

**Policing and Homelessness**

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**ABSTRACT**

This research examines the barriers that exist between law enforcement and the homeless population of Lawrence, Kansas. Based on the criminalization of certain homeless practices and the treatment of homeless people by government officials, persons experiencing homelessness are less likely to report crimes to the proper authorities. Being the case, law enforcement methodology must change to a community-oriented policing style in order to create open lines of communication between law enforcers and this unique community. This study examined the homeless population's hesitancy to contact the police when they were in need of assistance and compared the results to both how they had been treated by law enforcement in the past and their knowledge of community-oriented policing. The study ultimately yielded mixed results on both contacting the police and past procedurally just treatment by law enforcement. Furthermore, not a single respondent was able to accurately identify community-oriented policing. The research led to the conclusion that although some homeless people in Lawrence, Kansas experienced fair treatment, the barriers between law enforcement and the homeless population could be effectively overcome by implementing true community-oriented policing.

*Keywords:* Homeless, homelessness, community-oriented policing, barriers, procedural justice, police, law enforcement

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### **The Homeless and The Police**

The homeless population in the United States live in a unique and, evidently, complicated situation. The lives of people experiencing homelessness are statistically more dangerous than that of the average American citizen (Meinbresse et al., 2014, p. 123). This precarious lifestyle is also much more complicated than simply the stereotypical perceived physical danger many non-homeless people associate with the homeless situation. Peter Summerville (2013) studied the complexities of the quantifiable dangers of the homeless lifestyle and defined them. Summerville determined that these hazards were not just physical dangers, a lack of shelter, or unreported victimization. Summerville specifically identified the five hazards exacerbated by the homeless lifestyle as: physiological, emotional, territorial, ontological and spiritual (p.384). These specific identified dangers have been remedied by mainstream members of society by partaking in certain actions: such as owning or renting property, creating meaningful relationships with others in society, and having a means of income which gives a person the ability to consistently buy and pay for food and other basic necessities. However, in a changing world money is amassed by a fewer number of people and, this being the case, physiological and physical maladies experienced by human beings have vastly increased (Canoso, 2021, p. 1). These physical and physiological issues enumerated in the literature are reflective of the obstacles commonly experienced by people living the homeless lifestyle.

Homeless persons participate in certain actions which ultimately make them safer and more satisfied in the life they live. People experiencing homelessness establish meaningful relationships with people, obtain money (by various means including having a job) and creating residency. However, they do so in a much different manner than most members of American society. The unsheltered homeless population will find places to establish residence in a less

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traditional means, such as temporarily living with people for free (commonly known as “couch surfing”), living in homeless type shelters, or residing in locations not meant for human habitation, such as abandoned buildings and parks (Rankin, 2021).

Homeless persons also cultivate meaningful relationships just as the non-homeless population. These relationships are important because they create life contentment and positive physiological outcomes (Rayburn & Corzine, 2010). Rayburn and Cozine (2010) further found that not only did the homeless population engage in relationships, but that it also had an ultimately more positive outcome when a homeless person was in need of emotional support. People are relational beings and no matter their state in life it is important for all people to cultivate these connections. This is likely why community-oriented policing is successful: it is based on the basic human need for connection relationships and partnerships.

However, the aforementioned dangers associated with this lifestyle are still present even though they engage in certain societal positive activities. Being the case, the protectors of society, the police, who are granted power by the government and by the people, could help members of the homeless population in their time of need. Law enforcement officers have a rudimentary understanding of the dangers associated with the homeless lifestyle, but rarely is it discussed or studied by most rank-and-file members of a law enforcement agency. However, these law enforcement officers could be incredibly beneficial to the homeless population in mitigating some of the hazards of the homeless lifestyle if they simply took a few proactive steps. Some of the steps law enforcement agents could take that would be beneficial to the homeless community would be: get homeless people in contact with housing, food and victim advocacy resources. A traditional law enforcement response to crimes against homeless people would also be valuable to confront their victimization and assist them in their time of need. This

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connection to resources and a traditional non-punitive police response could effectively be accomplished by creating meaningful partnerships between law enforcement entities and the homeless people in a community. However, building these partnerships takes time and effort to appropriately establish.

There are definitive defined barriers between law enforcers and the homeless community. Herring et al., articulated this reality in their study. They studied and researched part of the homeless lifestyle in San Francisco (Herring et al., 2019). During this study in San Francisco, California, the authors determined that the criminalization of certain activities commonly associated with the homeless lifestyle, as well as the forced eviction of the homeless people from public and private areas caused the homeless population not to report crimes to the authorities. They would not report these crimes due to the fear of police taking additional enforcement action (Herring et al., 2019).

The research of Herring et al. determined that the primary reason for these communicative and partnership barriers between the homeless and police is the societal tendency to criminalize activities common to homeless persons. Homeless people are commonly mistreated by municipal governments and their activities criminalized by the police (Sommerville, 2013). Rankin (2021) elucidated that many municipalities in the United States have created laws which criminalize homeless people's ability to exist and partake in necessary activities to survive. These problematic laws are further exacerbated by the fact that law enforcement is the primary enforcement arm of such criminalization processes. Furthermore, society altered these social problems into a law enforcement issue, which upon a proper analyzation does not eliminate or lessen the homeless problem (Herring et al., 2019). In fact, this criminalization process complicates the problem of homelessness by keeping persons



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experiencing homelessness with no fixed abode even longer by creating additional hurdles to the accessibility of housing and employment.

In order to overcome these barriers and establish processes to protect homeless people from victimization, law enforcement entities must shift their common homeless person policing practices. It is imperative that law enforcement learn how to interact with and create partnerships to assist the citizens in their jurisdiction who are experiencing homelessness. This is most effectively accomplished by utilizing the basic concepts established by the community-oriented policing philosophy of modern policing.

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### **Homelessness by Name**

To begin a study on homelessness, it is imperative to establish an appropriate definition of homelessness. For the purposes of this study there will be two definitions of homelessness which will be utilized. The first is homelessness in a most general sense, which was defined by the U.S. General Accounting Office as, "...those persons who lack resources and community ties necessary to provide for their own adequate shelter" (Barak, 1992, p. 27). This concept and definition of homelessness was further elaborated upon in the idea that homelessness is, "...people who claim as their usual nighttime residence either emergency shelters and drop-in centers, or the interstices of public space- the streets parks, alleyways, abandoned buildings, and other out-of-the-way sanctuaries, known only to their users..." (Barak, 1992, p. 27). The second, and most important identifier for homelessness used in this study, will be homelessness as a lifestyle. People who either choose homelessness, or unfortunately have such a lifestyle thrust upon them for a variety of reasons. The reasons for homelessness are vast and beyond the scope of this study. Furthermore, the paradigm on homelessness as a problem needs to be shifted. Homelessness in the course of this study will be examined in the light of it being a lifestyle. Whether this lifestyle is a choice or not, is irrelevant in regard to how to interact with people experiencing homelessness. The homeless community is a unique, specific and identifiable segment of most metropolitan and urban communities and should not be examined as a community problem. It should be looked at as an unavoidable reality of civilized society.

Homelessness has existed in society for more than a millennium. The biblical writings of both Paul in 1 Corinthians and the book of Matthew identified homeless people and the concepts of homelessness. 1 Corinthians 4:11 (1999/ 2007) identified Paul as a homeless individual where it reads, "Up to the present hour we are both hungry and thirsty; we are poorly clothed, roughly

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treated, homeless...” (Holman Christian Standard Bible). Furthermore, Jesus was identified as homeless by Matthew where he wrote, “Jesus told him, ‘Foxes have dens and birds of the sky have nests, but the Son of Man has no place to lay His head,’” (*Holman Christian Standard Bible*, 1999/2007, Matthew 8:20).

