

DEFELONIZATION AND POLICE DECISION-MAKING: A PHENOMENOLOGICAL
STUDY OF POLICING BEHAVIORS IN LOS ANGELES COUNTY
POST-PROPOSITION 47

by

Stephen W. Bell

Liberty University

A Dissertation Presented in Partial Fulfillment

Of the Requirements for the Degree

Doctor of Philosophy

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ABSTRACT

The purpose of this transcendental phenomenological study was to explore how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. Rational choice theory provided the theoretical framework for the study. The two research questions asked the following: 1) What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses? 2) What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47? Purposeful sampling was used to recruit 15 law enforcement officers in Los Angeles County for this study. Data were collected through open-ended surveys, semi-structured interviews, and reflexive memos. The data were coded utilizing thematic analysis with the assistance of NVivo 12 Plus. Five primary themes emerged from the data: 1) negative reinforcement-demotivators, 2) positive reinforcement-motivators, 3) capacity to enforce the law, 4) justifications for reduced narcotics enforcement, and 5) methods of reduced enforcement. The findings revealed that law enforcement officers, much like offenders' criminal behaviors in the rational choice theory, can be dissuaded from discretionary enforcement behaviors with adequate negative reinforcement. Implications of the study's findings, limitations, and recommendations for future research are also discussed.

Keywords: rational choice theory, self-efficacy, discretion, decision-making, narcotics, deterrence, incapacitation, Proposition 47, Los Angeles County, defelonization, law enforcement

Acknowledgements

This is ten percent luck

Twenty percent skill

Fifteen percent concentrated power of will

Five percent pleasure

Fifty percent pain

And a hundred percent reason to remember the name

-Fort Minor

Whenever I consider my next steps in any decision, I hear the words of my father, Thomas Bell, ringing in my ears. His words of wisdom truly embody Jeremy Bentham's rational choice theory which provided the theoretical framework for this research. My father's advice was both timeless and universal. "*You've got to figure out what you want in life, and what you're willing to give up to get it.*" No process or decision has made those words haunt me more than the choice to seek a PhD and write the accompanying dissertation. I knew what I wanted, but the process taught me what I was willing to give up to get it. Without his support for academic success when I was younger and his eternal support for me as I grew up, I never would have considered, let alone completed this journey. From the bottom of my heart, thank you for teaching me how to be the man I am today. I can never repay you for being a father that would make any other son jealous of me.

To my Dissertation Chair, Dr. Adams, thank you for your guidance and feedback. I will carry the lessons you taught me for the rest of my life. To my Dissertation Reader, Dr. Orr, thank you for your unwavering willingness to help and provide experiential knowledge during this process.

When this process began, three students were the first to begin a Criminal Justice PhD dissertation at Liberty University. We colloquially referred to ourselves as the *First Three*. To Dr. Deneil Christian and Dr. Melissa Minton, the peer support you provided was irreplaceable. The idea that “*it takes one to know one*” was exactly what a fellow PhD candidate needs from his friends. Now that all three of us have found success in this endeavor, I want you both to know you are each one of the many shoulders of giants that I stood on to get here.

To the participants in the study, I know that the passion you conveyed for this topic is indicative of the influence Proposition 47 has had on your lives and your careers. Thank you for entrusting me with your innermost thoughts and feelings. Without your candor and raw honesty, this study would not have been possible. I wish I were eloquent enough to formulate words adequate enough to express my feelings, but in the immortal words of Rick Astley:

Never gonna give you up

Never gonna let you down

Never gonna run around and desert you

Never gonna make you cry

Never gonna say goodbye

Never gonna tell a lie and hurt you

Table of Contents

ABSTRACT	3
Acknowledgements	4
List of Tables	11
List of Abbreviations.....	12
CHAPTER ONE: INTRODUCTION.....	13
Overview.....	13
Background	14
Historical Overview	15
Social Implications.....	17
Theoretical Underpinning.....	19
Situation to Self.....	21
Ontology	21
Epistemology	22
Axiology.....	23
Problem Statement.....	23
Purpose Statement	25
Significance of the Study	25
Research Questions	27
Definitions.....	28
Summary.....	29
CHAPTER TWO: LITERATURE REVIEW.....	30
Overview.....	30

Theoretical Framework.....	31
Alternate Theories.....	32
Related Literature	33
Historical Perspective.....	33
International Overcrowding.....	35
Domestic Overcrowding	35
California Overcrowding.....	36
Defelonization, Decriminalization, and Legalization.....	37
International.....	38
United States.....	41
California.....	42
Discretionary Decision-Making	44
External Stimuli	45
Internal Stimuli	48
Officer Motivations	54
Career Stage Influence	54
Organizational Influence.....	56
Legislative and Policy Influence.....	59
Conclusion.....	61
Summary.....	62
CHAPTER THREE: METHODS.....	64
Overview.....	64
Design.....	64

Research Questions	68
Setting	68
Participants	68
Procedures	69
The Researcher's Role	70
Data Collection	71
Qualitative Open-Ended Questionnaires	72
Semi-Structured Individual Interviews	73
Reflexive Memos	75
Data Analysis	76
Thematic Analysis	77
First Cycle Coding	77
Second Cycle Coding	78
Trustworthiness	78
Credibility	79
Dependability and Confirmability	79
Transferability	80
Ethical Considerations	80
Summary	82
CHAPTER FOUR: FINDINGS	83
Overview	83
Participants	83
Adam	84

Bob	85
Charles.....	85
Chris	85
Guy.....	85
Kung.....	86
Melissa	86
RCB.....	86
Rick.....	87
RWC.....	87
Sean.....	87
Steed.....	87
Steve.....	88
Suzanne	88
Thomas	88
Results.....	89
Theme Development.....	89
Themes	91
Answering the Research Questions	121
Summary.....	122
CHAPTER FIVE: CONCLUSION.....	123
Overview.....	123
Research Question One	124
Research Question Two	124

Discussion	125
Theoretical Literature.....	125
Empirical Literature	128
Implications.....	130
Theoretical.....	131
Empirical	132
Practical.....	133
Delimitations and Limitations.....	136
Recommendations for Future Research.....	137
Summary.....	138
REFERENCES	140
APPENDICES	167
Appendix A: IRB Approval Letter	167
Appendix B: Semi-Structured Interview Guide.....	168
Appendix C: Questionnaire Questions	172
Appendix D: Recruitment Flyer.....	173
Appendix E: ORP Permission Letter.....	174
Appendix F: Informed Consent.....	175

List of Tables

Table 1. Questionnaire Questions	73
Table 2. Semi-Structured Interview Questions.....	74
Table 3. Participant Demographics.....	83
Table 4. Themes and Related Codes.....	91

List of Abbreviations

Assembly Bill (AB)

Department of Justice (DOJ)

Federal Bureau of Investigation (FBI)

Institutional Review Board (IRB)

Uniform Crime Reporting (UCR)

United Kingdom (U.K.)

United States Code (USC)

CHAPTER ONE: INTRODUCTION

Overview

Police officers possess a significant amount of discretion in the performance of their duties as the decision to enforce laws lies with them. With a multitude of personality types and job interests, officers can decide which crimes they will focus their efforts toward curtailing. Some make a conscious effort to combat the use of illicit narcotics through increased enforcement in that arena. Other officers choose to prevent the occurrence of traffic collisions through a directed focus on speed enforcement. Regardless of the area of their choosing, officers must work with the tools they are given and must also be comfortable with the processes of enforcement.

Law enforcement work is inherently discretionary. Police supervisors do not necessarily ride with the officers they manage. Police officers in the United States are free to use their judgment to decide which calls to prioritize. Officers determine the nature of the self-initiated enforcement in which they engage, if at all. While felonious behavior does not lend itself to police discretion, misdemeanors that are minor in nature allow for the officers to choose the best tools to use. Some crimes result in the offender's arrest and consequent booking into jail. Others only require the officer to talk to the parties and perhaps issue a warning to resolve the matter. In the middle are options like citations with assigned arraignment dates in the future. When California legislators enacted Proposition 47, the Safer Neighborhood and Schools Act in 2014, the law removed many of the enforcement tools of narcotics and theft crimes. Defelonization of narcotics and theft crimes introduced discretion into situations that previously mandated arrests.

Background

Prior to the advent of California's Proposition 47, the method of enforcement and prosecution in narcotics possession cases involved taking the suspects into custody for the felony crime of 11350(a) of the California Health and Safety Code. The suspect was then booked into a local jail to await arraignment. This process was quite similar to the steps taken when an officer detected any felonious violation of the law. Misdemeanor violations afford police officers more discretion than felonious crimes. For instance, because misdemeanor crimes do not necessitate a booking into jail, officers who effect an arrest of these lower-level crimes have the option of issuing a citation with an arraignment date. If the offender signs the proper forms promising to appear at a later date, the law enforcement officers can release the offender at the scene instead of booking them into jail.

Many factors constitute a law enforcement officer's decision matrix when it comes to engaging members of the public or initiating enforcement activities with suspected wrongdoers. The officer must be knowledgeable of the penal code. They must also be comfortable with the prosecution history affiliated with that crime. There is a financial impact associated with police action. This cost includes governmental taxpayer-funded liabilities. But more important to this study is the labor cost to the individual performing the action. The police officer expends energy and labor to enforce the law, and the benefits garnered by this enforcement must offset the cost.

Since California voters passed Proposition 47, the classification for 11350(a) of the California Health and Safety Code and certain other crimes like theft changed. Those crimes that California law previously listed as felonies now became reclassified as misdemeanors. Since the associated penalties and enforcement options gave law enforcement officers further discretion,

behaviors were apt to change as well. Knowing how law enforcement officers respond to similar amendments in the law is crucial to understanding their decision processes.

Historical Overview

Mass incarceration has long been a societal concern. Communities must not merely lock up offenders and forget about them. Inmates are not merely wards of the state; they are also involuntary receivers of governmental services (Aviram, 2016; Woods, 2016). While academics and activists often lament mass incarceration in the United States totaling as many as 2.2 million people (Austin, 2016; Gottschalk, 2014), there are not many successful examples of states reducing their prison populations. Austin (2016) and Gottschalk (2014) argued that there are fewer indications that the trend will change anytime soon, with a limited number of exceptions, of which California is one. The idea of reducing the incarceration rate, primarily through defelonization of narcotics offenses, holds appeal for other states. To date, these states are California, Utah, Connecticut, Alaska, and Oklahoma (Bird et al., 2020). The concept of reclassifying crimes from felonies to misdemeanors has grown in popularity in the last 5 to 10 years (Berman & Chanenson, 2019; Gottschalk, 2014). As of 2016, the State of California reduced its jailed population by over 43,000, and overall, there are 146,000 fewer citizens counted in the combined total of prison, parole, jail, and probation (Austin, 2016). That is not to say that the process is simple or the road is smooth. According to Mooney et al. (2018), over 7 million Americans have some form of substance abuse disorder. Considering the impacts of this crisis, more than 700,000 visits to the emergency room in 2014 resulted in a diagnosis of substance abuse, excluding alcohol (Moore et al., 2017). The so-called war on drugs began in 1986 (Lassiter, 2015; Mooney et al., 2018; Reinerman & Levine, 2017). Since then, arrests for

possession of drugs in America have risen 150% (Mooney et al., 2018), and the prison population increased (Woods, 2016).

The State of California has been the epicenter of criminal justice reform and has taken center stage in a national trend of criminal reclassification (Aviram, 2016; Bartos & Kubrin, 2018; Verma, 2015). Through the use of legislative power, the reform has focused on the reduction of the prison population. Incrementally, through the introduction of California Propositions 47, 57, and Assembly Bill 109, specific criminal acts have been reclassified from felonies to misdemeanors (Austin, 2016; Grattet et al., 2017; Mooney et al., 2018). Examples of these reclassifications include the previous felonies of narcotics possession and theft up to \$950.

Viewing the challenge through the lens of the criminal justice system, narcotics use in California resulted in 127,000 felony filings in 2014 (Mooney et al., 2018). The consequence of felony convictions can be far-reaching and last a lifetime (Martin & Shannon, 2020). Justice-affected individuals can feel the impact on their immigration status, housing, higher education, and employment (Austin, 2016; Bird et al., 2020; Mooney et al., 2018). The severe repercussions of felony convictions and the relatively low risk of violence associated with narcotics use has led to some states defelonizing these crimes (Kail, 2017; Mooney et al., 2018; Strickland et al., 2019). Instead of the multiple years of incarceration attached to a felony conviction, misdemeanors usually cap at a maximum of a 1-year sentence (Eagly, 2017; Mooney et al., 2018).

To understand the way jail overcrowding occurs, one must examine the path an offender takes to incarceration. According to Grattet et al. (2017), the most common charges that result in booking into jail are drug or alcohol offenses, domestic battery, and any number of property crimes. Data also show that recidivism was still rampant in the years preceding reclassification.

California has a 70% recidivism rate, which is among the highest in the United States (Bartos & Kubrin, 2018). Of the arrestees booked, over 50% of them were booked a second time within the next 3 years. More than 3,300 offenders returned 15 or more times. Forty-five of these individuals were booked into jail 50 or more times (Grattet et al., 2017). These data contrast with the time after Proposition 47, in which California experienced fewer overall re-arrests (Bird et al., 2020). A review of recidivism rates by Mitchell et al. (2017) showed no improvement in the outcomes from before Proposition 47 was law.

Social Implications

Although the intent of Proposition 47 was to benefit Californians, there were unintended consequences (Kail, 2017; Woods, 2016). One of the most significant effects of reclassification was on the California Drug Courts, which coordinated the court-ordered rehabilitation programs to prevent further criminal activity through addiction treatment (Woods, 2016). Mooney et al. (2018) found that there were conflicting viewpoints on the efficacy of Proposition 47 in the realm of drug treatment. Further evaluation is necessary to determine whether defelonization removes the incentive to opt for rehabilitation without the leverage of a looming felony. Mooney et al. (2019) expressed concern that Proposition 47 removed any incentive for drug users to opt for rehabilitation instead of merely pleading guilty to a misdemeanor. Still, Mooney et al. (2019) also determined the reduction of felony convictions would not have occurred without Proposition 47.

