions for, the robberies. Also excluded were articles discussing robberies in which tobacco was targeted or stolen from non-store settings, such as from a residential house, bar, or club. Articles discussing smuggled tobacco were excluded. Articles only repeating previously reported comments by the same commentator were excluded.

Data extracted from each article included the date of the article, author (or media outlet if no author was identified), and website link to the article. These data were entered into an Excel spreadsheet. Each article was assigned a unique identifying number (ID). A research assistant independently checked every record for accuracy of the metadata against the linked article. An electronic database of the data is available upon request. The article ID is attached to each quote included in Supplemental Tables 1 and 2.

Perceived causes and suggested solutions were coded and grouped to form themes and subthemes. Implemented or called-for solutions were coded using Lab's (2019) crime prevention strategy framework, which categorizes strategies as primary, secondary, or tertiary. Primary prevention strategies target social determinants of crime. Secondary prevention strategies target situational factors that will make acts of crime more difficult to execute. Tertiary prevention strategies attempt to change people's intent to commit crime through punishment and rehabilitation (Lab, 2019). The commentators were categorized using Goode and Ben-Yehuda's (1994) stakeholder types: elites, grassroots, and interest groups.

### Data Analysis

Coding was initially deductive in that content was identified as relevant to perception of causes or solutions of tobacco-related robberies. The extracted content within each category was then inductively coded to group content with the same topic to form subthemes.

The commentator of each unique comment was classified using Goode and Ben-Yehuda's (1994) division of society into the elites—those in power with the most influence over policy, the grassroots—people with the least power to influence policy, and the interest groups—people representing organizations, agencies, and groups or associations. This categorization of stakeholders was used to investigate whether the perceptions of the causes of the robberies differed by stakeholder group and whether they had favoured solutions.

People in power, or closely linked to those in power via their financial or academic influence (the elites) typically determine the narrative driving the direction of government policy. They may include academics, politicians, journalists, police in high-ranking positions, and government officials. Grassroots people are those in the community being threatened and harmed, such as the shop owners. Other grassroots stakeholders include offenders, community bystanders, shop customers, and members of the public. Interest groups have vested interests in, and advocate for, the welfare of the grassroots individuals and communities, which may be commercial or pastoral. Their interests may be ideological, ethnic, or cultural. In this study, interest groups are groups of people who were not members of the elite and are somewhat remote from what was happening to the grassroots victims of the robberies. Examples are associations representing the interests of particular ethnic groups, tobacco companies, and the retail sector.

The articles were read and coded independently by a research assistant and a senior researcher. Their coding was compared, and differences were discussed until a consensus was reached. A third researcher from a different discipline (criminology) was engaged to independently review the coding. Discussions led to some quotes being recoded.

## RESULTS

Two hundred and thirteen (213) media articles were identified for review against the inclusion criteria. Excluded articles were repeats or they discussed robberies, but not tobacco. No eligible articles dated earlier than 2014 were found. A total of 102 articles remained for analysis.

Within the category of perceived causes, three themes and a number of subthemes were identified. A summary of the themes, subthemes, and exemplar quotes from the three commentator groups is presented in Supplemental Table 1. Quotes are presented in chronological order within each cell.

### Perceived Causes of Robberies for Tobacco

Three themes of perceived causes of robberies were identified: 1) Social contextual factors including economic and social determinants, drug or alcohol use, and youth;

2) Regulation including the tobacco tax increases and inadequate enforcement and penalty; and 3) Black market—the unintended outcome of the interaction of themes 1 and 2.

These themes and subthemes are organized into the causal model presented in Figure 1. The assumptions implicit in this model are deduced from the overall commentary, which characterized perceived causes as chronological. That is, commentators said the robberies were caused by a "complex mix" of existent factors that interrelated to create an environment that is composed of economic and social determinants of behaviour (e.g., social inequality, poverty, unemployment, lack of parental control) and contextual demographic features (e.g., youth, drug and alcohol use).

Introduced into that environment are regulatory interventions or levers of behaviour: a tobacco excise tax to encourage people to stop smoking and, quite separately, a crime prevention policy that determines the focus of police efforts and the deterrent strength of enforcement and punishment.