These biblical examples of homelessness are not to defend inerrancy or reliability of biblical writings, it is simply to convey the longevity, commonality and understandability of the problem of homelessness in societies dating back as far as the mid to late 80 AD, the hypothesized date of the writing of Matthew and year 53 or 54 AD the theorized date of the writing of 1 Corinthians (Kostenberger et al., 2009, pp. 185, 470). Homelessness in society is a reality which can be examined in antiquity, and anecdotally has not been “solved” from biblical times to the modern day. As a matter of fact, homelessness has increased exponentially over the more than one thousand years since the writing of the bible.

There are many theories as to how to best lessen the cost burden associated with homelessness on society. There are also organizations and people with theories and philosophies as to how to completely eliminate homelessness from the United States. One such entity is the National Alliance to End Homelessness. This organization distributes information and literature which is a proponent to eliminate homelessness. Philosopher Michael Parker also wrote an article about eliminating homelessness. In the article, he explained that homelessness is a community problem “...(and) can in the end be solved only by concerted practical and political measures. Finding the right practical measures depends upon first laying open the ethical and conceptual landscape which informs our understanding of this particular social problem...” (Parker, 1999, p. 97). Although based on good intentions and sound research, ultimately their goal of eliminating homelessness from society has not been successful and creates a specific and,

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to some, frightening sub-society in a community which is perceived somewhat as a modern-day criminal underground. These perceptions can be ultimately blamed on the criminalization of homeless activities, such as camping and, in some cities, sitting and lying. Kappeler et al. (2020) elucidated about the frightening perception of the homeless population where they wrote, “People are most fearful of potentially menacing, loitering strangers. Even though no figures exist concerning how many homeless people commit crimes... However, for the most part, their crimes are minor and generally relate to the acquisition of food, shelter, drugs and alcohol...” (p. 462).

Plans to completely eliminate homelessness will never come to fruition. The simple explanation for this reality is that there are certain citizens in the United States that choose homelessness as a way of life and are threatened even by the possibility of their lifestyle changing (Kappeler et al., 2020). With this as an understanding, it is imperative to conceptualize homelessness not as vagrancy or a problem to be handled by the authorities, but instead as a reality in society that creates another societal element in an already complex system. John Abbarano best explained modern homelessness where he wrote, “...homelessness is not a problem; it is a condition...” (Abbarano, 1999, p. 8). Society and urban communities must first acknowledge that homelessness is a reality, and ultimately unsolvable, considering the constitutional protections afforded to all people within the borders of the United States. This reality and explanation mean that homeless people are affirmed the same rights and privileges bestowed upon all citizens, or visitors, of the United States. These unalienable rights also mean that homeless people will be held accountable to the same laws which all people are expected to abide by. Furthermore, homeless people are held to the same standard when they victimize other people present within the borders of this nation.

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Homelessness is commonly perceived as a nuisance to society, a problem to be confronted, addressed, and solved. Kappeler et al. (2020) seem to accentuate this concept when they explain that community policing officers are responsible for connecting these people with programs and social workers, while later acknowledging there is a group of homeless people that live in this manner by choice and find the very idea of altering their lifestyle dissatisfactory. This being the case, a police agency must understand that in certain circumstances homelessness can be a chosen lifestyle. Such a lifestyle may be unconventional to some or even dangerous at times, but it is also a choice that individuals living in a free society have lawfully made. Police agencies must acknowledge this reality and establish a partnership with these people that effectively recognizes the hardships, violence and discrimination they experience and ultimately creates a way to appropriately respond in their time of need. The rights of a homeless person must be defended as much as a person who lives in a traditional home.

However, since homelessness has not been eliminated from society, and is an inevitability in a free society, it is a constant source of contention, discussion and cost within communities. The issues associated with homelessness are further exacerbated when taking into account that homelessness continues to increase dramatically in the United States. The exact total number of homeless people in the United States is almost impossible to definitively identify (Barak, 1991). This is even more intriguing when the estimates in 1991 of the homeless population to be between 300,000 to about three million are taken into account (Barak, 1991). Obviously, there is a major discrepancy between these two numbers. A community must recognize that the exact number of homeless people is impossible to determine and do their best to accommodate their reasonable estimate.

### **Homeless Statistics**

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Barak (1991) alarmingly warned his readers that there could potentially be as many as 19 million homeless persons by the end of the 1990s. Although Barak's 19-million-person theory inevitably proved to be incorrect, homelessness has nevertheless increased dramatically since the 1980s. In 1984 the Department of Housing and Urban Development (HUD) estimated between 250,000 to 350,000 homeless people in the United States (Barak, 1991, p. 32). It should be noted that this number generated much criticism. In the 2020 Annual Homeless Assessment Report to Congress (2021) HUD estimated that, on a single night, approximately 580,000 people experienced homelessness in the United States (p. 1). The National Law Center on Homelessness further found that 3.5 million people will be homeless at some point during any year (Kappeler et al., 2020, p. 460). In the 36-year period between 1984 and 2020, and according to HUD, homelessness in the United States increased by approximately 43- 60%. A lower end estimation of 43% is still an astronomical increase when the cost of homelessness is considered. The National Alliance to End Homelessness estimated that a homeless person costs society \$35,578 a year (National Alliance to End Homelessness, n.d.). Homeless persons are also constantly under the threat of victimization. The statistical numbers in regard to the victimization of homeless people are difficult, or realistically impossible, to locate, examine and analyze. A telling statistic was put forth by Meinbresse et al. (2014) where they elucidated that people experiencing homelessness had a 14 to 21 percent likelihood of being the victim of a violent crime (p. 123). This is a very high likelihood when compared to the 2% likelihood of a person living in a home being the victim of a violent crime. Such victimization becomes even more problematic when it is realized that a homeless person is much more likely to be victimized by another homeless person than anyone else in society (Barak, 1991, p. 91). Furthermore, homeless persons are in

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constant threat of victimization, which was explained by Gregg Barak, Kappeler et al., Uma Narayan, Turner et al., and many others.

Why are the statistics and specific research regarding the victimization of homeless people exceedingly difficult to find? This is so because of the hardships faced by the realities of the life of homeless individuals. Homeless people do not have access to the same amenities to contact the authorities when they are in need (Kappeler, 2020, p. 463). This lack of reporting crimes is further accentuated due to the homeless person's probable negative prior contacts with law enforcement (Turner et al., 2018, p. 2).

### **Homeless interaction with law enforcement**

This lack of reporting victimization to the authorities is reflective of the failures that modern law enforcement has had in engaging and partnering with the homeless community. To have primary conceptual change modern law enforcement must recognize that homeless people are both a part of the larger community in which they reside, as well as they are members of a smaller tighter knit smaller community. This smaller community is established and predicated by the fact of being homeless. Homeless people are understood and accepted by other homeless people more readily than a person living in a traditional household. This concept is the same as when a person travels from California to New York and meets another Californian on their journey. They automatically have a connectedness based on where they are from.

With simply a basic definition of the concept of community, one can clearly observe that homeless people are in fact both a community themselves and part of the larger society in which they live. Michael Parker identified a community as, "...an entity constituted by all those people who have to work out meaningful ways to live together," (Parker, 1999, p. 98). Homeless people have a specific lifestyle where they have learned how to live with other homeless people, as well

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as how to abide in society as a whole. Being the case, homeless people have a unique community that they share with one another, Homelessness is clearly a unique community, much like a specific neighborhood.