Kail (2017) found that Proposition 47's unintended consequences were already devastating in just the first year after it passed. These repercussions included negatively influencing the deterrent effect of arrests, an increase in crime, and a reduction in rehabilitative efforts. Proposition 47 led to a significant decrease in the number of drug and theft arrests made

by law enforcement officers. Although reclassification did not decriminalize these offenses, many officers now elected to cite and release or not to arrest at all (Grattet et al., 2017). The tool that officers once had to curb these criminal behaviors has dissipated. The offenders who once went to jail for these crimes are left free to continue using drugs and stealing property (Kail, 2017). The legislative intent of Proposition 47 ignores over two decades of research that demonstrated the need for drug offenders to maintain structure and accountability as the best method of recovery (Woods, 2016).

With the decreased severity in penalties for the specified offenses, law enforcement officers seemed to lose the motivation to arrest offenders (Bird et al., 2020; Grattet et al., 2017). These results may seem to align with the wishes of the voters since they passed Proposition 47 with a 60% vote (Austin, 2016). Unfortunately, the reduction in arrests had another unintended consequence. California law allows law enforcement representatives to extract buccal DNA from offenders who are arrested for felony crimes (Austin, 2016). With Proposition 47's defelonization, California's DNA database experienced a significant reduction in submissions (Kail, 2017).

California and federal law prohibit felons from purchasing or possessing a firearm (Barnhorst, 2015; Webster & Wintemute, 2015). Over 70% of homicides involve the use of a firearm (Harris, 2015). More than 40% of those who commit homicides are already felons at the time of the murder (Castillo-Carniglia et al., 2018). By reducing felonies to misdemeanors, more offenders maintain the ability to legally purchase weapons which exposes California to additional victimization (Woods, 2016).

Violent crime is not the only concern when researchers examine Proposition 47. San Francisco Police Chief Greg Suhr alleged a correlation between narcotics usage and property

crime during an interview in 2015. He lauded the reduction in jail overcrowding while simultaneously lamenting the increase in property crime (Woods, 2016). San Francisco District Attorney George Gascon, who proposed Proposition 47, posited a contrasting point of view in the same article (Dooley-Sammuli et al., 2015; Woods, 2016). He expressed a desire to end the cycling of drug offenders through the jail system and forcing the taxpayers to fund the failing system. He saw no benefit to public safety in this process (Woods, 2016). Bartos and Kubrin (2018) studied crime rates before and after Proposition 47 and found no significant increase in homicides, rapes, aggravated assaults, robberies, or burglaries. The lack of deterrence may be a factor, and the literature review section explores this idea in Chapter Two.

Theoretical Underpinning

Rational choice theory was initially introduced in 1789 by Jeremy Bentham and theorized that offenders complete a cost–benefit analysis of their criminal opportunities before deciding (Hassan et al., 2015). Punishment will deter unwanted behavior, but the punishment should be swift to experience the desired effects of specific deterrence (Tomlinson, 2016). The additional welcomed aspect of deterrence is known as general deterrence, the way others are discouraged from engaging in unwanted behavior when they see timely punishment of offenders (Tomlinson, 2016).

Given the broad discretion that law enforcement officers have when performing their duties, it should come as no surprise that the introduction of Proposition 47 influenced their enforcement decision-making through rational choice (Bird et al., 2020). Those who enforce the law, by nature, exercise discretion to engage offenders or not, which aligns with rational choice (Chanin & Sheats, 2018). Unlike many other occupations in which supervisors maintain effective control over their employees, police work is inherently autonomous (Phillips, 2016). Officers

have the choice to engage in certain enforcement behaviors or not. They can initiate proactivity or patrol specific crime-ridden neighborhoods (Phillips, 2016). Officers choose to take action on minor offenses in the United States, as many as 13.2 million times each year (Stevenson & Mayson, 2018).

Three primary aspects affect the way law enforcement officers use discretion in their decisions during their shift. Phillips (2016) found the first to be organizational culture or climate. The second is the variety of situational elements in which they find themselves. The last aspect is the individual personality characteristics of the officers. These three elements combine to determine the amount and type of discretion used by officers while they encounter criminal behavior. Radio calls usually fit into one of a finite number of nominal categories, while Phillips (2016) found that self-initiated police work leads to more diverse experiences with the public.

Immediately after the passage of Proposition 47, the effects were visible. Law enforcement officers made fewer arrests (Bird et al., 2017). Bird et al. (2017) also noted there were subsequently fewer convictions, jail staff released more offenders before trial, and the length of stay diminished. These actions reduced California's incarceration rate to 329 per 100,000, which is far below the U.S. average of 458 (Bartos & Kubrin, 2018).

Evidence has shown outside stimuli can negatively affect police behaviors (Nix & Wolfe, 2017). The political climate, changes in the law, and discretion all play a part in this effect (Adams, 2019; Nix & Wolfe, 2017; Wolfe & Nix, 2016). Many of the minor violations upon which law enforcement officers take action can result in sentences as low as time served. These offenses cause officers to take pause before deciding if their enforcement is worth the time and effort of processing (Gerstein & Prescott, 2014).

Situation to Self

Concerning my life outside academia, I spent over 25 combined years in military and civilian law enforcement. More than two decades of that time was spent with a large municipal police department in California. I have personally experienced the changes in policing and decision-making as a police officer, and later, as a police supervisor. These changes progressed through technological advances with in-car computers, body-worn video, and supervisory oversight through GPS tracking. Human nature is to see one's environment through a self-centric lens, but changes that occurred during my time with the police department are no more significant than an officer who saw the introduction of less-lethal restraint tools or the advent of mobile police radios. Watching the way California's Proposition 36, Assembly Bill 109, and Proposition 47 have affected policing agencies and the communities they serve created a strong desire to explore the lived experiences of officers who were responsible for conducting enforcement behaviors before and after this legislative progression. When applied to qualitative research, a paradigm can be defined as the beliefs that shape action (Creswell & Poth, 2018; Mertens, 1998). I understand that my past experiences can shape my understanding of the data and the phenomenon. In this study, I articulate my paradigm as social constructivism. Although it can be associated with interpretivism, social constructivism aims to understand the perspective of people's day-to-day worlds, including work worlds (Creswell & Poth, 2018).

Ontology

The philosophical assumption of ontology aims to determine what is real or what exists (Fellenor et al., 2020). Creswell and Poth (2018) discussed qualitative methodology and ontology in reminding researchers that participants experience reality in unique manners. Reflection leads to definition of one's self. Upon this thorough internal analysis of myself in

relation to this study, I believe the effects of legislative and policy changes have a disparate impact on law enforcement employees throughout their careers. As a young officer, I saw the introduction of Proposition 36, which allowed drug offenders to enter court-ordered rehabilitation instead of prison time. I perceived this as a hurdle in my attempt to rid the neighborhood of drug offenders, and thereby embody the Los Angeles Police Department (LAPD) motto of serving and protecting. One of the LAPD core values is service to the community. By combatting the scourge of drug crimes, I believed that I made significant strides toward this goal. My experience arresting so many thieves and drug users taught me these were the same population of criminals. Many of them told me they steal to fund their addiction. By incarcerating them, I felt like I was removing them from the cycle of criminal behavior. I engaged in crime fighting by way of the incapacitation theory (Blumstein, 1983). As time progressed and I was promoted to become a supervisor in the organization, I perceived the introduction of Proposition 47 as a demotivating factor for the officers I managed. Instead of an internal challenge, I saw an organizational issue. I used this direction to understand and explore each participant's experiences to categorize and draw conclusions about their collective lived experiences (Fellenor et al., 2020). The phenomenon of developing new policing and enforcement behaviors with defelonization in mind is the essence of this study.

Epistemology

Epistemology seeks to explore the nature of knowledge (Creswell & Poth, 2018). By understanding the justification of knowledge, the participants lend credibility to their responses through the expression of experiential knowledge. The importance of experiential learning is displayed in the educational structure of police officers in Los Angeles. I attended a 6-month academy focusing on theoretical learning (Meier et al., 2018), then I entered on-the-job training

from training officers for twice as long. I experienced police work before and after Proposition 47. As I evaluated my perceptions of how it affected my policing and supervisory style, the experience created a desire to study how other law enforcement officers experienced the same phenomenon. I established myself as an insider with an emic perspective (Schwandt, 2015) by creating a rapport with the officers through our shared experiences as law enforcement officers. Using this insider perspective, I hoped to lessen the distance between the participants and myself (Creswell & Poth, 2018).

Axiology

The axiological aspect of research is concerned with the role values play within a study (Creswell & Poth, 2018). My value system, which is rooted in the experience of being raised as the son of a preacher, manifested as a strong desire to ensure a balance between justice and fairness. Extreme punishment is not always the best choice for a child who merely needs to learn a life lesson. This extends to adults who come into contact with the justice system. With criminal offenders, the criminal justice system must strike that same balance between incarceration and rehabilitation. By conducting qualitative research on enforcement decisions, when those decisions do not solely focus on use-of-force decisions, the existing literature gains a more universal perspective. I desire to aid policymakers to gain an acute awareness of how defelonization affects patrol officers and their daily enforcement behaviors. My background positioned me to understand the lived experiences of the participants and empathize with their expressed challenges (Creswell & Poth, 2018).

Problem Statement

Today's social climate is experiencing more calls for criminal justice reform than ever before, while the justice system remains the face of racial inequality (Gutierrez & Pettit, 2020).

The national discussion of prison overcrowding revolves around two subjects: taxpayer cost (Kantorowicz-Reznichenko, 2018) and overrepresentation of certain minority groups, primarily Black males, exacerbated by a perceived causal relationship with systemic racism (Bohn & Morreale, 2018). In America, narcotics offenses and the subsequent so-called war on drugs have been identified as a significant contributor to overcrowding (Rosen, 2021). Criminal justice reform advocates have called for legal reclassification of narcotic offenses (Elderbroom & Durnan, 2019).

In California, proponents of Proposition 47 lauded the potential to reduce the costs, both financially and in social justice, to the public (Woods, 2016). Researchers noted the existence of unintended consequences of the legislation (Kail, 2017; Mooney et al., 2019; Woods, 2016). One of the most troubling consequences may be that many officers seem to be electing to cite and release or not to arrest narcotics offenders at all (Bird et al., 2020; Grattet et al., 2017). The problem is the unintended consequences of reclassification may have altered the methods of enforcement among law enforcement officers when addressing narcotics crime in California.

Studies related to Proposition 47 have explored its effects on crime rates and arrest rates (R. R. Johnson & Lafrance, 2016; Vitkauskas, 2017), and predictably found significant reductions in felony arrests after narcotics crimes were defelonized. The aspect that has not seen extensive study is the way Proposition 47 has affected the decisions of officers to engage in narcotics investigations once the crime was reclassified as a misdemeanor. The problem this qualitative study explored is understanding how law enforcement officers in Los Angeles County engage in discretionary policing behaviors after legislative defelonization.

Purpose Statement

The purpose of this qualitative study was to explore how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. The objective of this research was to understand self-efficacy of, and challenges to, police officers as it relates to their experiences before and after Proposition 47 was ratified. For the purposes of this study, discretionary policing behaviors are defined as those enforcement options afforded to police officers when no decision is mandated (Hoffman et al., 2018; Wooditch et al., 2016). The primary criminal justice theory guiding this research was rational choice, in which Bentham (1789) observed the cost–benefit analysis whenever subjects deliberate a decision. While rational choice is commonly associated with the decision to offend, this study utilized it as a lens to explore law enforcement officers’ choices and methods to police narcotics crimes.

Significance of the Study

The criminal justice system is a machine with many parts (Mayeux, 2018), whose components include the police, prosecutors, courts, and jails (Herman, 2018). In the current climate, the discussion of criminal justice reform is on the forefront (Nowotny et al., 2020; Ouziel, 2020). Several topics permeate the discussion of reform. Two of the most common are prison overcrowding (Aviram, 2020) and disproportional incarceration (Alohan & Calvo, 2020). Although several actors work in concert to resolve justice issues, not all parties have equal efficacy in the system. While police officers can initiate the process of incarceration, prosecutors must agree to file and prosecute cases. Similarly, judges finalize the process through sentencing. This study explored the perceptions of police officers and their decision-making processes when conducting discretionary enforcement behaviors to address drug offenses.

A review of recent research in the field of criminal justice shows an emerging trend while studying the effects of Proposition 47. Previous research has studied the effect of Proposition 47 from a quantitative approach examining the changes in crime rates and number of arrests (R. R. Johnson & LaFrance, 2016; Vitkauskas, 2017). Similarly, Woods (2016) examined how this legislation impacted the number of arrests, specifically for narcotics-related crimes. Although not all research was quantitative, the qualitative studies into the subject demonstrated a trend. Much of the qualitative literature on decision-making in law enforcement examined the subject while considering the decisions to use force on uncooperative offenders (Andersen & Gustafsberg, 2016). While this is a worthy topic, police officers make many decisions throughout their workday. Every choice, whether to contact a potential offender or not, must first run through a decision matrix informed by the officers' lived experiences (Buvik, 2016). This leaves two significant gaps in the research. First, there is an overabundance of quantitative research into Proposition 47. Second, the existing qualitative research on decision-making by law enforcement officers has an overrepresentation in the subject of choice to use physical force against uncooperative offenders.

Rational choice theory is a diverse concept used in many fields of study, to include economics, sociology, psychology, and political science (Loughran et al., 2016). The use of rational choice theory in the field of criminal justice research is not rare (Pogarsky et al., 2017). The gap in research lies with the personal focus of the studies. The most common focal point of rational choice in criminology is the offender, not the law enforcement officer (Loughran et al., 2016; Osborne & Capellan, 2017; Steele, 2016). On the occasions when the research subject transitions from offenders and toward crime witnesses (Ojedokun, 2019), the theory is scantily applied to police officers. Rational choice pertains to any person who must make decisions in

their life. In this study, the focus shifts to the officers who make choices to engage in enforcement behaviors, especially as the decision-making factors changed through the implementation of Proposition 47.

Research Questions

The purposes of these research questions were to explore the impact Proposition 47 had on the lived experiences of law enforcement officers in Los Angeles County. The participants provided information through interviews that allowed the researcher to examine how reclassification of drug offenses changed the way officers engage in enforcement behaviors, if any, specifically as they apply to narcotics investigations.

RQ 1: What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses?

Self-efficacy is defined as one's confidence to accomplish a task (Linardon, 2018). When applied to police work, and more specifically, enforcement of narcotics offenses, self-efficacy is crucial to maintaining the motivation through satisfactory job performance (Johnsen et al., 2017). This research question helped identify how Proposition 47 affected law enforcement officers' confidence to effectively police drug crimes. This question is especially significant when considering the aspect of job satisfaction (Demirkol & Nalla, 2020; Lan et al., 2020).

