



**POLICE DEPARTMENT**

**PROCEDURAL JUSTICE**

**CONDUCT & RESPONSIBILITY #109**

Responsible Executive:  
Chief of Police  
Responsible Office:  
Vice President for Public Safety  
Approved by:  
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Issued: 07/25/2024  
Revised: N/A

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**Policy Statement**

“Procedural justice” refers to the perception of fairness in an encounter with police, achieved in major part by treating all persons with dignity and respect, giving persons a voice during encounters, being impartial in decision-making, and conveying trustworthy motives. Conduct that conforms with procedural justice is essential for developing positive interactions with the public, which fosters the community’s willingness to cooperate with the police to advance shared public safety goals and community policing efforts.

**Who Is Governed by This Policy**

All personnel, including sworn, nonsworn, contractual, or voluntary persons in service with the Johns Hopkins Police Department (JHPD), are governed by this Directive.

## Purpose

The purpose of this Directive is to emphasize the JHPD’s commitment to policing in a procedurally just manner and to provide specific guidance to JHPD members on how to implement procedural justice in the course of their work with the community.

## Definitions

<b>Law Enforcement Action:</b>	Any circumstance, on or off duty, in which an officer exercises or attempts to exercise police authority. This includes but is not limited to investigative stops and detentions, traffic stops, interviews and/or interrogations, arrests and citations, searches and seizures, and internal discipline.
<b>Member:</b>	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
<b>Officer:</b>	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
<b>Police Legitimacy:</b>	The public’s belief that the police can be trusted to act properly and in the public interest. It reflects the belief that the police ought to be allowed to exercise their authority to maintain social order, manage conflicts, and solve problems in their communities.
<b>Procedural Justice:</b>	Treatment of a person by officers in such a way that the person feels they were treated fairly and with consistency, dignity, and respect; they were given a voice; the officer was neutral and transparent; and the officer conveyed trustworthy motives.

## Policy

It is the policy of the JHPD to police in a procedurally just manner that recognizes the dignity of all persons with whom officers interact. Procedural justice is essential to building police legitimacy and public trust, which are critical to protecting and serving the public effectively.

## Core Principles

Throughout encounters with the public, members shall demonstrate the principles of procedural justice whenever possible to increase the likelihood of a positive interaction and build police legitimacy.

### I. Fairness

- A. Procedural justice is ultimately about fairness and consistency in both the process and outcomes of policing interactions. When the public perceives interactions as fair, these interactions contribute to public trust and police legitimacy.
- B. Members shall be professional and courteous throughout the interaction, treating people with dignity, respect, and concern for their rights.

## **II. Voice**

Absent exigent circumstance, officers shall provide people the opportunity to explain their actions and ask questions before making a final decision. Listening to a person's perspective is important to conducting a fair decision-making process. Engaging and listening to community members prior to reaching a conclusion leads to more informed decision-making and increases community members' acceptance of the resolution.

## **III. Transparency**

Officers shall ensure people know why and how decisions are being made to foster understanding and cooperation with the decision-making process and outcome.

## **IV. Impartiality**

- A. Officers shall make transparent, neutral decisions based only on relevant information.
- B. Officers shall communicate trustworthiness throughout interactions by acting with professionalism, understanding, and transparency.

## **Procedures**

### **I. Required Actions**

Members of the JHPD, including supervisors and commanders, can take specific actions and practice certain behaviors that communicate to a person that they are being treated in a procedurally just manner.

- A. All members shall treat all persons with the courtesy and dignity that is owed to every human being.
- B. All members shall act, speak, and conduct themselves in a professional manner, understanding their obligation to safeguard life and property while maintaining a courteous, professional demeanor in all contacts with the public.
- C. Members shall conduct all encounters and law enforcement actions in strict accordance with JHPD directives in order to demonstrate neutral decision-making and fair treatment and avoid accusations or perceptions of discriminatory policing or bias. This includes the following:
  - Being professional and courteous.
  - Introducing oneself.
  - Immediately upon contact, or as soon as possible, explaining to the person the reason for the contact unless providing this information will compromise an investigation or the safety of officers or other persons.

- Offering the person an opportunity to ask questions and answer any questions they may have. If the officer is unable to answer the question, the officer shall inform the person requesting the information that they are unable to answer the question and why. Officers are not expected to have all the answers, and if they do not know an answer to a question, it is ok for them to admit that.
- Explaining actions throughout the encounter.
- Being patient whenever possible, using active listening in order to give the person a voice while also allowing the officer to gather all facts before drawing conclusions.
- Ensuring an investigative stop or vehicle stop is no longer than reasonably necessary to take appropriate action for the known or suspected offense, as well as any offense that is legitimately discovered during the course of the investigation.
- Ensuring that the purpose of any detention is explained to the person stopped.
- If a person has been stopped and the reasonable suspicion for the stop is later dispelled, explaining to the person why the stop was made. If the stop was made in error, apologize for the inconvenience.
- Providing the officer's name and JHPD identification number when requested, verbally, by using a business card or by writing it out.
- Requesting a supervisor to allow individuals to voice their concern related to the contact if requested by the individual or if the individual expresses an intention to make a complaint.
- Expressing appreciation for the person's cooperation during the encounter.