Modern law enforcers are expected to be a part of and engaged with their respective jurisdictions. These engagements should include interactions and relationships with the homeless community represented in the larger community they serve. Although homelessness is perceived as undesirable by many in society, these people should still be treated in the same manner as all citizens in the community. Doing so establishes law enforcement legitimacy within the homeless community and is furthermore consistent with the 5th and 14th Amendments (the due process amendments).

It is imperative that law enforcement find a proper way to interact and respond to homeless people and their unique and individual needs. This necessary adaptation to homeless people's needs will create inroads to the homeless community. The solution to lack of reporting is establishing a partnership with the homeless community which addresses and responds to the specific and unique concerns of this community. This partnership will allow homeless persons to know they will not be penalized for their lifestyle and the law enforcers will protect them from victimization as much as they protect any citizen. The framework for such a partnership is clearly and specifically delineated and established in the ideals of community policing. Although the framework for community policing is nationwide, its specific programs and methodologies are established through the specific community partnerships created between a local law enforcement entity and the community they serve.

Being the case, each police department and law enforcement entity must establish its own framework to interact, create trust and effectively bridge the gap created by the traditional



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adversarial relationship with the homeless community. Doing so will allow law enforcement to respond to the needs and emergencies presented in the homeless community. The Midwestern part of the United States is no exception to this problematic history between law enforcement and the homeless community. The Midwest, like the rest of the United States, has a substantial homeless population whose needs and existence must be acknowledged, engaged and addressed. Since community-oriented policing philosophies are specific to the needs of a particular community, the information and response must be narrowed down to the homeless people residing in a specific locale. Being the case, this identification and recognition of a homeless community needs to focus on an individual distinct municipality which has a relatively significant amount of people experiencing homelessness.

This examination will, therefore, narrowly focus on the needs of the homeless people of Lawrence, Kansas. HUD estimated that in 2020 there were 2,449 homeless persons in all of the state of Kansas (Henry et al., 2021, p. 10). Furthermore, the Lawrence Journal-World (2019) estimated that there were 400 homeless people residing in Lawrence, Kansas (Valverde). This number was further broken down by the city of Lawrence which estimated that there were 188 people in emergency shelter, 135 in transitional housing and 73 homeless people that were living unsheltered (City of Lawrence, 2019). The unsheltered homeless people are the members of the homeless community that are most readily recognized and identified by citizens of a community. These are simply the people that do not have housing of any sort. Problematically, the unsheltered homeless are also the segment of the homeless community whose existence is most commonly criminalized by society (Rankin, 2021). There is a very small amount of available information regarding the number of homeless individuals in the state of Kansas and in the city of Lawrence. One can find information regarding the housing, food and economical needs of this

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community. However, it is impossible to find the specific needs of these homeless individuals outside of these basic necessities which are part of every person's hierarchy of needs (Maslow, 2013).

### **Lack of Knowledge**

This lack of specific and identified needs makes it unlikely the police nor the residents of Lawrence actually know the expectations of the homeless community; nor would the homeless people of Lawrence, Kansas themselves have an understanding of the true concepts and positive possibilities of community-oriented policing. It is hypothesized, based on the aforementioned studies by Rankin, Gaboardi, and Herring et al. that this homeless community has had negative interactions with law enforcement which has ultimately made them less willing, or in certain cases unwilling, to contact the authorities in a time of need, even if they were the victims of violent or heinous crimes. This theory is in fact where the most important changes can occur. Homeless persons do not always have an unbiased knowledge of the role of police in their community. Being the case, the first step to garnering a positive, mutually beneficial relationship with this community is understanding their most common perception of the police and describing and exemplifying the philosophies and ideals of community-oriented policing.

Furthermore, to understand this community it is imperative to comprehend the potentially adversarial relationship which they have with law enforcement. This relationship cannot be determined in Lawrence, Kansas due to a lack of scholarship in this area. Therefore, knowledge of this relationship and a more complete understanding of the needs of homeless individuals is most effectively established based on the homeless community's experience with the law enforcement entities in Lawrence Kansas. The final and, frankly most important, information which can be extrapolated from the homeless community is an accurate understanding of what

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changes must take place to garner a community-oriented police partnership that allows homeless people to report their victimization and request assistance from the entity that is sworn to uphold the law regardless of any other factors.

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### **Policing and Vagrancy**

Before research into the homeless community can occur, it is imperative that the possible barriers to change in culture be determined. The first major barrier to this necessary change is, frankly, the unwillingness of the homeless community to engage based on a previous negative relationship with mainstream society and members of the law enforcement profession. Law enforcement and homeless persons have traditionally had a consistently tumultuous relationship. This problematic relationship is best highlighted in the history of vagrancy laws established in the United States. The earliest vagrancy laws are commonly believed to have been established in the 1870s. Sidney Haring explained that multiple states within the United States passed these laws in the 1870s, which made it unlawful for people without money or other means to travel throughout the country (Haring, 2017, p. 201). Such laws had stiff penalties and encouraged law enforcement to take action against people that violated these established laws, and dissuaded law enforcement from passing the vagrant population onto the next town. However, vagrancy legislation can be established even earlier than the 1870s. In the 1850s, Louisiana had a similar vagrancy statute which was used by law enforcement to go to the New Orleans docks and arrest all of the Black longshoremen because they did not have a visible means of supporting themselves (Bardes, 2018). These arrests in New Orleans were not only indicative of vagrancy issues but were an indicator of a deeper racial component as well. Although the aforementioned specific vagrancy laws are no longer deemed to be constitutional, laws which are perceived to specifically target homeless people are still in place today. For example, multiple cities have no camping ordinances to eliminate the establishment of homeless encampments or the possibility of a skid-row, similar to the one located in Los Angeles.

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Such laws, put in place by the legislative branch of the government, are ultimately enforced by law enforcement professionals. Police, therefore, are commonly the beginning of a homeless person's entry into the criminal justice system. Being the case, a homeless person, already in a unique situation, does not want to be unnecessarily criminally inserted into a justice system which does not currently, nor has historically, protected their best interests. Furthermore, such insertion is incredibly economically taxing on a person who does not have a consistent means of income, a lifestyle which is consistent with homelessness. Anecdotally, the homeless population does not trust the criminal justice system nor the people who initially insert them into the system. This lack of trust can be explained as a person labeled as a societal outsider being regularly confronted by law enforcement officers who consistently make their homeless lifestyle more complicated and punitive. Ultimately, the most effective inroads into the homeless community are the establishment of non-punitive partnerships within this specific population, one contact at a time, through principles clearly established in the concepts of community-oriented policing.

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### **Community-Oriented Policing**

*The President's task force on 21st century policing* (2015) expanded and elaborated on the important components of community-oriented policing as an essential philosophy for effective law enforcement in communities within the United States. The key components of community-oriented policing are working together, in a partnership with stakeholders to establish safer communities together, by identifying community issues and working collaboratively to establish unique solutions, which produce tangible results, to such issues (p.3). Community-oriented policing does not have a universally agreed upon definition but has three core tenets of effectiveness: community partnerships, overall departmental usage and solving problems within the community served (Heeuk, 2019). Succinctly described, community-oriented policing is a departmental wide philosophy which requires police officers to work with the community to identify and acceptably respond to community problems. Frank Schmalleger effectively defined community-oriented policing as, "...a philosophy based on forging a partnership between the police and the community, so that they can work together on solving problems of crime, fear of crime and disorder, thereby the overall quality of life in their neighborhoods," (Schmalleger, 2019, p. 181). This effective response to crime and disorder can easily be translated to the needs and expectations of the homeless community. Since this creative problem solving and partnering to confront issues is a critical component of community-oriented policing, there is no better solution to the contemporary crime and disorder issues within the homeless community. This is true because there is no person with more expertise on a community specific problem than a person who resides and exists within the community experiencing the problem. Homelessness is such a specific and unique experience that an outsider would never be able to effectively identify the complete needs of the community.