RQ 2: What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

To fully understand the lived experience of police officers and the context surrounding their daily enforcement behaviors after the enactment of Proposition 47, researchers must dive deeper than merely exploring the legal effects. Experiences are a significant portion of a phenomenon's effect (Karjaluoto et al., 2016). Changes in the workplace are related to

challenges and stress (Foy et al., 2019). Police officers are no different. This research question aimed to understand the personal aspect of these struggles as law enforcement officers adapt to the reclassification of drug crimes (Jackson et al., 2018; Woods, 2016).

Definitions

1. *Discretion* – A departure in decision-making from norms. The use of information, which is not always public, to render a decision. These deciders are often low-level employees of an organization. This information may include biases or misinformation (Hoffman et al., 2018; Wooditch et al., 2016).
2. *Decision-making* – The process by which information is gathered, the evidence is weighed, alternatives are selected, and action is implemented. Deciders choose a specific path to achieve a goal (Alavi & Azizi, 2020; Clarke et al., 2019).
3. *Rational choice theory* – Rational choice is a theory that maximizes preferences and gives context to actions. The cost and the benefits of the action must be considered before making an informed decision (Bentham, 1789; Chen et al., 2019; Kogelmann & Gaus, 2017).
4. *Proposition 47* – California's Safer Neighborhood and Schools Act enacted in 2014. The proposition reclassified certain narcotics and theft crimes from felonies to misdemeanors (Jackson et al., 2018; Woods, 2016).
5. *AB 109* – California's legislature enacted Assembly Bill 109, also known as Public Safety Realignment, in 2011. The goal was reducing prison overcrowding in California state prisons by moving non-violent, non-serious, and non-sex offenders from the responsibility of the state to county supervision (Chavira et al., 2016; Tellis & Spohn, 2019).

6. *Proposition 36* – California's Proposition 36, passed in 2001, standardized sentencing guidelines for arrests related to narcotics possession. Offenders received the option of entering court-ordered rehab to avoid serving prison time (Mooney et al., 2018; Nicosia et al., 2017).
7. *Drug offenses* – Any number of statutes criminalizing the possession of narcotics. For the purposes of this study, the specific narcotics align with those listed in the Controlled Substances Act (21 U.S.C. §§ 801).

Summary

The unexplained overrepresentation of certain minority groups combined with unnecessary cost to taxpayers has resulted in the passage of Proposition 47, which defeloned narcotics crimes in California. When felony crimes were reclassified to misdemeanors, officers were given expanded discretion to cite and release or not to arrest narcotics offenders at all (Bird et al., 2020; Grattet et al., 2017). This study sought to understand the lived experiences and self-efficacy of law enforcement officers in Los Angeles County as they make discretionary enforcement decisions related to narcotics crimes. In addition, it is crucial to understand the challenges faced by these officers when policing narcotics offenses after the ratification of Proposition 47. The following chapter will review the existing literature related to the study's theoretical framework, prison overcrowding, decriminalization, and the use of discretion in law enforcement.

CHAPTER TWO: LITERATURE REVIEW

Overview

The purpose of this qualitative study was to explore how law enforcement officers in a municipal agency in Los Angeles County describe their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. California's Proposition 47, also known as the Safer Neighborhood and Schools Act, was enacted in 2014. The proposition reclassified certain narcotics and theft crimes from felonies to misdemeanors (Jackson et al., 2018; Woods, 2016). Through this legislative defelonization, law enforcement officers are met with new challenges in their decision-making as it applies to discretionary enforcement options (Buvik, 2016; Pearson et al., 2018). This study examined these changes through the theoretical framework of rational choice theory. In this section, the background of prison overcrowding causes and California's repeated attempts to curb the problem are examined. The literature review explores current research into law enforcement responses to this legislation on four levels: historical perspective, defelonization, discretionary decisions, and officer motivations.

The search for literature encompassed many terms as well as multiple sources. Each term was searched in three search engines: Google Scholar, the Liberty University Jerry Falwell Library, and the Geneva College Library. The search engines were narrowed by the following online databases: Journal Storage (JSTOR), EBSCO, ProQuest, SAGE, and Wiley Online. Each keyword was added to the base terms of both *police* and *law enforcement*. The following keywords were used: *discretion*, *decision-making*, *motivation*, *rational choice theory*, *defelonization*, and *decriminalization*.

Police work is a constant process of exercising judgment or choices and conducting discretionary assessments (Buvik, 2016; Phillips, 2016). When law enforcement managers

remove the autonomy and discretion of officers, job satisfaction suffers (Phillips, 2016).

Organizational leadership is not the only contributor to organizational change in law enforcement; legislators drive policy change through the passage of laws (Egnell et al., 2019; Graca, 2017; Kivisto et al., 2017). California legislators have enacted several laws to impact policies directed at narcotics arrests and subsequent incarcerations. This section contains a discussion of the history of California's legislative attempts to affect the incarceration rate positively. Throughout this review, there is also a discussion of the three primary effects of Proposition 47 on the officers who enforce drug laws: decriminalization, discretionary decision-making, and motivation.

Theoretical Framework

Rational choice theory is one of the most prominent theories utilized in the field of economics, sociology, criminal justice, psychology, and political science (Loughran et al., 2016; Pickett et al., 2019). In Bentham's (1789) seminal work on the subject of rational choice, he described how people choose to experience pleasure, while at the same time, avoid pain. The subject must complete a cost–benefit analysis of each decision (Gilmour, 2016; Markey-Towler, 2019). In the criminal justice field, rational choice is often associated with the choices made by offenders. Pogarsky et al. (2017) examined rational choice from the perspective of offender risk of detection. Zhao et al. (2020) studied rational choice as it applies to juvenile offender decision-making. While these examples show a trend toward offender-centric usage of rational choice theory, this theory can also apply to law enforcers and their organizations (Ramey & Steidley, 2018). The population of police officers in a community is merely a cross-section of all people. The cost–benefit analysis associated with rational choice theory presumes the normative beliefs of people in a specific community (Moule et al., 2019). Police officers, as with all humans,

maintain preconceived notions that act as psychological anchors, which rarely move significantly from their original point (Moule et al., 2019; Tversky & Kahneman, 1974). When one examines criminal justice reform and defelonization, police officers' choices are informed by psychological anchors of previous law enforcement experience. The officers' choices rely heavily on the cost–benefit analysis informed by the officers' lived experiences (Willis & Toronjo, 2019). In aligning with rational choice theory, it is presumed officers will make decisions based on the bounds of their knowledge before and after Proposition 47 (Payne, 2017). Through experiential data, the possessors of that knowledge, the officers, engage in the decisions to enforce or not. Only they can provide the insight related to the choices they are making and how their choices are related to the tools and self-efficacy necessary to enforce laws considering legislative changes and defelonization.

Alternate Theories

Theories related to rational choice include incapacitation and deterrence (Augustyn & Mcgloin, 2018; Light & Ulmer, 2016; Pickett, 2018), with rational choice being the outlier to the interwoven relationship between incapacitation and deterrence (Akih & Dreyer, 2017; Ashby & Tompson, 2017). Becker (1968) produced the seminal work on incapacitation and deterrence theories and their economic impact on crime. Incapacitation theory creates a metaphorical quarantine for criminals from the public to prevent further crimes (Caruso, 2016; Pereboom, 2020). Deterrence theory holds that enough punishment will tilt the risk–reward scales toward preventing crime if offenders rationally compare their options (Altikriti & Nedelec, 2020; Feess et al., 2018; Safa et al., 2019).

Rational choice theory, as it applies to this study of policing behaviors and discretionary decision-making, is best suited due to the complexity of law enforcement. Officers are given

several options to resolve perceived offenses. Custodial arrest, tickets, written warnings, or verbal warnings are just some of the possible dispositions of an enforcement encounter (Burns & Roszkowska, 2016; Ishoy & Dabney, 2018; Kamalu, 2016). When officers make their decision, it is based, at least in part, on their prior experiences to decipher their expected outcome in an uncertain scenario. The rational agent within rational choice informs these decisions through prior knowledge (Infante et al., 2016). When officers use their rational agent to reconcile the needs of policy and law, while at the same time using the knowledge gleaned from their lived experiences, they perfectly conform to the rational choice model (D'Ambrosio, 2019; Holtzman, 2016).

Related Literature

In reviewing recent literature since 2016, I examined and critiqued the research associated with topics affected by Proposition 47. The topical patterns that emerged from the review were four primary strands of research. The first portion contains an evaluation of the historical perspective, to include applicable legal decisions and social implications. The next strand encompasses defelonization, decriminalization, and legalization. It discusses the definitional differences between the terminology and the impact on officers. In the discretionary decision-making section, I examine research wherein specific stimuli affect the process of making law enforcement-related choices. The final strand, motivation, contains an analysis of the literature pertaining to the positive and negative affect on officers' motivation.

Historical Perspective

Prisoners have a history of filing civil litigation concerning their living conditions in confinement (Austin, 2016). To provide a means of curtailing frivolous lawsuits from behind prison walls, Newt Gingrich introduced the Prison Litigation Reform Act in 1996 (Hillyer, 2019;

Montoya-Barthelemy, 2019; Schlanger, 2017). This act relieved the caseload in civil courts by requiring several conditions before a prisoner can file a suit. The inmates must exhaust all administrative avenues, they are required to pay for the filing fees, and the courts have the option of rejecting a case which has already been heard and deemed frivolous on three prior occasions (Belitz, 2018; Hillyer, 2019). The Prison Litigation Reform Act led to a steep decrease in prisoner-initiated action (Austin, 2016; Belitz, 2018).

The design of California prisons intended to house a maximum of 80,000 inmates (Sewak, 2018; Woods, 2016). By 2011, the incarcerated population was almost double that (Woods, 2016). Eventually, the population level of California prisons reached a breaking point. The courts heard a landmark case, *Brown v. Plata* (2011). The plaintiff, Mr. Plata, was an inmate who filed a federal lawsuit alleging constitutional violations stemming from the overcrowding of prisons. He claimed a violation of his Eighth Amendment right when he did not receive proper access to medical care while imprisoned (Austin, 2016; Woods, 2016). The case reached the California Supreme Court and eventually resulted in a three-judge panel ordering mandatory prison population reduction of at least 137.5% (Austin, 2016).

While crime and victimization have an overall cost to society, there is a necessary communal analysis of which issues harm the populace more: crime or overcrowding (Chang & Lin, 2017). The rationale for reducing the prison population of any society is twofold, but economic in nature. Inmate overpopulation has a social cost (P. Hanna, 2016) and a fiscal cost (Ismail & De Viggiani, 2017). When considering both sides, lawmakers must find innovative methods of reducing societal costs (Di Vita, 2020).

International Overcrowding

Neither California nor the United States stands alone in facing incarceration rate challenges. In excess of 10 million people worldwide are incarcerated, an increase of over 20% since 2000 (Bernard, 2016; MacDonald, 2018). Fazel et al. (2017) found that 199 of 205 countries worldwide currently report exceeding their planned prison population. In terms of regional incarceration rates, MacDonald (2018) found that many regions have experienced recent successes in population reduction, to include Europe, North and South America, and parts of Africa and Oceania. At the same time, the Caribbean, Russia, and Turkey have experienced remarkable increases. One notable exception to the European prison population decreases is the United Kingdom (U.K.), which reported consistent increases in overpopulation (Kinman et al., 2016). In much the same way, this study examined how Proposition 47, which aimed to provide a solution to overcrowding, affected enforcement decisions of police officers. With the ills of overcrowding come subsequent consequences of prison unrest and suicide (Baggio et al., 2018; van Ginneken et al., 2017). When studying prison populations in the U.K., Perry and Gilbody (2019) found that over one third of all deaths were self-inflicted. The death rate was higher in overcrowded prisons. Accepting that self-harm and overcrowding are linked, Awenat et al. (2018) found suicide to represent the highest number of preventable deaths among U.K. prisoners.

Domestic Overcrowding

By the end of 2019, the United States' prison system supervised over 1.4 million people and has been in continual decline since 2009 (Kaeble & Cowhig, 2016; Kang-Brown et al., 2020). One of the primary reasons for population reduction has been defelonization (Berman & Chanenson, 2019; Bird et al., 2020; Kail, 2017; Mooney et al., 2018; Strickland et al., 2019). As

it applies to narcotics crimes, defelonization is the process of reducing incarceration exposure from prisons to county jails or less (Bird et al., 2020; Cooper & Whitworth, 2020). The other significant contributor to prison population reduction has been compassionate release (Cooper & Whitworth, 2020; Mitchell & Williams, 2017; Wylie et al., 2018). When prisoners get older, which often brings serious illnesses or death, some states elect to release these inmates to avoid costs and care associated with their incarceration (Handtke et al., 2017; Holland et al., 2018). The recent COVID-19 pandemic is included in the downward trend of incarceration rates. As a way to show mercy and to protect the inmate population, many jurisdictions have included inmates who test positive for COVID-19 among those who are released early (Dutheil et al., 2020; Vose et al., 2020). By contrast, this study examined how officers can affect the incarceration rates through their decisions.

California Overcrowding

California, through its legislative criminal justice reforms, has successfully reduced its prison population (Austin, 2016; Sundt et al., 2016). Proposition 47 is not California's first attempt to control the incarceration rate. Prior legislation included Proposition 36 (Mooney et al., 2018) and Assembly Bill 109 (Wootton, 2016). California passed Proposition 36 in 2001, which standardized sentences for narcotics offenses and mandated court-ordered rehabilitation for offenders (Mooney et al., 2018; Nicosia et al., 2017). Murphy (2017) studied the proponents and opponents of Proposition 36 to find those who supported the measure were more likely to view narcotics use as a medical issue. Those who oppose Proposition 36's rehabilitative tools tend to view drug use as a moral issue. As mentioned before, narcotics arrests, via the so-called "war on drugs" in the 1990s, have been a significant contributor to prison overcrowding (Lines et al., 2020; Rosino & Hughey, 2017). The primary demographics negatively impacted by this mass

incarceration were Black and Hispanic males (Kennedy et al., 2018; Koch et al., 2016; Mitchell & Caudy, 2017; Mooney et al., 2018). By introducing rehabilitation options in lieu of mandatory incarceration, the California legislature found itself able to address the social cost of overcrowding.