**D.** In conformance with JHPD Directive #401, De-escalation, officers shall employ de-escalation tools, such as treating the individual respectfully and slowing down the encounter whenever possible. Using de-escalation strategies not only decreases the likelihood that force may need to be used or a violent outcome will result, but it also allows the officer to listen to and communicate productively with the person.

**E.** Additional de-escalation tools that should be utilized by officers to secure a nonviolent outcome and to advance procedural justice include but are not limited to:

- Verbal tools, such as listening to the person in order to give them a voice, and then explaining what the officer is doing, what the person can do, and what will happen; explaining why the officer is

taking action and showing that the reason for that action is fair; and treating the person with dignity throughout the interaction, and

- Physical tools, such as moving to a safer position, communicating from a safer position, and diminishing potential threat by using distance.

**F.** Unless a police officer or someone else is in imminent danger of harm, officers shall consider whether any lack of compliance may be due to the person's inability to comply. Reasons why someone may be unable to comply include a person's:

- Medical condition,
- Behavioral health disability,
- Developmental disability,
- Physical limitation,
- Language or cultural barrier, or
- Drug or alcohol impairment.

**G.** Officers shall prioritize procedural justice with all persons with whom they interact. Applying procedurally just measures while engaging with individuals whose communities have historically tense relationships with police due to widespread marginalization and/or mistreatment may help address intergenerational trauma, relieve skepticism, and build trust. Such communities include students, immigrant communities, LGBTQ+ communities, racial minorities, and youth.

- As detailed in JHPD Directive #424, Arrest & Alternatives to Arrest, and JHPD Directive #442, Traffic Control & Enforcement, officers using procedural justice as part of their work employ the most effective and least intrusive response to a violation of the law. This includes prioritizing the student conduct and process procedures and warnings for low-level infractions in lieu of criminal alternatives.
- As detailed in JHPD Directive #106, Fair & Impartial Policing, officers employing procedural justice as a regular part of their work will not only diminish potential public perception of bias but also combat the impact of potential unconscious or implicit bias during interactions with the public.
- Officers are reminded that youth are particularly attuned to procedural justice. A youth's earliest interactions with police can have a lasting impact on their perceptions of the legitimacy of the justice system and their likelihood of reoffending.

- Additionally, officers should be mindful of the fact that not all law enforcement encounters with young people are best dealt with through the criminal justice system, and diversion/deflection strategies may provide a more effective resolution than traditional enforcement methods. See JHPD Directive #426, Interactions with Youth, for enforcement guidance.

## II. Compliance

JHPD supervisors shall regularly review investigatory and vehicle stops as part of their duties to ensure compliance with this written Directive. See JHPD Directive #424, Arrests & Alternatives to Arrest, and JHPD Directive #442, Traffic Control & Enforcement.

- A. When a supervisor or commander identifies strong examples of procedural justice being implemented by their subordinates, they shall praise the officer and consider its applicability for use in the officer’s performance evaluation, during future JHPD training, and for official commendation when the incident is of particular note.
- B. When a supervisor or commander identifies a violation of this Directive, the supervisor shall take appropriate corrective action in accordance with JHPD procedures governing disciplinary action.
- C. All officers will receive training on procedurally just policing, consistent with this Directive. Training shall include the perspectives of members of marginalized communities, behavioral health professionals, and others.

## Policy Enforcement

<b>Enforcement</b>	Police Department managers and supervisors are responsible for enforcing this Directive.
<b>Reporting Violations</b>	Suspected violations of this Directive should be reported to the Professional Standards Unit.

## Related Resources

<b>University Policies and Documents</b>
Conduct & Responsibility #103, Rules of Conduct Conduct & Responsibility #106, Fair & Impartial Policing Conduct & Responsibility #111, Duty to Intervene Operational Procedure #401, De-escalation Operational Procedure #424, Arrests & Alternatives to Arrest Operational Procedure #426, Interactions with Youth Operational Procedure #442, Traffic Control & Enforcement

<b>External Documentation</b>
<a href="#">Principles of Procedurally Just Policing, The Justice Collaboratory at Yale Law School</a>
<b>Police Department Forms and Systems</b>

## Contacts

<b>Subject Matter</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>Email/Web Address</b>
Policy Clarification and Interpretation	Policy Management	(667)306-8618	<a href="mailto:jhpdpolicyinquiry@jh.edu">jhpdpolicyinquiry@jh.edu</a>