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Partnerships are imperative for success in identifying crime and the needs of the homeless community. Partnerships are forged through trust, legitimacy and experience (Heeuk, 2017). Being the case, police must go out into the community and have contacts with the citizens prior to enforcement actions or even trying to implement this effective and presidentially recognized style of policing.

Interestingly, these ideals are not new concepts. These ideals are old concepts repackaged in an acceptable form in the modern day. Since the most efficient and effective police services are most readily accomplished through the philosophies and methodologies set forth in the principles of community-oriented policing, a succinct history of such philosophies is necessary. Community-oriented policing is arguably an old philosophy which was lost through the different eras of policing and reestablished in the 1970s (Masters et al., 2017; Kappeler, 2020).

Sir Robert Peele's principles on policing are the beginning of the modern concepts of community-oriented policing. Established in 1829, Peele's creation of the Metropolitan Police Force show the beginnings of the framework of Community Oriented Policing in the tenants that: Police are able to perform their duties based on public approval, the police must obtain the public's willingness to abide by the law (to secure public respect), the police are part of the public and therefore must maintain a relationship with the served community, the best way to establish the efficiency of the police is the absence of crime not the police dealing with crime that has occurred (Lee, 1901; Ortmeier & Meese, 2010). The concepts delineated in England at this time are reflective of the important modern concepts held within the ideals of community-oriented policing and contemporary law enforcement. These concepts are currently explained through the ideas of legitimacy and procedural justice.

### **Legitimacy and Procedural Justice**

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To effectively garner community partnerships a law enforcement agency, and the members thereof, must establish a trusting relationship with the community they serve. The aforementioned Peelian principles are the foundations, and origins to the concepts of procedural justice and legitimacy. The importance of achieving legitimacy is simply that the public accepts the authority of the police and acknowledges the validity of the criminal justice system's decisions. Legitimacy was effectively defined by Masters et al. (2017) as, "...a measure to the extent to which the public trust the police, are willing to defer to police authority and believe police actions are morally justified and appropriate. Police can increase the public's belief in their legitimacy by providing procedural justice in the course of interactions," (p. 168). Acting in a procedural just manner during interactions will quickly gain the trust of the citizenry. Procedural justice encompasses four key components: giving people voice during encounters, police acting in a neutral and transparent manner, having and displaying trustworthy motives, and finally being respectful during encounters (Tyler, 2006). Tom Tyler (2006) elaborated that procedural justice is influenced and created by their experience in the criminal justice system (p.178).



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### **Change in Addressing Homelessness**

A society's acceptance of a police decision is the ultimate sign of legitimacy. How can this ideal be reached in the homeless community when they are rarely represented, given voice, or even truly understood? There is very little truly known about the expectations and experiences of the homeless people in the United States, and specifically in Lawrence, Kansas. The first step to understanding their victimization and expectations is establishing effective community-oriented policing services within this unconventional community. Establishing community-oriented policing would provide homeless people with a voice that can be heard by the rest of the community and the law enforcement entity where they reside. Most of the knowledge regarding the communal victimization and expectations of the homeless are unknown. In Lawrence, the exact percentage of homeless people who fall victim to crime, when they need help, or simply the amount of homeless people in Lawrence Kansas at any given time are all unknown factors.

A lack of information and caring is a barrier to change. Being the case, the first step in giving homeless citizens a voice with the police is determining what changes need to occur for law enforcement within Lawrence, Kansas in order to encourage homeless people to partner with the police and address the crime and disorder issues they may be facing as a community. This goal will begin with this study. It will determine actionable steps by asking the homeless community a series of three questions to establish what the Lawrence, Kansas law enforcement profession must understand and how they must act to encourage members of the homeless community to partner with them to solve major issues within the homeless community.

The first question to begin this process would be, "What does Community-Oriented Policing mean to you?" This question establishes a baseline in regard to the knowledge of what this style of policing means to members of this disenfranchised community. Community-oriented

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policing is a buzz word in modern policing. It simply tries to convey that the community works with their law enforcement officials to identify and confront problems that are unacceptable in the community. Community policing ideally exemplifies law enforcement being a part of the community. A police officer cannot partner with the homeless community and effectively be perceived as a legitimate entity when the members of this community see the police as an occupying, authoritarian force. The paradigm in this community must be changed, and it is up to law enforcement to change it.

The second question is used to establish a past pattern of experience with the police. The question should simply be, “What is your experience with the police and how have they treated you in the past?” There is a common belief that homeless people do not trust the police. This distrust can be based on history, experience, or rumor. The next step in establishing a voice for homeless individuals is to listen to their experience with the police. The experiences are not likely to be identical, but there is likely to be a commonality of shared types of experience. This will be due to both police culture, and the culture and learned/ shared survival methods of the homeless people. Understanding the experiences of these people legitimizes it and potentially creates a partnership to overhaul any potential problems.

The third question must be, “What would have to change to encourage you to report crimes, or incidents that would traditionally require a police response?” This is the final and most important question in the survey. This question establishes actionable steps law enforcement in Lawrence, Kansas can take to change the relationship with the homeless population. This step definitively shows what police can do to legitimize their agency and ultimately effectively help homeless people in their time of need.

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The key to this survey is to identify trends and systems both in law enforcement and in the homeless community which creates barriers to effective partnerships and communication. The survey identifies these specific issues by getting the surveyed homeless community to specifically delineate why they do not contact the police. The survey tool will identify whether the issues are not reported due to a lack of trust (lack of police legitimacy) or a lack of ability (e.g. a lack of a communication device). These specific issues will be identified using the survey. After earlier acknowledging and accepting that this lifestyle is not only a reality, but an actuality, it is imperative police accept the homeless as free citizens and learn how to effectively respond to their needs. This survey begins to create an understanding of how the Lawrence homeless population perceives local law enforcement and identifies why incidents are not reported to the proper entities. The survey will elucidate changes law enforcement officials should establish in order to be recognized as a legitimate law enforcement authority in the community. The survey accomplishes this by specifically inquiring into the homeless population's perception of community-oriented policing (which ultimately creates pathways, through police legitimacy and to solve community problems), their experience with the police which will identify negative components of community law enforcement relations and what changes need to be made which will allow the homeless population to contact the police. This will identify a law enforcement entity's legitimate practice and where they can improve.

The Survey Instrument will be a well-designed in-person paper survey (that can be written down by the surveyed person, or the researcher if there are barriers to writing) using a quota sampling method (Bachman & Schutt, 2018). This methodology is to be utilized because the total population is unknown and therefore, likely impossible to contact in full. This survey will contact as many of the Lawrence homeless population as possible. This survey will allow

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the author to use this subset of the homeless population to generalize this sample's experience to the total population.