The next significant piece of California legislation enacted to address prison overcrowding was Assembly Bill (AB) 109, also known as the Public Safety Realignment Act of 2011 (Bushway, 2016; Lofstrom & Raphael, 2016). Governor Gerald Brown signed this legislation in direct response to the *Plata* decision (Sundt et al., 2016). The writers of AB 109 had a goal of reducing the California prison population (Wootton, 2016). Their methodology was simple. By moving the non-serious, non-violent, and non-sexual offenders from state prison custody to county jail custody, the state's prison population necessarily decreased (Frausto, 2018; Murphy et al., 2017). The current research studied the effects of changing criminalization in much the same way that AB 109 changed incarceration. The second significant change implemented by AB 109 was the handling of parole violations. Previously, parolees who violated the conditions of their parole were subject to returning to prison for up to 1 year (Bird et al., 2017; Konkel, 2019). Under the provisions of AB 109, the maximum sentencing exposure for parole violations was reduced to 6 months, and the location of incarceration was moved from state prison to county jails (Konkel, 2019; Wootton, 2016).

Defelonization, Decriminalization, and Legalization

While traditionally, jails have served many policy needs, including protecting the community, discouraging criminality, rehabilitating offenders, and providing proportional punishment, reforms like Proposition 47 and AB 109 have aligned with reserving incarceration for only the most severe offenses (Grattet et al., 2017). Upon reviewing the existing literature on

defelonization, the subject became clearer when two definitions were clarified. Decriminalization and legalization are distinct constructs, and their differences are crucial to understanding the steps governments take to amend current laws. Legalization is the release of all prohibitions regarding a previously criminal act, whereas decriminalization is a measured approach in reducing the penalty associated with that act (Hajizadeh, 2016; Hammond et al., 2020; Mametja & Ross, 2020). In the area of decriminalization, researchers have focused almost entirely on narcotics offenses (e.g., Bird et al., 2020; Félix & Portugal, 2017; Mooney et al., 2018, 2019). No specific pattern emerged in the type of drug studied, but a gap in the methodology became clear. A review of the literature showed an articulable need to expand from mere quantifiable data into the field of qualitative study. The current study revealed how street-level officers address the challenges of decriminalization when making discretionary enforcement decisions. The current research included international, United States, and California contexts; the research was presented in this order to end with a focus on California and Proposition 47.

International

Much of the literature on international drug decriminalization focused on criminal justice reforms through education (Arredondo et al., 2017; Félix & Portugal, 2017). Competing perspectives produced varied studies. Félix and Portugal (2017) studied decriminalization from the perspective of drug offenders, while Arredondo et al. (2017) researched the same subject from the perspective of law enforcement officers. Arredondo et al. conducted research in 2017 and 2018 wherein they studied Mexican criminal justice reform through training law enforcement officers and decriminalization. The initial study in 2017 saw a deficiency in legal education regarding drug laws and reforms in Mexico. Overall, the officers were unfamiliar with the newly decriminalized amounts of drugs and were still enforcing outdated laws. Through

surveys of 1,750 police officers and subsequent multivariable logistic regression, Arredondo et al. identified three remarkable findings. First, after the implementation of the Police Education Program, police officers were better able to understand and enforce reformed drug laws. Second, after the training, officers could recognize and quantify which amounts of drugs were now newly decriminalized. Finally, officers who possessed at least a high school education grasped the training more readily. Arredondo et al. (2017) purported that efforts to decriminalize specific drug laws were more likely to fail if the law enforcement officers did not receive education and training regarding the new amendments. Officers who make the enforcement decisions provided experiential data pertaining to knowledge of laws. In the same way, officers in the current study offered qualitative data in the form of lived experiences of enforcing drug laws.

After determining the effects of training and education on successful drug enforcement policies in Mexico, Arredondo et al. (2018) researched the impact of decriminalization on arrest rates in Mexico. The primary method of decriminalization in this study was transferring jurisdiction from federal to state enforcement of drug laws, also known as *narcomenudeo* (Arredondo et al., 2018). Similar to their 2017 research, the researchers used quantitative methodology, this time in the form of hierarchical panel data analysis. Their findings on the changes in arrest rates after the federal to state transfer included a decline in drug arrests in the 6 months immediately after the *narcomenudeo* reforms. However, after that, the drug arrests rose to the same level as before and have fluctuated ever since (Arredondo et al., 2018). While the researchers found no correlation between drug arrests and violent crime after the decriminalization, they did discover a positive correlation between violent and non-violent crime (Arredondo et al., 2018). Interestingly, since the reforms, there has been a 54% increase in drug

arrests and a 20% increase in violent crime arrests during election periods (Arredondo et al., 2018).

In the country of Portugal, Félix and Portugal (2017) transitioned the focus from the law enforcers to the offenders. Using a quantitative approach through difference-in-difference and synthetic control methods, these researchers conducted a comparative analysis of Portuguese arrest rates and drug prices to determine a relationship, discovering that cocaine and heroin prices did not drop after decimalization, which would have been an indicator of increased access and increased use. During the increased enforcement activity of the War on Drugs, prices decreased, and the use of narcotics increased. This indicated a failure of the war on drugs. Since the belief that drug prices inevitably fall after decimalization is not correct, policymakers should not discount decriminalization as a valid method (Félix & Portugal, 2017). These findings supported Arredondo et al. (2017) when they found that decriminalization success requires differing perspectives to align their goals.

Vicknasingam et al. (2018) reviewed current literature on the decriminalization of drug laws and found a gap in the literature regarding research on legalization versus decriminalization. According to Vicknasingam et al. (2018), recent literature researching legalization outnumbered the research of decriminalization 57 to 7. My goal in this study was to expound on the limited literature focused on decriminalization. Since Proposition 47 did not legalize prohibited drugs, it merely decreased the existing penalties, the findings can positively affect the current literature. After reviewing the current literature Vicknasingam et al. (2018) and Hatcher et al. (2018) both agreed that health organizations and law enforcement agencies must collaborate to eliminate the stigma associated with drug addiction. Current and future scientific data are crucial in policymaking decisions related to decriminalization. Finally, the endorsement of the United

Nations supporting evidence that drug addiction should be classified as a health disorder strengthens the case for decriminalization (Vicknasingam et al., 2018).

United States

Several states in America have already begun the process of decriminalizing or legalizing certain narcotics, other than cannabis (Elderbroom & Durnan, 2019; Grucza et al., 2018; Stemen, 2017). Currently, five states (Alaska, Connecticut, California, Oklahoma, and Utah) have enacted legislation to reduce drug crimes from felonies to misdemeanors (Elderbroom & Durnan, 2019). The impetus for decriminalization in the United States was the overwhelming support for embracing treatment over mere incarceration (Russell et al., 2018; Stemen, 2017).

Grucza et al. (2018) studied the effects of cannabis decriminalization among youths in Massachusetts, Connecticut, Rhode Island, Vermont, and Maryland. Through a quantitative study of arrest rates wherein Grucza et al. used a difference-in-difference regression framework, the researchers found that after the enactment of the respective state legislative reforms, cannabis-related arrests declined by 42%–90% and there was no indication of increased cannabis use. The exception was Vermont, where offenses increased by 20% after decriminalization. One significant limitation of this study was the sampling, which is a population of current students. Dropouts were not included. This fact is crucial, given the negative association between regular cannabis use and academic success (Hall & Lynskey, 2016).

Hammond et al. (2020) added to the research focusing on end-users of narcotics. The researchers conducted a quantitative Likert-based survey of 506 adult American drug users on their beliefs regarding the support of legalization. They found marijuana users were far more supportive of legalizing their drug of choice than opioids or stimulant abusers. Surprisingly, the support for partial decriminalization of hard drugs like heroin was significantly lower than

outright legalization. Within this population of self-identified addicts who had abused drugs in the past year, 36% experienced an arrest. Comparatively, if they also abused alcohol during the same period, the rate of arrest jumped to 52% (Hammond et al., 2020).

California

In California, the bulk of recent decriminalization literature focused on Proposition 47 (Austin, 2016; Bartos & Kubrin, 2018; Bird et al., 2020; Grattet et al., 2017; Mooney et al., 2019). Given that Proposition 47 began in 2014, it makes sense that the first exploration of its quantitative impact came in 2016. Austin (2016) comparatively studied prison populations in different California counties and discovered dramatic discrepancies between counties. For example, San Francisco incarcerated 170 adults per 100,000, and Kings County imprisoned 1,216 per 100,000. The researchers found that two primary methods of prison population reduction occurred: (1) through court-mandated reductions and (2) through financial incentives.

Maier et al. (2017) also studied the effects of cannabis decriminalization, but they examined a population of adults. Through a quantitative study of Uniform Crime Reporting (UCR) data from the Federal Bureau of Investigation (FBI) using paired-samples *t*-tests, they attempted to determine the relationship between cannabis decriminalization and crime rates, specifically property crime, violent crime, murder, robbery, rape, burglary, motor vehicle theft, or drug abuse arrests between 2010–2014. Maier et al. (2017) found that crime rates universally declined during this period, with the exception of homicide, despite any state's decision to decriminalize cannabis. Much of the United States supports the commercialization of cannabis, and access to cannabis products has been steadily growing both domestically and internationally (Cerdá & Kilmer, 2017; Hajizadeh, 2016; Mendiburo-Seguel et al., 2017). Colorado and Washington were the only states to legalize cannabis during this period fully, and there was no

deviation from the findings between legalization and decriminalization. The research conflicted with the idea that drug use reduced violent inhibitions and led to an increase in violent crime. Of all the crimes in this study, larceny and aggravated assault were the only two that had statistically significant reductions during the period (Maier et al., 2017).

Grattet et al. (2017) conducted a comparative analysis of arrest rates in California counties after Proposition 47 and AB 109. They found that reducing penalties for certain narcotic offenses may have led to discouraging law enforcement officers from taking drug offenders into custody. Bartos and Kubrin (2018) expanded the research in this field to study the rate of crimes other than narcotic offenses. By using the FBI's Part I crimes (robbery, homicide, larceny, etc.), they employed a synthetic control group design to examine if fewer drug arrests led to an increase in Part I crimes. They found no evidence that crime increased due to defelonization. In addition, Proposition 47 resulted in a savings of \$67 million in 2016–2017 and an estimated savings of \$46 million in 2017–2-18 (Bartos & Kubrin, 2018). While the quantitative data collected by Bartos and Kubrin are substantial, the current research expanded the perspective to the analysis of officers' lived experience in drug enforcement through qualitative means.

Mooney et al. (2018) shifted the research toward the populace, rather than continuing the previous focus on crime rates. Studying disparities in punishment for drug offenses in California between 2011 and 2016, these researchers used the Department of Justice (DOJ) statistics. They discovered that felony convictions had severe and long-lasting effects on immigration, education, and employment opportunities. In 2019, Mooney et al. (2018) continued their research on punishment disparities among drug offenders. This time, they examined differences between California counties. They found that a decline in felony convictions occurred and that the

counties with higher convictions before Proposition 47 experienced the most significant decline (Mooney et al., 2019).

In a quantitative regression study on the impact of defelonization of drug possession on recidivism, Bird et al. (2020) discovered Proposition 47 reduced re-arrests and re-convictions by 4.8%. These findings relate to Mooney et al.'s (2018, 2019) work focused on disparities in sentencing. The distinction between these researchers is Mooney et al. (2018) primarily used a comparative analysis of arrest and incarceration rates, whereas Bird et al. (2020) examined the secondary aspect of recidivism rates.

When studying the effects of defelonization, quantitative research outnumbers quantitative data analyses (Austin, 2016; Bartos & Kubrin, 2018; Bird et al., 2020; Grattet et al., 2017; Mooney et al., 2019), as evident in a review of the literature. The crime and arrest statistics from the FBI or DOJ are the most common types of analyses within the current literature. It should be noted that civil citations are an enforcement option. Still, the FBI does not track these statistics, so a reduction in arrests does not necessarily mean fewer enforcement contacts (Gruza et al., 2018). Concerning the effects of Proposition 47, many researchers have identified the *what*, without attempting to understanding the *why*. This gap in knowledge is a direct connection to the profound lack of qualitative studies of the defelonization effects that exist in the current literature. Going deeper into the why of officer decisions related to enforcement behaviors not only requires qualitative approaches, but also requires looking at more than crime, arrest, and recidivism rates.

Discretionary Decision-Making

The literature discussing police-related discretionary decision-making spans from general departmental decisions (Ramey & Steidley, 2018) to individual law enforcement officer

decisions (Green et al., 2020; R. R. Johnson & Lafrance, 2016). Not limited to any one region, the study of law enforcement decision-making and discretion is global (Andersen & Gustafsberg, 2016; Green et al., 2020; Mears et al., 2017; Ramey & Steidley, 2018; Wentz & Keimig, 2019). When officers who represent a more extensive organization are afforded discretion at the enforcement level, individual decisions can have devastating fiscal and trust effects (A. D. Johnson & Vaughn, 2016; Ray, 2020). This portion of the literature review will contain an examination of discretionary decision-making through the law enforcement perspective.

External Stimuli

This sub-strand is bifurcated between discretionary decisions stemming from external and internal stimuli. Examples of external stimuli include mandated training and the perceived demographics or actions of suspects. These external forces can create significant impacts on the way law enforcement officers determine their decision-making processes. Although organizational training and a suspect's perceived demographics may not seem inherently related, both criterion factor heavily in the way officers exercise discretion.

Training

Researchers have determined that training serves as an external stimulus related to discretionary decision-making (Andersen & Gustafsberg, 2016; Richards et al., 2018). As shown in the study by Andersen and Gustafsberg (2016) with Finnish police officers and their decisions to use force, the decision-making process is not static and can be developed and improved. Specifically, these researchers found that resilience training improved the officers deadly force decisions when using simulators. This discovery is significant given Moule et al.'s (2019) findings related to criminal psychology and rational choice theory that human nature leans toward maintaining one's psychological anchors instead of quickly changing one's perspective

based on lived experiences. These findings are especially poignant in the light of growing perceived police misconduct, where the bad decisions of officers can lead to multimillion-dollar payouts (Ray, 2020).

Pelfrey and Keener (2016) also researched police decision-making, but through the perspective of using body-worn video. The researchers examined practical applications. Through a combination of Likert and short answer surveys of police officers and administrators, they found that officers and supervisors both agreed that organizational and policy change required officer *buy-in* to be successful (Pelfrey & Keener, 2016). Pelfrey and Keener (2016) laid the foundation for Richards et al. (2018) to explore the use of video as a training aid. Further, the body-worn video created a new series of decision-making factors to ensure the privacy of the public in situations concerning sexual assault victims, medical treatment, and those who do not consent to filming in their residence (Pelfrey & Keener, 2016).