The robberies of convenience stores for tobacco are a black market activity, but the black market was also a perceived cause of the robberies. That is, commentators thought the tax on tobacco created a "very significant demand" for cheaper and illicit black market tobacco and made tobacco into an alternative currency that could be used to trade on the black market. For example, commentators said the tax had caused tobacco to be "treated like currency" and that it had placed retailers "in the centre of a drug war, where tobacco is like gold." One commentator said that "the government was partly responsible for the tobacco black market."

Regulations governing policing and punishments, as intended, mitigate black market activity. Most comments on policing, enforcement, and punishments believed these were inadequate. An interest group commentator believed that many robberies were unreported because the "retailers know nothing is going to be done [by the police]."

### *Perceived Causes by Stakeholder Group*

In early commentaries, the elites offered an eclectic range of potential factors as perceived causes, including tobacco tax increases and economic and social determinants. Then, in 2018 and January 2019, they altered their determination of the causes to focus on the tax increases and the black market. Grassroots commentators predominantly perceived that inadequate policing and enforcement, and lenient penalties, enabled the robberies to occur. They did not change this view over the period of this study. In 2016, interest group commentators echoed grassroots commentators in that they blamed inadequate enforcement and lenient penalties for the occurrence of the robberies. Over time, the views of the interest group commentators became more aligned with the elites' view that tobacco tax increases and the black market were causal. In a typical comment, an interest group commentator perceived the black market to be "where the whole cycle is starting."

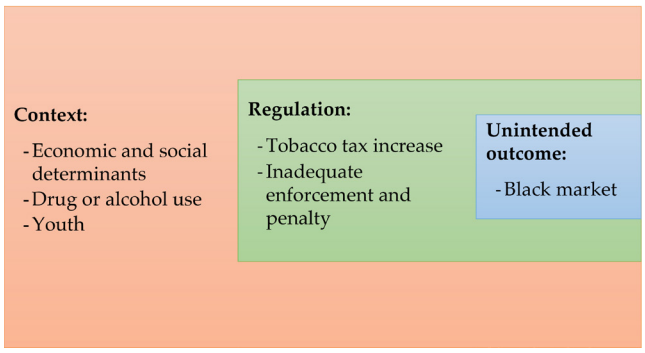


**FIGURE 1** Causal model: Perceived causes of robberies

### Potential Solutions of Robberies for Tobacco

There were three pre-determined themes—primary, secondary, and tertiary prevention strategies—and thirteen inductively identified subthemes for perceived solutions of robberies, as shown in Figure 2. Exemplar quotes sorted by theme from the three commentator groups are presented in Supplemental Table 2. Quotes are presented in chronological order within each cell.

In terms of primary prevention strategies, the commentators believed that economic and social determinants, such as poverty and unemployment, need to be addressed by the government. Especially, "bridging the gap between the haves and the have-nots was critical" (elite). The government needs to stop increasing the tax on tobacco. An academic (elite) analyzed the situation as "This is a way of taking money from the poor so you can give with one hand and you take with the other." A retailer (grassroots) commented, "they're getting all the revenue, and not using it to help people who get robbed every day." Additional primary prevention strategies included: involving the community more in disapproving of and reporting crime to the police. "Neighbours need to get together in order to protect their communities… The more people that help out, the more crime will decrease" (grassroots). Some elites wanted the sale of tobacco banned or more heavily restricted. One commentator said, "[dairy owners] wouldn't be a target if business operators refused to stock cigarettes in the first place." Grassroots commentators called for the government to implement more effective crime prevention programs. As one retailer said, the "government should take some responsibility and not lay it solely on small business owners to safeguard themselves from possible armed offenders."