The variables in this survey will be measured using a nominal level of measurement. The survey will be measured using a “Y” or “N” measurement. A “Y” measurement identifies proper and legitimate police conduct as well as the surveyed person’s proper understanding of community policing. A “N” measurement demonstrates a person’s negative and improper experience with the police and a lack of understanding of community-oriented policing. The survey will be broken down as follows: The first question (What is community policing?) receives a “Y” if the participant has a rudimentary understanding of ideals of community-oriented policing, if not it will be scored with a “N.” The second question (What is your experience with the police?) will be scored in an analogous manner. If the information provided reveals that the police were acting in a procedural just manner the question will be given a “Y” if not it will be scored with an “N.” In response to the third question, if the respondent would call the authorities only if there is an alteration in police conduct, they would never contact the police even if changes are implemented, or they would call only if law enforcement treat the homeless person in a different manner than the person has experienced in the past, that answer will be scored with an “N” and if it would take an alteration of any other homeless type issue but not due to police conduct, or the respondent would currently contact the police, it will be scored with a “Y.” My hypothesis is that the homeless population will not know what community-oriented policing actually is, will not have as much experience with being treated in a procedurally just manner, and that it will take a change in police attitude and action toward the homeless population to actually encourage these people to contact the police. This hypothesis is based on the theoretical foundation laid by Tom Tyler’s that people (in this case homeless people) will be

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more accepting of criminal justice decisions if the police act in a just manner and are viewed as a legitimate organization (Tyler, 2006). This theoretical foundation is expanded to the ideal that police are best perceived as legitimate when they are community-oriented policing officers, which further encourages community members to work with the police to identify and solve community problems.

The methodology for conducting the survey will utilize a three-prong approach. Since locating homeless people is more complicated than simply going to their residence, the first thing that must be accomplished is identifying where homeless people are commonly located. The homeless population in this specific community commonly congregates in three specific locations: the downtown area of Massachusetts Street, Burcham Park and the pantry off of Rhode Island Street. Being the case, the survey will initially be conducted at these three locations. Homeless people will be identified, and a paper survey will be distributed to persons which fit the survey's homeless criteria. The author's measure of success is simply to use the created survey to garner usable qualitative, and quantitative information from more than ten percent of the homeless population in Lawrence, Kansas. If the aforementioned goal is not met, contact will be made with the local homeless coalition to garner better results.

The results of the survey will propel further scholarship regarding the most effective ways to interact and appropriately understand and respond to the needs of homeless people, while at the same time further the legitimacy of law enforcement entities in Lawrence, Kansas. This will be accomplished by creating an understanding of the expectations of the homeless community.

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### **Need for This Study**

The condition of homelessness has become an unavoidable segment of American society. Although this specific and unique community has been ostracized and ignored throughout history, it is in fact a part of the American citizenry which must be recognized and protected. Furthermore, according to the United States Constitution, every person living within the United States is both responsible for following the laws of the land as well as protected by the rights outlined in the Constitution itself. This includes the members of society that are homeless. This study has identified a complete lack of available information regarding the specific and articulable victimization of homeless people. Since homeless individuals are part of a unique community which cannot be ignored, it is imperative that society identify the barriers to communication and partnership between law enforcement and homeless people in order to ensure their complete protection under the law. Such a cohesive partnership will help homeless people by lessening victimization and increasing the legitimacy of the law enforcement entity within this community. This study is necessary because it has the ability to identify barriers between law enforcement and the homeless community. Ultimately, it can clearly identify the changes law enforcement entities must enact in Lawrence, Kansas to propel a new methodology of law enforcement action in order to effectively engage with this unique community. There has been an extensive amount of literature written about the subjects of homelessness, legitimacy and community-oriented policing's positive impact on public partnerships. It is necessary to understand the aforementioned literatures' assertions and results to begin a study on the barriers to law enforcement and the homeless community's partnerships.

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### Literature

The assertion of this study is that community-oriented policing and establishing legitimacy within the homeless community are essential to eliminating barriers between law enforcement and this unique segment of the population. Fundamental to the community-oriented policing philosophy is the notion that police are present to help the community regain an acceptable quality of life and, furthermore, that the police are there to both serve and partner with the community (Kappeler et al., 2020, p. 129). These concepts are old ideals which were established by Sir Robert Peel in 1829 and have been repackaged for the modern day. Sir Robert Peel had nine principles of policing which were essential to the effectiveness of law enforcement and the community-oriented policing philosophy (Ortmeier & Meese, 2010). The essential Peelian principles to this study are: The absence of crime is the best indicator of police efficacy, the public needs to approve of the police for them to effectively accomplish law enforcement goals, the public most willingly comply with the law and that the police and the community are one (Ortmeier & Meese, 2010; Lee, 1901, p. 242)

These principles, implemented in England in 1829, were necessitated by a police force that was efficient and not legitimate. The formation of the concept of legitimacy was formed at this time and can be seen in the statement:

...It is the more necessary to take particular care that the constables of the police do not form false notions of their duties and powers. The powers of a constable, as will appear here after, are, when properly understood and duly executed, amply sufficient for their purpose. He is regarded as the legitimate peace officer of his district; and both by the common-law and by many acts of parliament, he is invested with considerable powers and has imposed upon him the execution of many important duties.... it should be

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understood at the outset that the principal object to be attained is the prevention of crime.

To this great end every effort of the police is to be directed (Lee, 1901, p. 241).

The essence of legitimacy is creating acceptable law enforcement situations and interactions which encourage the people in a community to willingly “accept their decisions and policies,” (Tyler, 2006, p.19). The concept is accentuated by the philosophy that people obey the law not because of punishment, but because it is based on normative values (Tyler, 2006, pp. 22-24). Tyler’s study shows that a person’s perception of the legitimacy of a law enforcement entity (commonly through them being treated in a procedurally just manner) will ultimately influence a citizen's voluntary compliance with the law (Tyler, 2006, 103). Kappeler et al. (2020) succinctly explained the importance of legitimacy, which directly ties into this need in the homeless community, where they illuminated that police legitimacy through procedurally just interactions increases the public and community’s relationship with and acceptance of a law enforcement entity (p.166).

Enforcement is not always the most effective method of garnering acceptance in a community. Enforcement of the laws commonly associated with homelessness creates even larger barriers between homeless people and law enforcement. Criminalizing common homeless activities is questionably legal and not cost effective (Rankin, 2021 p. 570) Herring et al. (2020) explained this aversion to requesting official law enforcement assistance where they wrote, “Together, the threat of a move-along order, a citation, or arrest often caused those living on the streets to avoid contacting the police, even in the face of serious theft or violence,” (p. 143). The study of Herring et al. further suggested that anti-homeless laws perpetuate homelessness (p. 145). The idea that the enforcement of homeless violations is ultimately ineffective at reducing or eliminating homelessness in a given area was further articulated by Sara Rankin where she



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explained that the criminalization of homeless people, "...is proven to be expensive, often illegal, ineffective and even counterproductive," (Rankin, 2021, p. 589).

Kyprianides, Stott and Bradford (2021) examined the effects of legitimacy, and procedurally just interactions between the police and the homeless population in London. In this study the researchers observed the interactions, spoke with their participants, and had them document their lives (p. 676). Ultimately these researchers found that, although procedural justice and fairness was important, it did not garner further obedience to the law (p.680). This study found that distributive justice and being able to partake in activities which allowed for survival was most important (p.681). This finding is consistent with Maslow's hierarchy of needs. The physiological needs will take precedence over safety needs, which is where justice needs fall (Maslow, 2013). The limitation of the study conducted by Kyprianides et al. (2021) is based on the interactions between the London police force and the homeless population. This study explained that the police force would act in a different manner when they were accompanied by the Charity Homeless (in fact a homeless charity) versus when they were acting solely as police officers (p. 678). When police officers acted by themselves, they were more focused on enforcement actions than when they were partnered with charities. This is problematic because the researchers in this study found that the homeless population avoided the police for perceived survival purposes. The findings of this study are vital because it found that homeless people not only perceive themselves as a subgroup ("at the bottom...") of society, but they also see society as working against them (p. 682). Furthermore, the homeless population do not see their actions as immoral hence their activities were not wrong and instead the police intervention was the illegitimate part of their criminal activity (p. 683). This study found that "morality and deterrence" were the largest indicators which predicated unlawful behavior. The

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authors described that many of the homeless subjects all morally agreed that major crimes, like robbery, should not be committed (p. 683) (morally). They also found that certain people would not commit crimes based on fear of consequences.