Richards et al. (2018) examined attempts to use training as a method of preventing bad decisions in law enforcement. They studied the use of body-worn video footage as a training aid in North Wales, U.K. The researchers found that viewing videos of other officers created a familiarity without necessitating experiential knowledge. Thus, the officers in training created mental models of decision-making when they experienced similar situations in the future (Richards et al., 2018). While many of these scenarios involved high-risk encounters, Ishoy and Dabney (2018) argued that training officers for low-level situations is just as critical.

Suspect Demographics

Researchers have studied suspect demographics as an externally generated stimulus criteria for law enforcement decision-making. Schulenberg (2016) used chi-square statistics and binary logistic regression models to analyze Canadian police officers and their discretionary

decisions quantitatively. Schulenberg uncovered that there were several criteria used by law enforcement officers when deciding to initiate an arrest. The variables that most often resulted in an arrest under the following conditions: if the offenders were male or older, possessed a previous arrest history, were under the influence of alcohol or drugs, or were being uncooperative with the officers (Schulenberg, 2016). This research topic was continued by Mears et al. (2017), who studied variables that increased the likelihood of arrest among American minority youths in Georgia and Iowa. Mears et al. corroborated the last variable in Schulenberg's findings, lack of cooperation. Mears et al. (2017) found that adherence to a so-called *street code* increased the chances that an offender would be arrested. Street code was defined as a tough exterior, no-nonsense, refusal to accept disrespect, and this street code usually extended to contacts with law enforcement (Mears et al., 2017). These characteristics can parallel with the perception that the offender is uncooperative or that the police are disrespectful (Schulenberg, 2016). Both groups, police and minority youths, are prone to misunderstood perceptions (Mears et al., 2017).

This topic of research continued when Ishoy and Dabney (2018) studied the decision-making processes of metropolitan police officers in a police department in the southeastern United States when confronted with the possibility of an arrest. They found that when officers had the option of discretion to take an offender into custody, the primary decision factor was the perceived blameworthiness of the offender, which, in this case, was the seriousness of the offense and the offender's level of contrition. While this research corroborated recent studies, using the severity of the crime and the offender cooperation as a determining factor has been examined as far back as the 1970s (Black, 1971; Van Maanen, 1974, 1978).

Ramey and Steidley (2018) explored racially influenced decisions when they researched the controversial subject of agencies' discretion to purchase military equipment for use in American law enforcement missions. Unlike Mears et al. (2017) or Ishoy and Dabney (2018), Ramey and Steidley (2018) used Cragg double-hurdle models to analyze purchasing decisions quantitatively. They found a direct proportionality in the population of Black and Hispanic residents in a jurisdiction compared to the purchase and deployment of militarized equipment. Ramey and Steidley (2018) also found non-linear relationships between militarized purchases and the Black population in the sample cities. Ramey and Steidley (2018) conducted their study with the theoretical framework of rational choice theory.

Through a review of the literature that discussed law enforcement decision-making from an external stimulus perspective, the research fell primarily into two categories. The first external source was training. The second was suspect demographics. Through the use of training based on the use of body-worn video, researchers found that officers could learn to make better decisions (Pelfrey Jr & Keener, 2016; Richards et al., 2018). The other beneficial training aspect was resiliency education. Through simulators, officers improved their lethal force decision process (Andersen & Gustafsberg, 2016). Transitioning to suspect demographics, researchers found that specific descriptors related to a suspect have played a crucial role in an officer's decision to arrest. These criteria include gender, age, and lack of cooperation (Mears et al., 2017; Schulenberg, 2016). Suspect demographics were a factor in decision-making in street-level enforcement and agency-level purchasing (Ramey & Steidley, 2018).

Internal Stimuli

As discussed in the external stimuli section, officers' decision-making processes are influenced by many factors. The research in the following sub-strand addresses internal stimuli.

These influences pertain to the individual beliefs of officers, willingness to explore alternative solutions, and career engagement (Green et al., 2020; R .R. Johnson & Lafrance, 2016); Pearson et al., 2018).

Alternate Solutions

The current literature shows that discretion in police decision-making increases the options for street-level officers and provides for alternate solutions to previously mandated outcomes. In reviewing the literature on officers' street-level decisions, Johnson and Vaughn (2016) found that broad discretion at the enforcement level requires a substantial bureaucracy at the administration level. Although the idea of enacting strong discretion policies for officers was applauded by Pearson et al. (2018) but lamented by Buvik (2016) and Mears et al. (2017), Johnson and Vaughn (2016) found a connection between discretion and increased possibilities of officer misconduct.

Grattet et al. (2017) and Mooney et al. (2018) both play significant roles in the review of literature pertaining to decriminalization, but their studies also apply quite well when examining discretionary decision-making. While Grattet et al. (2017) examined the effects of decriminalization on incarceration rates in California, Mooney et al. (2018) comparatively analyzed the impact of decriminalization on sentencing rates. Grattet et al. (2017) found that as criminal penalties were reduced, law enforcement officers became discouraged from resorting to arrests. The goal of the current study was to determine the reason for these reductions. Mooney et al. (2018) had similar findings but chose a more positive perspective when they found that decriminalization led to more allowance for law enforcement discretion. Previously, choices were primarily limited to arrest. After decriminalization, officers were enabled to elect warning, citation, or arrest. These additional enforcement options support Pearson et al.'s (2018) assertion

that officers should select the least restrictive method of resolution. By interviewing officers, this research can determine how officers navigate the decisions to select an enforcement option.

Pearson et al. (2018) did not support the research of Buvik (2016) when they conducted a 4-year ethnographic study of Northern England police officers. While Buvik's research found that officers chose the easiest method of resolving police contacts, Pearson et al. found that when considering the most appropriate enforcement options, officers often discounted alternative solutions to arrest. These solutions can be a citation, warning, report, or arrest. Officers struggle when faced with the two-stage decision plan of (a) which offenses are arrestable, and (b) is an arrest necessary (Pearson et al., 2018).

Wentz and Keimig (2019) expanded the research of law enforcement discretion from merely street-level decisions into the realm of detectives who conduct sexual assault investigations. Much like the way Schulenberg (2016) and Mears et al. (2017) found a connection between uncooperative suspects and probability of arrest, Wentz and Keimig found a positive correlation between the cooperation level of sexual assault victims and the likelihood of successfully arresting their attacker. The researchers found that investigators were 12 times more likely to arrest the suspect of a sex crime if the victim cooperated with the investigation (Wentz & Keimig, 2019).

Individual Beliefs

Available options are not the only factor to study when examining police decisions. The literature shows that the lived experiences of street-level officers play a crucial role in decision-making. Brouwer et al. (2018) researched officers' street-level decisions. Through observations and focus group interviews with Dutch Border Police Officers, the researchers found that officers often made decisions with very little information. Organizational and legal ambiguity leads to

split-second choices of which person or vehicle to contact (Brouwer et al., 2018). Unlike Johnson and Lafrance (2016) and Buvik (2016), who found a decrease in productivity, Brouwer et al. saw a desire to act. Although a lack of actionable information led to profiling behaviors, officers must be mindful to avoid racial and other protected demographic profiling (Adeyiga et al., 2020; Greco & Greco, 2020).

The research into the role of officers' experience in enforcement decisions was expounded upon when Fleming and Rhodes (2018) used qualitative focus groups to study 160 police officers in the U.K. Fleming and Rhodes' study followed a familiar pattern within this field's qualitative research of focusing on the decision-making process of law enforcement officers overseas. These focus groups found that during enforcement contacts, officers decided which information to act upon based on their previous lived experiences. This perspective supported the findings of Johnson and Lafrance (2016) and Buvik (2016). The officers described themselves as blue-collar. Without lengthy academic training, exposure to various scenarios crafted their knowledge through the lens of an officer's experience (Fleming & Rhodes, 2018). Since police officers' enforcement decisions are based on previous experience, the applications of Proposition 47's changes are best understood through the exploration of lived experiences.

Green et al. (2020) researched how police decisions affect juvenile offenders. In doing so, they used semi-structured interviews to study New Zealand officers who specialized in juvenile crimes. They found that the decisions of the officers during the investigative process were some of the most impactful aspects of the justice system. There is a gap in the current literature and a need to examine this investigative impact on the enforcement of drug crimes at the street level through discretionary policing decisions. Green et al. also found that most officers preferred systems wherein the discretion to determine the best course of action (i.e., diversion versus

incarceration) instead of a one-size-fits-all approach. They also found that many officers chose this specialization as a way to consider the best interest of juveniles. However, being relegated to mandated arrests, instead of arrests as a last resort, does not provide the best results or experience for youths. This ideology is in direct contrast to the perspective Buvik (2016) observed in policing of adults in a nightlife setting, which showed that officers generally seek the least labor-intensive resolutions. This outlook can lead to under-policing (Buvik, 2016).

Career Engagement

In reviewing the research on decision-making, several studies show that not all officers behave the same (Buvik, 2016; R. R. Johnson & Lafrance, 2016). Recent literature indicates that the stage of an officer's career, or their current assignment, can be significant determining factors in their decision-making process. Buvik (2016) used informal interviews and field conversations to study Norwegian police officers who were assigned to the Oslo nightlife district. They were confronted with daily situations involving alcohol, revelers, and tourists. None of these populations are inherently malicious, and the need for discretion when engaging in enforcement behavior was critical. Buvik found that offender variables play a substantial role in arrest decisions in much the same way that Ishoy and Dabney (2018) and Mears et al. (2017) found. An accurate understanding of police work in this setting cannot come from quantitative crime and arrest data alone (Buvik, 2016). It is crucial to listen to the officers describe their realities when so many variables are involved. Officers' enforcement decisions varied wildly among those in this assignment of policing Oslo's nightlife district. The most remarkable pattern emerged when Buvik considered years of service and discovered an inverse proportionality between the number of arrests and length of service.

Johnson and Lafrance (2016) corroborated the research of Buvik (2016) as it related to the inversely proportional relationship between the number of arrests and career length. They quantitatively studied the career of a law enforcement officer through the use of regression models, breaking the service into four timeframes. Johnson and Lafrance found that officers usually disengaged from numerical productivity in the final quarter of their careers. While Johnson and Lafrance and Buvik came to similar findings, they used different methodologies (quantitative versus qualitative) to reach the same conclusion.

The literature pertaining to law enforcement's internal stimuli affecting individual decision-making tends to fall into three categories: alternative solutions, individual beliefs, and career engagement. Alternative solutions literature studied how widening the range of discretions opened the agencies to increased misconduct (A. D. Johnson & Vaughn, 2016). Research into individual beliefs showed the connection between decision-making and previous lived experiences (Fleming & Rhodes, 2018). Finally, career engagement research showed the relationship between the stage of an officer's career and the street-level decisions made (Buvik, 2016; R. R. Johnson & Lafrance, 2016).

A review of the current literature studying law enforcement discretionary decision-making showed populace and geographic variety. Multiple studies showed that decision-making processes could change over time due to training or experience (Andersen & Gustafsberg, 2016; Fleming & Rhodes, 2018). While the topic of police discretion can be intriguing, research into legislatively introduced discretion through decriminalization was generally limited to Grattet et al. (2017) and Mooney et al. (2018). Both studies explored the idea of enabling officers to widen the use of discretion after the defelonyization of drug crimes. The documented limitation was the use of arrest and crime rates. The need for qualitative research into legislative changes to

discretion, like Proposition 47's defeloning of drug crimes in California, is clear because little is known about the amended lived experiences of officers who make the daily decisions to enforce drug laws after decriminalization. While quantitative studies have examined the numerical data of crime and arrest statistics before and after the legislative action, the need for understanding the rationale for changes in this data still exists. By interviewing the officers directly responsible for the variations in arrest figures, researchers can discover, not only if the fluctuation exists, but why it happens.

Officer Motivations

Research into the factors that motivate police officers may naturally seem to follow studies of what demotivates those same officers. However, according to Prysmakova and Vandenaabeele (2020), this assertion is not accurate. They found that journal articles that discussed demotivation outnumbered those that explored motivation by a factor of 7 to 1. When researching the phenomenon of legislative decriminalization and the associated additional discretion, the understanding of how to motivate officers is crucial. The following sections contain a review of the literature in the categories of career stage, organizational, and legislative influence.

Career Stage Influence

In the area of officer motivations, public scrutiny or negative publicity emerged as a pattern. Within these studies, various findings were reported. However, these variations were due to the populations used in the research. In presenting these studies, I examine studies of college students at-large, college students who have declared a criminal justice interest, and current law enforcement officers rather than a chronological order to show how the research population affected research findings.

Morrow et al. (2019) examined the motivations of potential law enforcement officers before they entered the police force. Through online interviews of college students in the northwest and southwest United States, Morrow et al. found that those students who perceived that public scrutiny was adversely affecting current officers' motivation were less likely to become police officers themselves. Conversely, if they felt that phenomenon such as the *Ferguson Effect* did not have a negative impact on officer motivation, those students maintained an increased desire to enter the field of law enforcement (Morrow et al., 2019).

Todak (2017) used semi-structured interviews to study the effects of public scrutiny on the desires of students to become police officers. Unlike Morrow et al. (2019), whose population was a mix of all college students, Todak solely populated her study with college students who previously expressed interest in a law enforcement career. Contrary to Morrow et al., Todak found no negative relationship between negative publicity and students' desire to enter law enforcement. The stark contrast may lie in the student populations explored.

Two studies by the same research team examined the effects of public scrutiny on law enforcement officers through online questionnaires sent to sheriff's deputies in the southeastern United States (Nix & Wolfe, 2017; Wolfe & Nix, 2016). While the studies were closely related, in 2016, they found that officers were less motivated to partner with community members to resolve problems when faced with scrutiny. In their 2017 study, they discovered that if negative publicity or public scrutiny adversely affected deputies' motivation, it also negatively impacted their self-legitimacy (Nix & Wolfe, 2017). In Nix and Wolfe's (2017) study, the inverse relationship between public scrutiny and officer motivation was exclusive to individuals who were already employed by police departments, but Morrow et al. (2019) expanded the research to potential recruiting pools.

Johnson and Lafrance (2016) used surveys of 401 police officers in 23 jurisdictions to study motivation and productivity through an examination of driving under the influence arrests, traffic citations, and drug arrests. They found four distinct chronological stages of a police career. Officers tended to be least motivated in the first and last stages due to a lack of knowledge and career survival goals, respectively. In the final portion, officers focused on successfully completing their career while avoiding discipline or undue exposure to civil liability (R. R. Johnson & Lafrance, 2016).