The secondary prevention strategies emphasized situational factors, such as increasing and improving security technology or selling alternatives to cigarettes, especially e-cigarettes, instead of continuing to sell smoking tobacco products. Shifting sales of tobacco cigarettes to alcohol stores, which already have a higher level of security, was suggested by several elite commentators. In June 2017, the Police Minister (elite) announced a co-funded initiative to provide "high volume interior alarms, DNA spray, fog cannons and time safes for cash and storage of cigarettes" for high-risk stores. Cigarette vending machines that dispense one pack at a time were called for by several commentators in the elite and interest group stakeholder groups. Related situational changes suggested included improving store layout. This was mostly focused on getting greater visibility into stores (e.g., "opening up the dairies to public view would be the answer" (interest group commentator)) and making items of higher value harder to access. One suggested situational change,

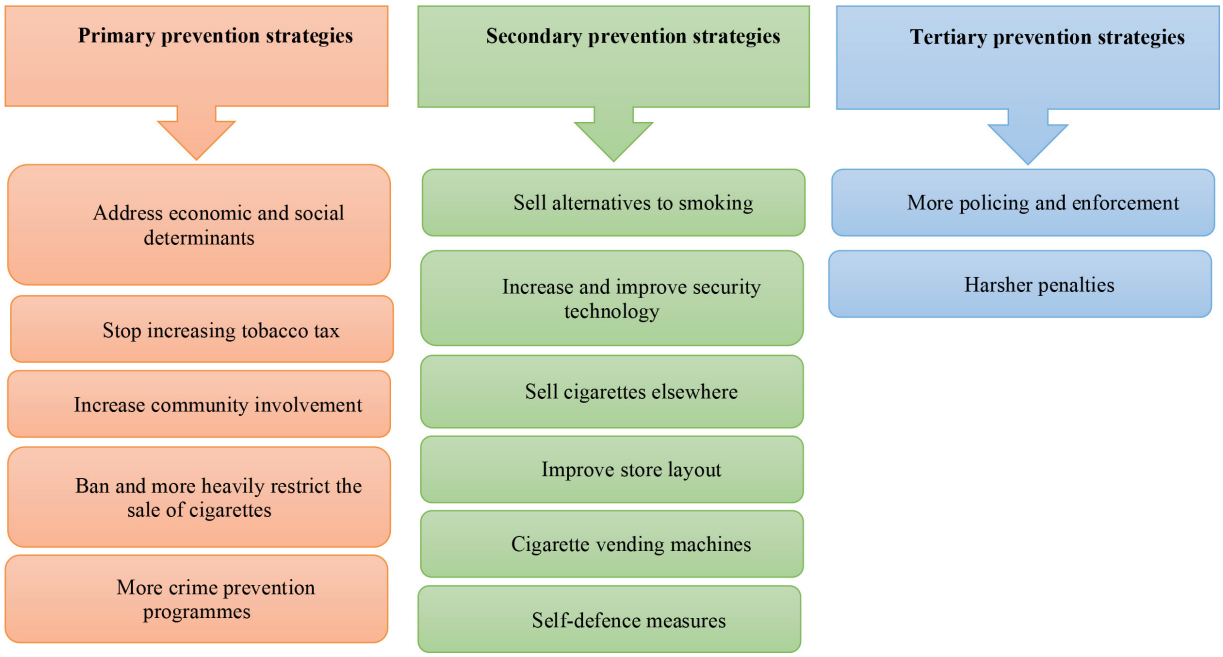


**FIGURE 2** Suggested solutions for robberies of tobacco

highlighting the level of grassroots despair and frustration, was that retailers should be able to resort to self-defence. A representative from an association of store owners (interest group) said "We're not saying that guns should be actually used, but dairy owners are sick and tired and fed up."

There were two tertiary solutions suggested. Members of all three stakeholder groups called for harsher penalties for offenders. For example, a retailer (grassroots) suggested "those who committed the crimes needed to be in jail for at least six months or one year." More policing and enforcement was a popular solution. A crime prevention group (interest group) commentator recommended, "This issue is so serious… We need more police, and we need to see the enforcement."

### *Potential Solutions by Stakeholder Group*

Over time, the elite commentators consistently suggested that their favoured solutions to stopping the robberies were to stop increasing the tobacco tax and increase situational crime prevention interventions, such as improving security technology and store layout.

Early in the commentaries, grassroots commentators, principally store retailers, were calling for improved security technologies and to stop the tobacco tax increases. By 2018, grassroots commentators were expressing a lot more frustration with what they perceived as inadequate policing. Specifically, they were calling for more policing and enforcement, harsher penalties for offenders, and the right to defend themselves.