These reasons to obey the law are studied under legitimacy, are all key components within the concept of legitimacy, but is not indicative of a legitimate organization itself. Legitimacy simply, "...rests on a conception of obligation to obey any command an authority issues so long as that authority is acting within appropriate limits," (Tyler, 2006, p.26). The reason the homeless people in the study of Kyprianides et al. obeyed the law were described as personal morality and deterrence (p. 25). Ultimately, how can the police alter the mentality of the homeless population? Consistent procedurally just interactions can lead to legitimacy but to build such a perspective, a department must first build effective and trusting partnerships with the community.

Partnerships between homeless persons and the police are essential to eliminate barriers between the homeless and public services. This needed partnership is best established through community-oriented policing. Police are commonly contacting people experiencing homelessness. Tony Robinson (2019) found that 74 % of the homeless people he surveyed in San Francisco California had contact with the police in the last year. Community policing is creating effective partnerships and relationships with a community and creatively and collaboratively solving problems (Kappeler, 2020). This concept is greater than solely responding to calls for service; it is meeting with the community and effectively mitigating complex problems. There is no more complex segment of a community than the homeless population. The homeless population is incredibly diverse and there is an abundance of issues. There are many different reasons people are homeless, and, furthermore, there are different types of homelessness

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(episodic, chronic, etc.) (Barak, 1991, pp.23-29). Homeless people experience crime at higher rates than other citizens, commonly by other homeless people, and are less likely to summon help when it is needed; this is most likely due to their negative prior experience with law enforcement (Meinbresse et al., 2014; Barak, 1991; Kappeler, 2020, Turner et al., 2018). All of the literature points to the necessity of creating partnerships with the homeless community in order to effectively eliminate barriers of communication with law enforcement.

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### **Findings/ Results**

The homeless person surveys were conducted from September 10, 2021 to September 25, 2021. During that time, the researcher looked for and identified homeless people in Lawrence Kansas willing to partake in the three-question survey. The homeless people were identified in several different ways, such as by holding signs representing themselves as homeless, consistent observation in the same area during the survey period or having visual indicators that they were homeless (sleeping bag, wearing soiled clothes with the appearance of a completely filled backpack). While conducting the survey, the researcher further learned that the existence of homeless camps makes contacting homeless people in that area less likely simply because they appear to be trying to keep to themselves, no different than any other citizen at their home. Conversely, a person holding a sign identifying themselves as homeless was more often than not willing to speak about their circumstances and appeared to be sincerely happy to take the survey. While administering the survey the researcher observed homeless people in romantic relationships and going through hardships together, making and living in makeshift shelters in an area that they identified as their residence, and adequately being able to obtain food, whether that be from passersby or soup kitchens. The homeless people surveyed were not frightening, and simply were living a non-traditional lifestyle. They were willing to discuss their life and hardships with the police for no compensation. Ultimately, they filled out the survey to help the researcher and wished him luck on his paper (thesis) as he left. The homeless population may experience hardships, but essentially live a life similar to most United States citizens. They simply have additional hurdles.

Homeless people in Lawrence Kansas have clearly established an identity and community that was close-knit. They created subsets of their community which were willing to

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help each other and looked out for the well-being of one another. It should be noted that the researcher did not attempt to survey people who were in the midst of committing a crime (illegal camping, drinking in public, etc.) nor if they appeared to be under the influence of narcotics. Furthermore, it should be noted that not all of the people spoken to were willing, able or qualified to partake in the survey.

During this time period, the researcher was able to effectively identify ten people, who fit the criteria to participate in the survey, that were willing and able to partake in the survey process. Through conversations with the respondents and physical observations of the situations with which these people lived and slept, the researcher deduced (based on observation and communication) that they were all representatives of the unsheltered homeless population. This is the population which is the most readily recognized segment of the homeless population by the general public and the segment of the homeless population that is most legislated. Although the ultimate goal of 40 people representative of the entire homeless population was not reached, the 10 people surveyed cumulatively represented more than 13% of the unsheltered (most recognizable segment) homeless population. The unsheltered homeless population experiences many of the previously mentioned barriers between police and the homeless. This segment of the population will be readily able to anecdotally identify problems and share their experience which ultimately garnered useful information. The total breakdown of “Y” and “N” responses was delineated in Table 1.

### **Community-Oriented Policing Response**

Interestingly out of the homeless people surveyed, only 1 person was willing to write out their own survey. The rest of the respondents requested that the researcher record their answers. The results of the Lawrence Kansas Survey were: None of the participants were able to

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accurately define community-oriented policing. This finding was consistent with the hypothesis. However, some of the experiences they shared were the epitome of an officer acting with procedural justice and attempting to partner with the community. One of the respondents described community-oriented policing as: Police taking care of people in the community. Another described it as: The police using communicative skills and listening instead of using force. Although neither of these definitions accurately identify community-oriented policing itself, they both are reflective of Peelian principles and legitimate police organizations. However, without the ability to define this style of policing it is impossible to specifically delineate if they have experienced the partnerships necessary for success for community-oriented policing. None of the people surveyed identified a single police officer by either name or description in regard to giving them assistance or overcoming a specific problem. The surveyed homeless people of Lawrence Kansas have not experienced defined community-oriented policing. Without community-oriented policing and the partnerships, which are indicative of such a style of policing, the homeless people will likely have a similar attitude as the homeless population from the Kyprianides et al. study. The homeless people of Lawrence, Kansas did not speak about partnerships with the police or give any indication that they have experienced community policing. Being the case, this is one of the most important areas law enforcement in Lawrence Kansas must change to effectively eliminate barriers. Non-enforcement partnerships are essential for community-oriented policing's success.

### **Homeless People's Experience with the Police**

The results of respondents' experience and treatment by the police in the past are mixed. Six of the surveys conveyed a perception of procedural justice during law enforcement interactions, and four were marked with negative law enforcement experience. However, all of

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the negative comments but two had remnants of procedurally just law enforcement practices.

One of the negative comments suggested that if the police were “bored” they were more bothersome to the surveyed person. Other people advised that if they were respectful the police were respectful (however, this was not always the case). Ultimately, for the second question, 6 surveys were scored with a “Y” and four surveys were scored with an “N.” This result is not representative of total procedurally just police interactions. It is impossible to create a partnership with the four people that have not experienced positive police experiences without changing future interactions with the police.

### **Needed Change**

The final question, which denoted what changes must occur for the homeless respondents to call the police for crimes that would traditionally require a police response, again yielded mixed results. Seven of the surveys indicated either they would not change when and why they would call the police. As a matter of fact, of the “Y” categorized responses, all would call the police for a serious crime. Three people had in fact already contacted police for incidents that traditionally require a police response. The three surveys which desire law enforcement to change where they would call the police in their time of need wanted the police to: not be afraid to do their job, know the police would not overreact to an incident and one respondent would simply never call the police due to their personal experience. The result of this question was seven “Y” surveys and three “N” surveys. Of the seven respondents that would not call the police without change or without the presence of a serious crime, none talked about a partnership, or what would have to change to call when they were the victim of a “minor” crime.