Both the findings of Nix and Wolfe (2017) and Morrow et al. (2019) contradicted Todak (2017). This does not necessarily invalidate any specific finding or study. The primary consideration in this research series was the population. As the studies' participants transitioned from random college students, to students who expressed an interest in a law enforcement career, to current law enforcement officers, the influential results of public scrutiny migrate. There is little doubt that personal and occupational investments result in variances.

Organizational Influence

For the literature reviewed in this section, organizational influence was the stimulus that stems from supervisory or agency culture. For instance, Vitkauskas (2017) examined how work conditions and pay scales can affect officers' motivation. Later research by Wolfe et al. (2019) and Prysmakova and Vandenaabeele (2020) narrowed the scope to specific motivating aspects like supervisory oversight or organizational culture.

Andersson Arntén et al. (2016) studied Swedish law enforcement employees of all ranks, including civilian (non-sworn) employees, to better understand motivations through a human resources' viewpoint. They found that employee motivation was not entirely dependent on the workplace environment. Personnel who possess self-fulfilling personality traits tend to maintain

higher morale and motivation than their peers who lean toward self-destructive characteristics, regardless of the workplace environment or supervisory styles. This proved to be accurate throughout the rank structure. In later research, Todak (2017) and Khan et al. (2017) would support the significance of ensuring employees' and candidates' motivation to prevent challenges in hiring and retention although Demirkol and Nalla (2018) would later caution against removing the onus completely from supervisors and administrators.

Garcia et al. (2017) used questionnaires to gather data, then subsequent confirmatory factor analysis and structural equation modeling to explore the relationship between autonomy and motivation among police officers in Sweden. They found a significant connection between officers who felt they were given the discretion to make unsupervised, street-level decisions and their level of motivation to be productive. This motivation was even stronger when the individual choices aligned with the values of the police department (Garcia et al., 2017). A few years later, Prysmakova and Vandenabeele (2020) would support this connection between organizational values and individual motivation.

Khan et al.'s (2017) research closely followed Todak (2017) from a human resources perspective. They used questionnaires and linear regression to study 65 police officers from the Charsadda district of Afghanistan. By viewing the topic from the perspective of tools to recruit and retain, the researchers found that motivation directly impacted retention and turnover in the law enforcement organization. Combining Todak's research on recruitment and Khan et al.'s study on retention, police human resource officials can measure the importance of motivation.

Vitkauskas (2017) added to the research on how law enforcement agencies could positively or negatively affect officers' motivation. In contrast to Garcia et al. (2017) or the later research by Prysmakova and Vandenabeele (2020), both of whom examined a more global

version of organizational influence, Vitkauskas studied tangible aspects. Through qualitative surveys of Lithuanian police officers, Vitkauskas found that the most negatively influential factors on officer motivation were pay, work conditions, and supervisory indifference.

Demirkol and Nalla (2018) contributed to the research of Andersson Arntén et al. (2016), Todak (2017), and Khan et al. (2017) concerning the maintenance of employee morale within law enforcement organizations. Through Likert-based surveys of 1,970 Turkish police officers, they found a direct proportionality between rewards and motivation. While Andersson Arntén et al. (2016) found that employees' internal motivations were an aspect of overall job satisfaction, Demirkol and Nalla's (2018) research showed the importance of the organizational environment in cultivating employees' internal propensity for motivation and productivity.

Not all organizational influences are as obtuse as embracing the mission or values of the agency. Wolfe et al. (2019) used Likert-based surveys to study the effects of supervisory relationships on the motivations of recruits in the Fayetteville and Tucson police academies. They found a directly proportional relationship between the motivation of the recruits and their trust in immediate supervisors. In much the same way that Todak (2017) and Morrow et al. (2019) studied scrutiny's effects on officers by examining those who had not yet begun their careers, Wolfe et al. (2019) used this principle by examining recruits who were still in training.

Prysmakova and Vandenabeele (2020) contributed to the research into officer motivations. Using hierarchical regressions, they studied Polish and Belgian police officers and found that employees who perceived congruence between organizational goals and their individual tasks were more motivated. This relationship demonstrated the importance of law enforcement human resource departments recruiting and hiring candidates whose personal

ideologies comport with the organizational vision that Garcia et al. (2017) described (Prysmakova & Vandenabeele, 2020).

Organizational influence is a decisive factor when studying police officer motivations. While officers work directly in an autonomous capacity on the streets, they are always part of a larger agency (Garcia et al., 2017). This participation in a bureaucratic environment leads to officers' susceptibility to the influences deriving from the organization. As Andersson Arntén et al. (2016) discussed, no rank or position in a law enforcement agency is immune to this phenomenon. The contributing factors are influential, regardless of the apparent mundane nature of supervisory indifference (Vitkauskas, 2017) or alignment with organizational values (Prysmakova & Vandenabeele, 2020).

Legislative and Policy Influence

Policy-driven motivation is comparable to Garcia et al.'s (2017) assertion that officer motivation increased when their tasks aligned with an organization's values. Pelfrey and Keener (2016) explored this topic from the perspective of police body-worn video policies using a combination of open-ended and Likert surveys of police officers and administrators. They found that officers were motivated to protect the privacy of medical patients and sexual assault victims in much the same way that the goal of the organization is to protect the public.

Grattet et al. (2017) researched the influence of legislative decriminalization on officer motivation. Through a comparative analysis of published incarceration rates in various California counties, the researchers found that a reduction in penalties may have led to a corresponding lack of motivation to make arrests for those associated crimes. When given additional options, officers were motivated to choose resolutions other than arrest after the implementation of Proposition 47 and AB 109 (Grattet et al., 2017). These findings conflict with Pearson et al.

(2018) and Green et al. (2020). Given the differing findings between Pearson et al., Green et al., and Grattet et al., there is a need to understand the officer motivations directly impacting these arrest rates. The current study fits this need well. By interviewing a participant population comprised of street-level officers who have lived experience enforcing drug laws before and after decriminalization, this researcher had an opportunity to learn the challenges that impact their decision-making process when engaging in discretionary enforcement behaviors.

Pearson et al. (2018) expounded on Garcia et al.'s (2017) research when they examined how officers were motivated to act when they received the legal allowance for autonomy. Through a qualitative ethnographic study of police officers in England, they found that independence and freedom did not guarantee a variety of resolutions. Officers tended to be motivated to continue their previous behaviors and discount alternative solutions regardless of legislative changes (Pearson et al., 2018). This motivation for officers to resist change comports with the research of Buvik (2016), who found that officers tended to embrace the enforcement path of least resistance. These two studies are remarkably congruent if embracing change is considered labor-intensive.

Green et al. (2020) added to the research of officer motivations to protect others. While Pelfrey and Keener (2016) examined the topic from the perspective of protecting medical patients and sexual assault victims from unnecessary exposure of body-worn video cameras, Green et al. studied the subject from the position that officers wanted to protect youth offenders from overbearing consequences of the juvenile justice system. Through semi-structured interviews of Australian officers who specialized in juvenile enforcement, the researchers found that officers were motivated by the welfare of the youth rather than the most severe enforcement

option. When given a choice between incarceration and diversion, the officers chose diversion if it was in the best interest of the juvenile (Green et al., 2020).

Much like organizational impact, the effects of legislation and policy on motivation are powerful and tangible. Officers who are affected by these changes are rarely allowed to influence legislation before enactment, but instead, interpret the best implementation for themselves and the community shareholders. While this study did not provide an immediate solution to this phenomenon, by publishing findings generated directly from the lived experiences of the impacted officers, policymakers have access to the unintended consequences of legislation. This phenomenon was exemplified when officers decided to amend the mandated use of body-worn video to protect sexual assault victims and hospital patients (Pelfrey & Keener, 2016). The enactment of legislative decriminalization is similar in the lack of officer input, but the implementation is rife with the influence of officers. Depending on the study, officers were either motivated to use less enforcement (Grattet et al., 2017) or motivated to avoid learning new options (Green et al., 2020; Pearson et al., 2018).

Conclusion

When taken together, three primary sections of research comprised the preceding portion of the literature review and fell into the categories of organizational influence, legislative/policy influence, and career stage influence. The source and its connection with the impact on officer motivation are essential to understand. Sources of organizational influence included scrutiny, supervisory oversight, and work conditions (Prismakova & Vandenabeele, 2020; Vitkauskas, 2017; Wolfe et al., 2019). Legislative and policy influence stems from decriminalization legislation, privacy measures, and policies to protect juvenile offenders (Grattet et al., 2017; Green et al., 2020; Pelfrey & Keener, 2016). The way an officer's career path affects their

motivation from potential candidates to seasoned officers contrasts with both organizational and legislative influences (Morrow et al., 2019; Nix & Wolfe, 2017; Todak, 2017; Wolfe & Nix, 2016). One of the direct contrasts between organizational and legislative motivation is the officers' ability to align their values with the source of motivation. When officers align with an agency's mission, the motivation comes more naturally (Pelfrey & Keener, 2016), whereas the occasions in which legal requirements force officers to change their behavior, a lack of individual cooperation is more likely (Grattet et al., 2017).

Summary

The chosen theoretical framework for this study was rational choice theory, which was employed as a lens through which to view the connection, if any, between cost–benefit analysis and decision-making through the perspective of the officers' lived experiences. While this study provides a richer exploration of the discretionary decision-making process, the bulk of the researchers in the literature review sought to research questions best answered through quantitative analysis of data, leaving a qualitative gap in the research. Especially in the field of decriminalization, researchers tended to migrate toward the numerical, quantitative data provided by the DOJ and FBI to determine the effect on crime and arrest rates, leaving a need to qualitatively examine the rationale from the perspective of the street-level officer. Literature pertaining to law enforcement discretionary decision-making showed a supervisory conundrum. Researchers spent significant effort on understanding how to improve decision-making but also found that increased discretion enables misconduct.

When researchers examined the effects of Proposition 47 on decision-making, their focus remained on arrest and crime rates, leaving the need for researchers to consider qualitative methods to study the decisions officers make. Turning to officer motivation, the research showed

that some variables were affectable, while others were not. For example, supervisory oversight methods and organizational culture can impact officers' motivation. While these factors may be difficult to change in the short-term, they can be modified. Conversely, the career stage or primary assignment of officers affects their motivation significantly. These factors are far less transformable. A review of literature on decriminalization, discretionary decision-making, and decriminalization, identified the need to qualitatively study how law enforcement officers in Los Angeles County described their lived experiences of engaging discretionary enforcement behaviors when policing narcotics crimes.

CHAPTER THREE: METHODS

Overview

To understand how law enforcement officers in Los Angeles County engage in discretionary policing behaviors after legislative defelonization, this qualitative phenomenological study's central research question aimed to understand what Proposition 47 means to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotics offenses. The purpose of this study was to explore the shared challenges of law enforcement officers in Los Angeles County when policing narcotics offenses in their communities after the ratification of Proposition 47. The design of the study, data collection, and analysis are discussed in this chapter.

Design

A qualitative methodology in the form of transcendental phenomenology guided this study. According to Denzin and Lincoln (2005), qualitative researchers focus on their observations of the world through an interpretive, natural approach. Qualitative researchers begin with an assumption and then inquire into the meaning that their participants ascribe to a problem or phenomenon (Creswell & Poth, 2018). Qualitative researchers seek to provide a space for participants to attribute meaning and uncover phenomena from their diverse, unique perspectives (Frechette et al., 2020).

Creswell and Poth (2018) identify nine characteristics of qualitative research. The characteristics that most align with this study are participant focus, the researcher's role, and the natural setting. Researchers must focus on participants' perspectives, meanings, and subjective views (Creswell & Poth, 2018). Unlike other preceding studies that researched decriminalization through the lens of crime and arrest numerical data (R. R. Johnson & Lafrance, 2016;

Vitkauskas, 2017), this study sought to understand the officers' lived experiences. The focus on the participant population is critical since the officers are the force that affects numerical crime and arrest data through their individual decisions. This study's literature review demonstrated that crime and arrest data are predominantly explored quantitatively, leaving a gap in qualitative research. A crucial aspect of qualitative research is understanding the participants' view of the problem or issue rather than the perspective the researcher brings (Creswell & Poth, 2018). In this study, the viewpoint of police officers who have experienced narcotics enforcement decisions before and after the legislative effects of Proposition 47 was critical to understanding how decriminalization creates challenges and impacts the self-efficacy of law enforcement officers.

Qualitative research relies on the researcher as a crucial instrument of data collection and analysis (Creswell & Poth, 2018; Marshall & Rossman, 2016). Because the researcher is the primary instrument, the researcher must develop appropriate data collection tools that align with the study's goals (Creswell & Poth, 2018). Interpretive inquiry sets qualitative research apart from quantitative studies because the researcher interprets the collected data through the lens of their own background and history (Marshall & Rossman, 2016). As the researcher in this study, I am a law enforcement supervisor with over two decades of context and prior understandings of narcotics enforcement and had experiences in several legislative processes and their effects on how officers carried out their discretionary enforcement behaviors. With this history, the researcher's and participants' lived experiences will automatically create multiple perspectives of the phenomenon (Creswell & Poth, 2018).

The chosen research design for this study was transcendental phenomenology, in which researchers attend to the description of participants' common, lived, and shared experiences

(Creswell & Poth, 2018; van Manen, 1990). When researchers use phenomenology, it is because authentic learning is achieved through active participation with a particular phenomenon (van Manen, 1990). The core rationale for selecting phenomenology is to reduce a phenomenon to its universal essence (Creswell & Poth, 2018; van Manen, 1990), providing a first-person perspective and an analysis of the lifeworld (Zahavi, 2018). As Husserl (1970) explained, the study of the lifeworld includes the current experience before conceptualizing or reflecting on it.

Phenomenology focuses on the participants' description of phenomena (Moustakas, 1994). Qualitative researchers seek to understand a phenomenon through descriptions of what participants perceive, sense, and know (Kockelmans, 1967). For these descriptions to add significant value, the participants must be truthful and candid (Creswell, 1998). When thorough qualitative research occurs, the opportunity to validate and verify the participants' perceptions occurs (Husserl, 1970).

Transcendental phenomenology allows researchers to look at the phenomenon while bracketing or removing themselves from the experience (Moustakas, 1994). Creswell and Poth (2018) described transcendental phenomenology as a way to perceive an experience as if it were being seen for the first time. In this study, I removed my own preconceived perceptions and let the participants provide the data through thick, rich descriptions of their experiences. While I was previously a law enforcement officer, bracketing was more easily achieved since I was promoted to a supervisory position before the implementation of Proposition 47 and never experienced the challenges of policing in the post-Proposition 47 environment. I do not have personal experiences to interfere with the lived experiences of the participants. In transcendental phenomenology, the researcher's perception is not as valuable as the participant's experience (Moustakas, 1994).