In the early reporting on the phenomenon, interest group commentators had similar attitudes to those of the elites, believing that robberies could be deterred by increased situational prevention strategies. By the end of the period of the study they had aligned their views with the grassroots commentators' call for intensified tertiary prevention strategies, such as more policing and enforcement and harsher penalties.

## DISCUSSION

Overall, there was a mismatch between the perceived causes and suggested solutions. In NZ, the robberies of convenience stores for tobacco products were perceived to be caused by an interrelated mix of factors. The demographics of NZ (i.e., a youthful population) and economic and social determinants (e.g., employment and income inequity by age) were seen to create and elevate susceptibility to participate in crime. The tobacco tax increases were perceived to be a significant driver for increased demand for cheaper black market tobacco. An additional perverse effect of the tobacco tax policy was the creation of a highly valuable in-demand commodity (i.e., stolen cigarettes) that could be used as an alternative currency on the black market for other products, such as drugs.

The existing level of policing and enforcement was perceived to be inadequate for the surge in this class of crime. Additionally, NZ's moderate to light penalties, depending on age of the offender—the younger the offender, the lighter the punishment—was perceived to be an insufficient deterrent.

The resulting causal model, though based on commentary, suggested that reduction and prevention of the robberies would need to be addressed via primary crime prevention strategies—those that target social determinants of crime. However, the majority of suggested solutions were store-level strategies, such as improving security technology, installing cigarette vending machines and adjusting store layout. These are secondary prevention strategies aimed at making it harder to commit the crime, but they do nothing to impact primary determinants of criminal behaviour. The commentators also

believed that harsher penalties and more police presence (tertiary strategies) would stop the robberies.

In addition, a mismatch between regulatory policies was identified. Tobacco excise tax increases were repeated annually for more than a decade, despite disproportionately high smoking rates among the lowest socioeconomic groups. Smoking prevalence rates are 25.9% in quintile 5 and 16.5% in quintile 4 (most deprived neighbourhood residential areas), compared with a smoking prevalence of just 6% among quintile 1 (least deprived area) (Ministry of Health, 2020). That is, the price of tobacco was raised beyond the economic means of a large proportion of people who smoked (Ernst and Young, 2018). They did not stop smoking, as was the intention of the tax increases. Instead, an extraordinary demand for black market tobacco was created.

Like the mismatch between the perceived causes of the robberies for tobacco and the potential solutions, public health has not effectively alleviated the economic and social determinants that drive smoking. Specifically, demand for tobacco has not decreased at a pace consistent with the interventions intended to restrict supply. The stop-smoking support on offer was either not acceptable to this population, or the availability and efficacy of stop-smoking support was insufficient.

When demand exceeds supply, the search for substitutes or illicit sources of tobacco will naturally increase. In most other countries, cross-border smuggling is the principal route for black market tobacco. New Zealand's great geographic distance from other countries and efficient border control means that the black market sought out internal sources of supply for tobacco, that is thefts from local stores.

The use of Goode and Ben-Yehuda's (1994) stakeholder types enabled the identification of some differences in opinion between the elites, grassroots, and interest groups. The elites tended to deflect blame onto criminals, drug users, wayward youth, and economic and social determinants. Elites who were members of the opposition party in parliament blamed the incumbent government for poor policy decisions, such as increasing the tobacco tax. Grassroots stakeholders (principally retailers) also blamed government policies for the robbery phenomenon. They cited a range of policy issues—the tax increases, inadequate policing, poor enforcement, and a justice system that is too lenient on offenders. Interest groups generally supported the grassroots stakeholders, blaming the government for increasing tobacco taxes and creating a black market. Meanwhile, some of the tobacco industry stakeholders believed that retailers should take responsibility to protect themselves and create a safer environment in their shops.