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### Discussion

The survey was demonstrative of the certain and articulable steps that law enforcement in Douglas County Kansas has taken and further steps they must take to establish legitimacy within the homeless community of Lawrence Kansas. It would have been foolhardy to postulate that all of the respondents would have a consensus and consistent view on law enforcement interactions and experience. Although the experience of the respondents was not consistent, the results of the questions “What is your experience with the police and how have they treated you in the past?” and “What would have to change to encourage you to report crimes, or incidents that would traditionally require a police response?” garnered surprisingly positive results. When the homeless people surveyed were asked the experiential question, 60% of the respondents had experienced procedural justice in their previous interactions with law enforcement. There are many steps law enforcement must take to make partnerships in any community. Homeless people experiencing procedurally just interactions with law enforcement personnel is one of the necessary steps toward not only garnering legitimacy and trust within a community, but also creating trust and establishing lines of communication between a community and the police. Open and honest communication must be created for the purposes of solving problems within the homeless community. Fortunately, the surveyed unsheltered people of Lawrence Kansas specifically established how law enforcement could establish such relationships: Through respect.

The term or concept of “respect” was not specifically mentioned in any of the formulated questions established in the individual homeless surveys, but surprisingly the term respect was specifically mentioned (both positively and negatively) in exactly half of the surveys. The concept of respect, or more accurately perceived respectful treatment is important to most



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people. People experiencing homelessness are no different, they desire to be respected as human beings, just as every other person in American society. The concept of respect is both a tenant of procedural justice (respect for a person's constitutional protections) and a universal truth (about how people want to be treated) as elucidated by Dr. George Thompson (Thompson & Jenkins, 2013; Tyler, 2006). Thompson explained his concept of universal truths as simply five truths that are universal regarding how all people, of any culture or place in life, desire to be treated.

Thompson's concept was not based on research or a specific study; it was instead the result of the analysis of years of experience in training people in Verbal Judo (Thompson & Jenkins, 2013). However, Thompson's experiential discovery is reinforced by academic research. In Tom Tyler's study he determined that 70% of the respondents felt that how the police treated them was "very important" (Tyler, 2006, p. 88). He further explained that a person's past experience and treatment with the police would influence how such a person evaluates the outcome. In other words, a person's evaluation of an incident with police is not ultimately based on an unfavorable outcome, it is based on how they were treated throughout the process. Gaboardi et al. (2021) further examined and discussed the importance of the respectful relationships between homeless people and others during their study of integrating homeless people into services available to them. The authors specifically defined trusted relationships as a part of the "respectful relationships" category. These authors described the importance of such respect when they wrote, "This theme involves more the sense of recognition, the feeling of being considered, accepted and understood..." (P. 852).

People never want to be invisible to others, and especially do not want to be disregarded by the society in which they live. Homeless peoples' desire and need for respect is reflective of not just people experiencing homelessness, but of every person in society. For law enforcement

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to make a difference in this very unique community such an entity must realize that showing respect to people experiencing homelessness will establish the critical foundations of a mutually beneficial relationship that can have lasting results. Respect goes a long way to creating true community policing within the Lawrence Kansas homeless community.

Although the definition of respect by both Thompson and Tyler is clearly different, such differences can be remedied by an understanding of personal perception. The homeless people that were surveyed valued being treated respectfully. They recognized being respected by law enforcement, and they were more than willing to articulate when the police were perceived to be disrespectful to them specifically or to the entirety of the homeless community in general. The perception of legitimacy and procedural justice was propelled by a person's perception of being treated with respect. Fifty percent of the respondents specifically mention respect when asked how they have been treated. This fifty percent represented both positive and negative police experience. The most negative response about the police in regard to this question was that law enforcement in Lawrence, Kansas did not respect the homeless. However, in another respondent's survey, which was ultimately negatively correlated to procedural justice, the respondent advised that, when he shows respect to the police, he gets respect in return. Furthermore, of the people that perceived they were treated respectfully by police, two of the people advised they were disrespectful towards the police during their encounters, but nevertheless were treated with respect and had an overall positive outlook about the police. Respect is recognized and essential to the homeless population both based on research and this survey.

Interestingly when the respondents were asked when they would call the police, the response seemed to hinge on a perception of being able to garner respect from these public

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officials. Of the surveys that specifically mention being respected by or being able to get respect by showing respect from the police (40% of the surveys), 100% of the respondents would call the police in an emergency without the organization changing anything. This shows that when people feel respected, or at least know how to obtain respect from the police they are more willing to call police to report problems. It should be noted that a majority of the respondents would handle most situations themselves unless someone was getting hurt or it was a serious incident. Unfortunately, of all of the respondents, only one would call the police without any caveats; this person felt it was a civic duty to call the police. Of the most negative responses to this question, one person advised they would never call the police. This was the same person who had earlier answered that the police have no respect for the homeless. Furthermore, of the other two people who would not call the police unless there were fundamental changes to the police department, one advised they would call when they were confident the police would do their job, and the second advised they would call only if they knew with certainty that the police would not overreact to a situation. Both of these situations seem to hinge on the fact that the police do not treat every person with dignity and respect, and that the respondents do not trust that the decisions will be made in the best interest of the citizenry. Unfortunately, the answers to this question did not elucidate what would need to change to have most of the respondents report crimes or incidents to the police when it was not an emergency. Most of the homeless people willing to call the police are willing to call and have an established set of moral values as to why they would call. They gave no pathway to change. The one person unwilling to call the police would never call and made it very clear they would not do so even if changes were made. The two surveys that advised that the respondent would call the police if they changed their response to incidents (that the police would have to do their job, and not overreact to a situation) could

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easily be changed by establishing a partnership with these people. The police could relatively easily change these opinions if they simply went and became part of the community. If they explained their actions to these people, if they used the concepts of community-oriented policing.

Based on these surveys it can be deduced that a person's perception of law enforcement begins with a perception of fairness and respect which they receive, or were denied, during an interaction. The type of interaction is not important, it is the evaluation of the interaction itself. If people believe that they were treated appropriately, then they will perceive the interaction in a positive light. According to the surveys, when a person knows what to expect from the police they react one of two ways, they perceive procedural justice when interacting with law enforcement, or they are willing to contact police in a time of need. This of course corroborates Tom Tyler's research that a person will accept the outcome of police interaction if they are treated respectfully, and they perceive the decisions were arrived at in a fair and impartial manner (Tyler, 2006). These surveys seem to elucidate that a person's perceived respectful treatment with law enforcement will dictate not only how they feel about individual interactions, but also their willingness to summon the police for assistance when they are in need of assistance. The key to these partnerships is a relationship. Non-enforcement relationships, combined with community ownership of a problem is best created through the philosophies of community-oriented policing.

Even though the surveyed people were not able to properly define or write about community-oriented policing it is arguable that a majority of the communication barrier between law enforcement and the homeless community could be changed by altering the Lawrence Kansas homeless population's perception of proper and legitimate policing. Since not a single respondent was able to accurately define, "What does Community Oriented Policing mean to

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you?”, it is clear that they do not have a proper frame of reference as to what community-oriented policing is, and what it is capable of achieving if the homeless population and law enforcement work together to solve problems.