The shared perception of the world is another central theme of phenomenology (Moustakas, 1994). According to Husserl (1970), all research begins with perception and is open to anyone to validate and verify the differences between the known and perceived. Essence provides knowledge and helps researchers understand what is real and what is perceived (Husserl, 1970; Moustakas, 1994). Creswell and Poth (2018) described five primary forms of qualitative methodology: narrative, grounded theory, ethnography, case study, and phenomenology. To properly convey the rationale behind selecting phenomenology as the best fit for this study, one must not focus solely on that design's benefits. It is critical to understand the other four methodologies and why they fail to address the research questions and this study's purpose.

Since the aim of this study was to understand the shared experiences of law enforcement officers as they enforce narcotics crimes before and after decriminalization, the focus on shared experiences, in an effort to understand current policies or laws and inform future policy or law, is a crucial aspect of phenomenology (Creswell & Poth, 2018; van Manen, 1990). When using narrative design, researchers focus on the collecting of individuals' stories (Creswell & Poth, 2018). Grounded theory is best used when no other accepted or appropriate theoretical framework exists to explain or understand the current phenomenon (Creswell & Poth, 2018). In this study, the use of rational choice theory not only aligns with aspects of the phenomenon but also aligns with previous research (Chanin & Sheats, 2018; Loughran et al., 2016; Osborne & Capellan, 2017; Pogarsky et al., 2017; Steele, 2016). Ethnography is far too broad in its study of culture and would require extended time in the field with the officers, which was not appropriate for this study. Case study methodology is sometimes excluded from discussions of methodology and considered a subject of study rather than a method (Creswell & Poth, 2018). Regardless of

its status among the other methodologies, case study methodology was not the best fit for this study due to its focus on finite boundaries of time that could eliminate necessary data from the shared experiences of the law enforcement officers who participated in the research.

Research Questions

RQ 1: What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses?

RQ 2: What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

Setting

I chose this setting due to its geographic proximity, which lent convenience in accessing the population. Additionally, the organization's size increased the likelihood of achieving my sampling goal of 12 to 15 participants. A smaller agency would present a challenge in reaching my sampling goal by requiring a larger percentage of employees to participate to reach the desired population size. The final factor in selecting this agency was the experiential diversity that inherently comes with an agency of this size. Officers from a large municipal police department have more exposure to crime and thereby provided an opportunity for me to study diverse lived experiences in relation to Proposition 47.

Participants

The participants were selected from a single municipal police department of over 45 agencies in Los Angeles County (Federal Bureau of Investigation, 2019). To examine the phenomenon of enforcing narcotics laws after Proposition 47, I employed a sampling strategy of purposeful sampling. A purposeful sample is based on atypical and rare attributes (Merriam & Tisdell, 2015). A factor in choosing sample size is exploring how past researchers in the field

have addressed the issue. In examining previous qualitative research, several studies aligned with the my study regarding the general topic and type of participants (e.g., law enforcement officers). The need for saturation is also a crucial factor in choosing the sample size. Saturation is widely accepted as a methodological principle in qualitative research and is defined as the point in which no new information is surfacing in the data being collected (Saunders et al., 2018). With this goal in mind, the studies that informed the participant size started with Collins and Rocco (2018), who used 12 interviews when studying law enforcement officers and their closeted homosexual experiences. Broomé and Russell (2018) used 15 participant interviews when studying law enforcement officers and their active shooter experiences. N. Hanna and Burke (2019) used 15 participants when they studied the decriminalization of drugs. Each of the preceding studies paralleled my research in populations consisting of law enforcement officers or a research topic of decriminalization. Taking into account that Creswell (1998) recommended between five and 25 participants for a phenomenological study, my goal was to interview 12 to 15 law enforcement officers who met the established criteria for this study.

Inclusion criteria of this study included the following:

- Have at least 10 years of combined continuous law enforcement employment within Los Angeles County before and after the implementation of Proposition 47.
- Have been assigned to a non-supervisory patrol capacity before and after the enactment of Proposition 47 in 2014. Patrol is defined as the default assignment for a police officer whose primary responsibility is answering calls for service compared to an assignment to a specialized enforcement unit (i.e., vice, narcotics, etc.).

Procedures

I submitted documentation and secured Institutional Review Board (IRB) approval from

Liberty University before I began the recruitment process to contact potential participants. I contacted the labor union management through a permission letter (appendix redacted to maintain agency anonymity). Once the union management granted permission, they sent a recruitment email authored by the researcher to the union delegates. The recruiting email included a flier (see Appendix D) that detailed the study's criteria to ensure potential participants understood the criteria to participate in the current study. Using this flier eliminated those candidates who did not qualify and solicited email responses, via personal email addresses, for those candidates who expressed interest in participating. The participants' email addresses were personal email. No agency-affiliated email addresses were used because the setting's agency uses employee serial numbers in their email addresses.

A secondary recruitment strategy utilized was social media. Employees of the municipal law enforcement agency maintain a Facebook page whose members are limited to their labor union members. I contacted the administrators of this private Facebook page and requested written permission (see Appendix E) to solicit participants from within the group by posting the recruitment flier on their page. Once I received written permission via electronic communication, I archived this document and included it with the IRB submission. Informed consent was obtained from each participant before beginning data collection. See Appendix F for participant consent forms.

The Researcher's Role

As a researcher using a phenomenological methodology, my analysis of the data is a research instrument (Moustakas, 1994). I had to address potential biases present in the setting (Creswell & Poth, 2018). A commonality existed because I was previously employed in the field of law enforcement. This created an emic relationship since I was an insider; however, the

organization and career field are large. The setting size ensured that I had no direct influence or involvement with the participants, which created an etic relationship with the participants. I have a personal bias toward the impact of decriminalization on policing behaviors. My experience with narcotics arrests early in my career, and my observations of enforcement behaviors as a supervisor, informed my decision to conduct this research. Practicing reflexivity allowed me to be self-aware concerning my previous experiences rather than pretending to be omniscient (Creswell & Poth, 2018). Based on my recruitment methods to ensure I do not have a previous relationship with any of the participants, I attempted to maintain objectivity throughout data collection and analysis. My objectivity was further supported because I have not experienced the phenomenon in the same way as the participants. I never enforced narcotics laws as an officer after Proposition 47 since I was promoted before its enactment. Additionally, by recruiting through the labor union and its unofficial social media page, a statement of rank or position was not necessary. No undue pressure was placed on participation. I used my Liberty University email address to further create a separation between my role as a researcher and my employment with the research site.

Data Collection

A qualitative researcher's goal is data collection focused on participants' experiences (Creswell & Poth, 2018). By collecting data from officers who have direct experience with the phenomenon under investigation, I sought to extend the existing literature concerning narcotics enforcement in the wake of Proposition 47. Combining multiple data collection methods, also known as triangulation, provides a data management tool and helps ensure trustworthiness (Badger, 2018). I implemented triangulation by conducting data collection through three methods: qualitative open-ended questionnaires, semi-structured individual interviews, and

reflexive memo journaling. Because video conference meetings were the safest method of conducting recorded interviews to avoid an increased risk of infectious transmission during the pandemic, participants chose the space in which the virtual interviews were conducted. The only requirement was that the location includes internet access and a computer. Archibald et al. (2019) found Zoom to be the preferred method to conduct online interviews, especially in the COVID-19 era, due to the ease of use and the ability to securely record sessions without third-party software.

Qualitative Open-Ended Questionnaires

Questionnaires can be done on paper or electronically (Creswell, 1998). In this case, the electronic method was employed due to COVID-19 precautions. The answers provided by participants in the questionnaire supplemented the subsequent semi-structured interviews. The researcher designed the questionnaire (see Appendix C). Using these two data collection methods in concert, the researcher obtained a thick, rich description of the participants' lived experiences in addressing challenges and self-efficacy to engage in discretionary narcotics enforcement behaviors.

Table 1*Questionnaire Questions*

Qualitative Questionnaire Questions	Research Question
1. What were some of the ways, if any, Proposition 47 benefited your ability to police narcotics offenses?	RQ1
2. Describe the challenges you faced, if any, after Proposition 47 in carrying out your duties as an officer.	RQ2
3. In what ways, if any, did Proposition 47 affect the way you decide to use discretion in stopping people?	RQ2
4. Given your experience with Proposition 47, how would you compare the stop of a person in possession of narcotics before and after Proposition 47?	RQ1
5. How did your enforcement tools change before and after Proposition 47?	RQ2

Semi-Structured Individual Interviews

I conducted the semi-structured individual interviews via the Zoom video conferencing software (see Appendix B). This communication method alleviated health concerns while facilitating convenience for the participants who lived in southern California. Participants were not interviewed at their workplace due to their responsibilities as police officers and the study's non-affiliation with their employing agency. The goal was to complete one interview per participant and extract enough data from each person to prevent the need for additional interviews. The purpose of the interviews was to learn about the participants' lived experience as police officers and what Proposition 47 means to them in relation to their self-efficacy to police narcotics offenses. Additionally, the interviews helped the researcher understand the challenges the participants face in policing narcotics after Proposition 47 was passed.

Each interview lasted between 30 and 60 minutes. Each participant was instructed to log into Zoom using the alias they provided to ensure their anonymity. The participants were also

directed to leave their camera off during the interview, so Zoom's recording function could be used to memorialize the interview without recording the participants' likenesses.

Table 2

Semi-Structured Interview Questions

Standardized Open-Ended Interview Questions	Research Questions
1. Please introduce yourself to me in relation to your position in law enforcement, as if we just met one another.	
2. What motivated you to pursue a career in law enforcement?	RQ1
3. What do you see as the most important aspect of your job?	RQ1
4. Walk me through your process of detecting a person who is in possession of narcotics.	RQ1
5. Tell me about a time, before Proposition 47, that you initiated an enforcement stop to investigate a narcotics offense.	RQ1
6. How does that scenario change, if any, now that Proposition 47 is in place?	RQ2
7. Prior to Prop 47, what were your thoughts about narcotics' offenses?	RQ1
8. What were your primary reasons for initiating a narcotics offense prior to Prop 47?	RQ1
9. What was satisfying about initiating a narcotics investigation prior to Prop 47?	RQ1
10. What was frustrating, if at all, about initiating a narcotics investigation prior to Prop 47?	RQ2
11. Post-Prop 47, what are your thoughts about narcotics offenses?	RQ1
12. What is satisfying, if at all, about narcotics' policing post-Prop 47?	RQ1
13. What is frustrating, if at all, about narcotics' policing post-Prop 47?	RQ2
14. How did the enactment of Proposition 47, if at all, change the way you police narcotics offenses?	RQ2

Questions 1 and 2 were meant to act as introductions and allow the participants to relax at the beginning of the interview process. Creswell and Poth (2018) described icebreakers as a crucial issue to address. The researcher bears the responsibility of creating an environment where the participant is comfortable and able to answer honestly and thoroughly (Moustakas, 1994). I used these first questions to reduce the difficulty of a novice researcher conducting interviews. I

also hoped to gain personal insight into the participants' personal law enforcement motivations outside of narcotics investigations and legislative influence.

Question 3 examined the participants' perception of their career in law enforcement. It provides an opportunity to make an initial survey of their motivations within the job. Questions 4–6 informed the general process of conducting narcotics investigations regardless of the motivations. These questions examined the decision-making process of street-level officers when investigating narcotics crimes. Officers have legal and policy-driven actions which are necessary when detecting contraband. This question laid the foundation for how the investigation is handled.

Question 5 and 6 compared the enforcement decisions before and after Proposition 47 was implemented. A generic baseline of discretionary enforcement decisions was necessary to determine the effect of legislative influence on their decisions. Questions 7–15 compared the way officers viewed and addressed narcotics investigations before and after the enactment of Proposition 47. These questions directly addressed the research questions in determining the challenge that officers face in Proposition 47's decriminalization.

Reflexive Memos

I recorded reflexive memos as a tool to bracket my inherent biases in the field of law enforcement and decriminalization legislation. Reflexive memos are recorded parallel to data collected through interviews (Jackson et al., 2018). As a researcher who has lived experiences with enforcing narcotics laws throughout California's legislative changes, I had to acknowledge these views and judgments while collecting and analyzing the participants' rich descriptions. Reflexive memos were an effective bracketing method and limit the etic–emic divide (Oliphant

& Bennett, 2020). As a novice researcher, reflexive memos were crucial to suspending judgment, also known as epoché (Miller et al., 2018; Shufutinsky, 2020).

The second aspect of the researcher's reflexive memos is to provide an opportunity to ensure confirmability by providing an audit trail. By documenting the researcher's decision-making process, a trail remains to verify the data accuracy. My journal included the methods of decision, the process of determining clusters within coding themes, and acknowledging biases to aid in bracketing. Additionally, reflexive memos aided in credibility by ensuring my representations fit the participants' descriptions. By bracketing out my experiences, the participants' views could be analyzed objectively (Creswell & Poth, 2018; Moustakas, 1994). NVivo provides a tool called the memo function to document evolving ideas (Mortelmans, 2019). I recorded my internal conversation using this feature after every interview.

Data Analysis

In this transcendental phenomenological study, the process of data analysis ensure the study was properly conducted, and the data were accurately analyzed. In phenomenology, the participants provide descriptions of their lived experiences, and these descriptions must be analyzed to achieve the essence of the phenomenon (Moustakas, 1994). For this research, the participants described their experience with enforcing narcotics laws after the legislative influence of Proposition 47. Before data analysis, each audio-recorded interview was transcribed into written form through the Temi.com transcription service. This service uses artificial intelligence to transcribe audio interviews into written documents but allows the user to verify audio and written accuracy (Tate et al., 2021; Whalen & Paez, 2021). Once transcribed, I listened to the recordings a minimum of two times to revise the transcripts, maximize the accuracy of the

information, and familiarize myself with the data. I also used a specific Qualitative Data Analysis Software, NVivo 12, to aid in analyzing the transcribed data.

Thematic Analysis

I implemented Van Kaam's (1959, 1966) method of analyzing phenomenological interview data. Once the interviews were accurately transcribed, I located and identified the themes relevant to the phenomenon. This theme development process is known as horizontalization (Creswell & Poth, 2018; Moustakas, 1994). The descriptions must be tested for two requirements to determine if they are invariant constituents, which are non-repeating statements (James, 2019). First, the researcher must determine if the description contains a moment of the phenomenon that is necessary and sufficient to understand it. Additionally, the researcher must be able to categorize and label the expression. If the description passes this two-pronged test, it can be considered a horizon of the phenomenon and included in the preliminary grouping. If it fails to meet the listed requirements, it must be excluded along with descriptions that are too vague or repetitive (Saldaña, 2016).