In general, the three groups of stakeholders had different and sometimes contradictory points of view regarding the solutions. Elites blamed "society" and they wanted society to solve its own problems. They suggested more community involvement, improving store layout, and that cigarettes should be sold elsewhere. Contrary to that viewpoint, grassroots wanted more government intervention, including more crime prevention programs and harsher penalties. If the government would not do more to protect them, grassroots retailers wanted to be allowed to carry guns to protect themselves. Interest group stakeholders wanted more policing and enforcement via more government intervention, but they also supported improving store layout and installing security technologies.

Overall, the secondary and tertiary prevention solutions were given more emphasis by the stakeholders than the primary prevention solutions. Whilst more vigilant enforcement and harsher penalties can reduce black market activity (Kulick et al., 2016), it increases the risk of violence-related harms and incarceration.

### Strengths and Limitations

One strength of this study was its unique focus. At the time of this study, we did not find any research on robberies of convenience stores for tobacco that discussed the perceived causes and solutions.

There are, however, several limitations. This was exploratory research constrained by the limits of analyzing online news media article content and not social media. Exclusion of opinion pieces and editorials was a limitation since they also contain commentary. However, the analysis of the commentaries by stakeholder type was a strength that would have been undermined if anonymous commentaries were included. Link rot (when web links destruct or disappear with time (Koehler, 2004)) may have reduced access to the number of articles that were actually published. However, all eligible articles, rather than just a sample, were included in the analysis, which was a strength.

Another limitation was that the journalists appeared to approach the same stakeholders repeatedly for comment. One commentator was the spokesperson for a few different interest groups. This can result in one person's perspective appearing to be dominant and shared.

An important limitation of this study was that not one article cited a consumer (a person who smokes tobacco) or an offender. Any attempts to determine the actual, versus the perceived, causes of the robberies should attempt to learn from these groups.

## CONCLUSION

In Australia and New Zealand, reduction in smoking prevalence has stalled over the last decade. This is despite provision of free counselling, heavily subsidized (often free) cessation medications, mass media campaigns, dramatic increases in tobacco taxes (more than in all other countries), and extensive environmental bans on smoking (Callison & Kaestner, 2014; Gallet & List, 2003). The tobacco tax increases have increased demand for cheaper cigarettes on the black market. Inadequate policing and enforcement, as a mediator, has failed to offset the perceived rewards gained by offenders.

To reduce perverse effects, such as robberies for tobacco products, the police should have greater involvement in public health policy analysis and decisions (Crofts & Thomas, 2017). The police should be involved at early stages of conceptualizing public health interventions for social behaviours they usually are charged with preventing or reducing—these include violence, theft, and trade in illicit goods. The police should also be involved when public health calls for repressive regulation in an attempt to prohibit behaviours that represent a risk to health but in other ways cause no harms that fall within the remit of the police.

The failure of public health to consider potential perverse effects of continuing to increase the excise tax on tobacco led to considerable harm for the retail staff who were injured, community safety (Glover et al., 2021), the lower socioeconomic groups who have higher smoking rates, and minority groups at higher risk of incarceration.

In NZ, the tobacco tax increases continued annually for over a decade until 2020. Largely because of the convenience store tobacco robbery phenomenon, the government did not renew the schedule of tax increases from 1 January 2021. Before tobacco excise tax increases are reinstituted, the causes and solutions of robberies for tobacco identified in this study should be considered. That is, the prevalence of smoking among the lower socioeconomic groups needs to be balanced against the attractiveness and efficacy of support to stop smoking. Recent regulation supporting adults who smoke in their efforts to make a change to risk-reduced alternatives to smoking, particularly vaping, may contribute to shifting the current imbalance that leaves people smoking despite the price hikes. Instead of improving community well-being, tobacco control policies that seek to appropriate police as a repressive resource to stop people smoking divert police from their historically established and expected role in society and risk increasing injury, magnifying disparities, and worsening economic and social determinants of smoking. Diversion of police from, for instance, preventing violent crimes to policing tobacco smoking creates an opportunity cost that could undermine not only the police's achievement of their usual goals but other public health goals, such as preventing injury and protecting mental health.

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## CONFLICT OF INTEREST DISCLOSURES

The authors have no conflicts of interest to declare.

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## SUPPLEMENTAL MATERIAL

Supplemental information linked to the online version of the paper at journalcswb.ca:

- Table S1
- Table S2

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