The respondents defined community-oriented policing as not being heavy handed, taking care of people in the community, policing oneself, serving and protecting, keeping the peace, does not exist, and simply does not know. Not a single person spoke about “community partnerships and problem solving” (Kappeler, 2020, p. 182). Furthermore, not a single person mentioned a specific officer, or a law enforcement official working with them to solve any homeless community issues. The closest any of the surveys came to the proper definition of community-oriented policing was that a respondent knew almost all of the police in Lawrence, or more accurately all of the police knew the respondent. Community Policing would help police respond to issues of crime and disorder in the homeless community and create good relationships (and partnerships) within the homeless community (President’s Task Force, 2015). Furthermore, it is imperative that law enforcement work with other entities, such as social workers and homeless coalitions, to provide services of benefit to the (homeless) community (President’s Task Force, 2015). In order to change perception of the homeless and create a desire to work with law enforcement to solve problems in the homeless community, there must be meaningful and planned non-enforcement interactions which lead to valuable partnerships. Law enforcement in Lawrence, Kansas must take a proactive approach to interact with this special community. Doing so will change the perception of the homeless people, and the best way this is done is through changing departmental philosophy.

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### **Recommendations**

Based on these surveys it can be deduced that the local homeless community perceives law enforcement in Lawrence, Kansas as a legitimate entity. The implementation of recognizable community-oriented policing within this specialized population would exponentially change the perception of the people. Law enforcement appears to be accepted by more than half of the surveyed population; however, the portion of the population that negatively perceived law enforcement was driven by the idea that law enforcement was unpredictable and disrespectful. This belief of law enforcement is indicative of their past experiences or, more accurately, their perception of how they were treated. This idea is consistent with Tyler's (2006) assertion that people's actions are reflective of their experience irrelevant of the outcome of the event (P.178). The surveyed peoples' responses were absolutely consistent with these ideals.

To change the negative perceptions of the homeless population, law enforcement agencies in Lawrence, Kansas must implement programs that create relationships and true partnerships with this unique group of citizens. Being the case, the best way to accomplish this partnership between law enforcement and the homeless segment of Lawrence, Kansas is through the implementation of community-oriented policing. Although implementing community-oriented policing is necessary, for it to be effective it is imperative that the existence of such a vital relationship is recognized by both law enforcement and the homeless population. In order to establish such a partnership properly, it is vital that the aforementioned core tenants of community-oriented policing are closely adhered. This means the ideals of community-oriented policing are a department wide philosophy that create partnerships between law enforcement and homeless persons, as well as create a departmental change in philosophy (Kappeler et al., 2020; Heek, 2019). However, because of the specialized needs of this specific community, it is

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beneficial to have a community policing staff that has garnered expertise in the necessities and unique lifestyle of the homeless community. This partnership and acceptance of the community policing philosophy begins with acceptance and trust of the police. This trust is ultimately based on police legitimacy, perceived respect (based on the survey) and efficiency of action (Tyler, 2006; Heek et al., 2019). Lawrence, Kansas law enforcement must make an effort to go out to the homeless community, understand their needs and truly partner with them to overcome some of the challenges and barriers to communication which are common within the homeless community.

**Limitation**

The limitations of this study are based on the scope and size of the study. The scope of this study is focused in Lawrence Kansas homeless community and only took into account the law enforcement in that locality. Furthermore, the size of the study ended up examining about 13% of the unsheltered homeless population. Studying the entirety of the homeless population would likely garner different perception based on their sheltered situation.



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### **Conclusion**

The concept of Homelessness has been present since biblical times. There have been many laws throughout the history of the United States to regulate and outlaw homelessness or vagrant behavior. This has ultimately been unsuccessful at eliminating homelessness in the modern day. This is so because it is impossible to eliminate this lifestyle. There are many reasons why people are homeless and being the case, why it is unsuccessful to try to regulate such a lifestyle. Furthermore, homeless people experience victimization at a higher rate than non-homeless people and have a strained relationship with what is considered mainstream society. This strained relationship is consistent with the reported relationship between law enforcement and the homeless community. The perception is that the homeless segment of society and the law enforcers of society have no partnership and therefore the homeless people do not contact the police when they are in need of assistance or protection. This is a general overview of the United States, and likely consistent with individual communities. To overcome this perception, police must foster trust and legitimacy within the homeless community. For law enforcement to eliminate barriers with the homeless community, they must cultivate a perception of law enforcement legitimacy. This is most effectively accomplished through partnerships established through the ideals of community-oriented policing. To examine this hypothesis, the researcher used a survey instrument in Lawrence, Kansas. The survey examined the homeless population's experience with police, what needed to change within the law enforcement culture to encourage homeless people to report crimes and determined if they understood the basic philosophies of community-oriented policing.

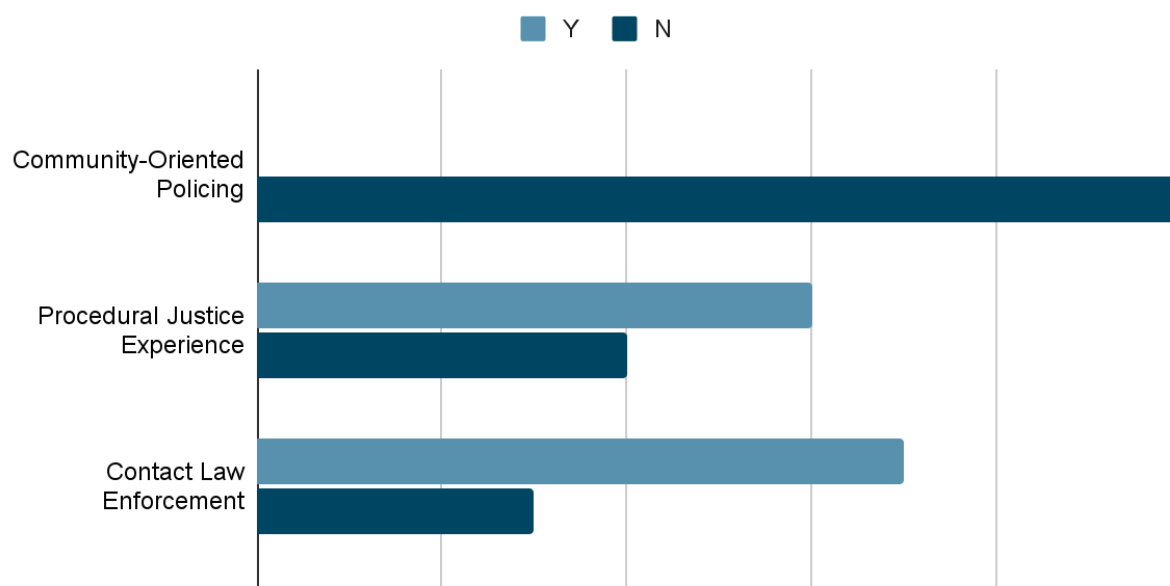
Originally the goal was to survey 40 homeless people out of about 400 to get about ten percent of the total Lawrence Kansas Homeless community. Unfortunately, the original amount

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was not achieved. However, 10 surveys were administered, which represented more than 13% of the unsheltered homeless population. The participants of the survey revealed that a majority would call the police for a major crime and have had procedural just interactions with the police. However, none of the homeless people knew the definition of community-oriented policing. The best way to overcome this barrier and gain more acceptance from the community is simply to garner partnerships with them and assist them in solving their unique problems.

Methodologically, the best practice to overcome barriers is the implementation of community policing. Homelessness is a prevalent part of urban life. The police need to understand this reality and implement practices and programs which overcome communication barriers that have been established. Doing so will lessen the victimization of the homeless and create a safer society for a segment that has often been demonized and overlooked.

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**Figure 1***“Y” and “N” Responses to the Survey’s Three Questions***Survey Results****Table 1***Total breakdown of “Y” and “N” responses*

Total Respondents	Respondents’ total “Y” responses	Respondents’ total “N” responses	Respondents with all “N” responses
10	13	17	2

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