First Cycle Coding

While several forms of coding are available in qualitative research, in vivo coding is well suited for phenomenological studies (Manning, 2017). In vivo coding places significant weight on the actual words of the participants, especially from a specific culture. While the participants are not comprised of a particular racial or ethnic culture, police work has been described as its own culture (Cordner, 2017; Demirkol & Nalla, 2020). In this study I utilized in vivo coding during first cycle coding as I read the interview transcripts and determine the codes based on specific words or phrases used by the participants. One of phenomenology's primary goals is to extract significant statements verbatim from the participants (Saldaña, 2016). With this goal in

mind, van Manen (1990) reminded researchers that themes are “the form of capturing the phenomenon one tries to understand” (p. 87). Examining the process of extracting the phenomenological data through interviews and questionnaires demonstrates the value of the theming process, which is more applicable to these data collection methods than field-generated notes (Saldaña, 2016).

Second Cycle Coding

The most significant goal of second cycle coding is to determine the categorical or thematic organization within the first cycle coding (Saldaña, 2016). Focused coding follows the first cycle of coding. This second cycle searches for the initial codes that appear most frequently or with the most significance (Saldaña, 2016). I used focused coding, and this concerted effort of recoding the original themes created the major components of my final research analysis. While a focused style of second cycle coding is appropriate for all qualitative research, it is beneficial when the researcher plans to use Computer-Assisted Qualitative Data Analysis Software to analyze the transcripts (Saldaña, 2016).

Trustworthiness

Trustworthiness in qualitative research comes from methods that ensure precision and consistency in data collection (Nowell et al., 2017). The categories which qualify data and the associated research as trustworthy include credibility, dependability, conformability, and transferability. Not only do these measuring metrics qualify a study’s validity, but they also verify that ethical considerations are addressed in a manner prescribed by accepted practice (Creswell & Poth, 2018).

Credibility

As with any study, credibility was crucial in researching law enforcement officers' lived experiences when enforcing narcotics laws after the enactment of Proposition 47. Nowell et al. (2017) described credibility as a fit between the participants' views and the researcher's representations. Credibility can be achieved through many processes, but triangulation is one suggested strategy. It requires the collection of data from multiple sources (Creswell & Poth, 2018). Member checks are also an available strategy to ensure credibility. Since credibility is a crucial foundation of qualitative research, by returning the data to the participants to ensure and validate the accuracy, the researcher can clearly document the message (Birt et al., 2016). In my study, I conducted member checks by providing a brief summary of the findings, via email, to the participants to ensure the transcripts comport with the lived experiences of the participants. I conducted the conversation with the participants via Zoom video conferencing.

Dependability and Confirmability

Credibility is only the first step to ensuring trustworthiness in research. Dependability and confirmability are also vital. Dependability is defined as an assurance that the research process is logical and well documented (Nowell et al., 2017). The strategies for ensuring dependability are similar to credibility in the use of triangulation (Badger, 2018). In my study, I made use of triangulation to ensure dependability through the use of multiple data collection methods. By using questionnaires and semi-structured interviews, I collected data in different forms, but the addition of reflexive memos created a two-fold opportunity to collect data and document the process, which finalized the dependability assurance process (Nowell et al., 2017).

Confirmability is a process that verifies that research findings remain consistent between researchers and can be replicated (Haven & Van Grootel, 2019). Phenomenology requires the

methods of bracketing and epoché as a crucial element of reducing presumptions and biases about the participants' experiences (Moustakas, 1994). Bracketing my own biases and experiences using reflexive memos proved to be an effective way of aiding confirmability through duplication and reflexive commentary (Creswell & Poth, 2018; Rogers, 2018).

Transferability

Transferability is the ability of professionals in other settings to use the findings of a study. I provided a rich description of the participants' experiences and provided direct quotations as much as possible to help the reader decide if the information applies to their situation. Descriptions that are detailed and thorough are necessary to ensure transferability (Creswell & Poth, 2018). While this study examined the effects of Proposition 47 on law enforcement officers' policing behaviors in Los Angeles County, the genesis of Proposition 47 research is decriminalization. The legislative strategies and unintended consequences are universal throughout the law enforcement community. Thus, the effects of decriminalization are transferable from southern California to any other setting wherein discretionary enforcement behaviors are affected by the legislation.

Ethical Considerations

The confidentiality, privacy, and accurate reporting of participants are paramount among ethical considerations in qualitative research (Creswell & Poth, 2018). IRB is the next step to ensuring the ethical completion of this study. I received institutional approval of the methodology. Concerning access, I only contacted potential participants upon receiving permission from the labor union representatives. Informed consent is also a necessary aspect of ethical consideration. Participants must be aware of the voluntary nature of their involvement

through informed consent (Creswell & Poth, 2018; Nusbaum et al., 2017), and each participant must be aware of their option to withdraw at any time.

Privacy concerns were addressed through the following strategies. The participants maintained anonymity through the use of pseudonyms. There is conflicting research regarding the benefits of mandating the use of pseudonyms. While Mukungu (2017) recommended researchers allow participants to choose between using a pseudonym or their true identity, more research points toward the ethical significance of assigning pseudonyms (Allen & Wiles, 2016; Creswell & Poth, 2018). Allen and Wiles (2016) found a middle ground between the two ideas when they recommended allowing participants to choose their pseudonyms at the time of the initial interview. This study followed Allen and Wiles's recommendation and solicited the participants' input in selecting their names, thus ensuring their anonymity at the onset of the interview portion of data collection.

Video conference meetings were recorded using Zoom software, but the participants' video was disabled. The recordings will be stored in a password-protected computer for 3 years. After 3 years, the recordings and associated data will be destroyed by shredding or electronic means. Data will be stored in password-protected files, and written documents will be held in a locked container for 1 year before they are shredded.

Basner (2019) discovered compensation to be an effective way of increasing participants' response rates. Yu et al. (2017) found a 30% increase in response rates when she offered a monetary incentive. Multiple studies have shown that a terminal ceiling exists wherein continued increase of the compensation amount fails to improve the response rates proportionally, and the maximum optimal incentive is \$15 (Jia et al., 2020; Yu et al., 2017). An increase to \$20 or more only provided diminishing returns. Based on this information, I offered each participant an

Amazon.com gift card for \$15. The participants were required to complete the questionnaire and the interview to receive the incentive.

Summary

The purpose of this transcendental phenomenological study was to understand the challenges to law enforcement officers and the effects on their self-efficacy as they navigate the discretionary decision-making associated with narcotics enforcement in Los Angeles County. Details about the population of police officers, including the experience-level and assignments, were provided in this chapter. The selection of participants was based on purposeful sampling to ensure adherence to the criterion that provided a population who experienced the phenomenon. The recruitment process of soliciting participants through the labor union representing these officers was detailed in this chapter. Using open-ended questionnaires, semi-structured interviews, and reflexive memos, the researcher collected the necessary data to study and address the research questions. The researcher used triangulation and member checks to ensure trustworthiness. In the next chapter, I will present the results of the data collection process.

CHAPTER FOUR: FINDINGS

Overview

The purpose of this qualitative study was to explore how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. The objective of this chapter is to solely focus on the research findings, while the interpretation of the data, discussion of the implications, and recommendations for future research are presented in Chapter Five. Two specific research questions guided the study:

RQ 1: What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses?

RQ 2: What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

This section contains a demographic description of each participant in the study. Following the descriptions, the results of the study are presented by introducing the themes developed through data analysis. The section concludes by addressing the research questions using thick, rich descriptions of the participants' lived experiences.

Participants

Fifteen participants were included in this study. Two were female, and 13 were male. Of the 15, only five did not have a college degree, and one had a graduate degree. Exact ages were not solicited to ensure confidentiality. The most common demographics in the study were males, whites, between the ages of 40–49, and those who completed a Bachelor's degree. With regard to the most common experience level, participants were evenly distributed between 11–15 years and 21–25 years of law enforcement experience (see Table 3).

Table 3*Participant Demographics*

Participant	Gender	Age Range	Ethnicity	Highest Level of Education	Law Enforcement Experience
Adam	Male	40–49	Other	Associate's	16–20 years
Bob	Male	30–39	Hispanic	Bachelor's	11–15 years
Charles	Male	40–49	White	some college	11–15 years
Chris	Male	30–39	White	some college	11–15 years
Guy	Male	40–49	Other	Master's	21–25 years
Kung	Male	50–59	Asian	Bachelor's	21–25 years
Melissa	Female	50–59	White	Bachelor's	21–25 years
RCB	Male	40–49	White	Associate's	16–20 years
Rick	Male	40–49	White	some college	16–20 years
RWC	Male	30–39	White	some college	16–20 years
Sean	Male	40–49	Hispanic	Bachelor's	11–15 years
Steed	Male	40–49	White	some college	21–25 years
Steve	Male	50–59	White	Bachelor's	29–30 years
Suzanne	Female	30–39	Hispanic	Bachelor's	11–15 years
Thomas	Male	30–39	White	Bachelor's	16–20 years

Adam

Adam was a White male in his 40s who was currently assigned to patrol duties in the capacity of a Field Training Officer. He presented his experiences as a training officer during the defelonization of narcotics as a challenge due to the lack of flexibility when teaching

inexperienced officers. He expressed satisfaction in his ability to mold and teach new officers who recently graduated from the police academy.

Bob

Bob was a Hispanic male in his 30s. Despite his previous patrol experience, his current assignment focused on domestic violence cases. Bob had a passion for helping people, which was evidenced by his previous career as an Emergency Medical Technician in a hospital. His career change was motivated by his desire to be outdoors instead of inside an emergency room.

Charles

Charles was a White male in his 40s who worked in many capacities as a law enforcement officer during his nearly 15 years. His policing experience ranged from urban to suburban areas within his agency's jurisdiction. After his requisite time in a patrol function, Charles specialized in traffic collision investigations and traffic enforcement. He made it clear that honesty and transparency were crucial aspects of law enforcement, even going so far as to describe his desire for a career in policing because of his perception of the job as honest work.

Chris

Chris was a White male in his 30s. He was promoted to supervise police officers at the time of his participation in the study. Chris was motivated to enter law enforcement to protect communities from those that would prey on weaker members of society. He saw the best way to successfully accomplish this goal as removing those predators from the communities, thereby providing safety to the community.

Guy

Guy was a male who did not specify his racial demographic. He was a detective supervisor. He had 23 years of policing experience and had an intriguing background that

informed his decision to enter law enforcement. Guy graduated from a prestigious university and desired a challenge that contrasted with his demonstrated academic proficiencies and successes. He found law enforcement to be an option that he described as qualitatively different than the classroom environment and provided a front-row seat to see something more challenging than academia.

Kung

Kung was an Asian male detective who also had an academic background. Although he spent a considerable amount of time in a patrol capacity, Kung currently works in an administrative section of the police department that assists the city attorney in representing the municipality against civil litigation. Kung desired to affect change within his agency but lamented that his rank prohibits his effective influence on the organizational policies.

Melissa

Melissa is one of two females in this study. She identified as White, was in her 50s, and currently holds the rank of detective with 22 years of policing experience. Her interest in law enforcement was piqued while working as a security guard at a large music venue. She experienced minor emergencies on a regular basis and developed a desire to expand her role by applying to be a reserve officer. During her application process, she lost her job at the music venue and successfully amended her application to become a full-time police officer.

RCB

RCB was a White male in his 40s who held the position of Field Training Officer. He is the first in his family to become a police officer. RCB was motivated by a desire to impact his community positively. One of the aspects that he relished the most was his role as a fixer. Being the one who people call to fix problems created a sense of accomplishment for RCB.

Rick

Rick was a White male detective in his 40s. He had been in law enforcement for nearly 20 years. Rick embraced the knowledge that he can be the person called when someone is in need. He finds this function challenging when community support languishes. The views of elected politicians and subsequent reforms do not always align with Rick's values and can act as a hurdle in his drive to protect citizens.

RWC

RWC was a White male officer in his 30s. His current assignment promoted him out of patrol capacities. RWC decided to enter law enforcement based on positive interactions with several officers who saw his potential for policing and effectively recruited him. RWC found fulfillment in providing stability for those in traumatic situations. Being the point of contact for a person on the worst day of their life offered RWC unmatched satisfaction.

Sean

Sean was a Hispanic male detective in his 40s. Before his journey as a law enforcement officer began, Sean attended college, which offered some interactive opportunities with the police department. These positive contacts fostered an innate desire to help the community. Sean sees his role within the world of policing spanning from officer, to parent, to teacher, to psychologist. The ability to assume different roles in various scenarios motivates Sean to connect with the public in a way he saw police officers connect with his family as a child.

Steed

Steed was a White male Field Training Officer in his 40s. He had nearly 25 years of law enforcement experience, including time explicitly spent investigating narcotics crimes. Steed had a unique motivating factor that led him to policing. As a child, Steed found himself lost in an

unfamiliar neighborhood. He located a police officer and asked for help finding his street. The officer expressed apathy by telling Steed he never heard of that particular street and then drove away without offering further assistance. This negative interaction early in life motivated Steed to become a police officer and offer to help as many people in need as possible.

Steve

Steve was a White male in his 50s and the most experienced officer in the study. Like many participants, he possessed a strong desire to help others. Steve has a unique perspective which was informed by growing up in a high-crime, metropolitan area combined with his time living in a communist country after college.

Suzanne

Suzanne was a Hispanic female in her 30s. Unlike many of the other participants, she was born, raised, and attended college within her agency's jurisdiction. Her loyalty to the city and its citizenry was evident from the moment a conversation with her was initiated. She possessed a strong desire to be the mentor that she desired as a child. Suzanne used a twofold approach to policing. She held education at the same level of importance as enforcement. Between these two prongs, she felt she could effectively give community members the tools to keep themselves safe instead of solely relying on police patrols.

Thomas

Thomas was a White male in his 30s. He is currently a supervisor after his previous experience in patrol capacities. Like other participants, Thomas saw his role in law enforcement from a multi-faceted perspective. One day he needs to be a marriage counselor, and the next day, it may be offering a legal opinion. Thomas felt all these roles must combine in order to effectively enforce the rule of law for policing to succeed.

Results

Three distinct data collection methods were used in this transcendental phenomenological study. These methods began with a qualitative, open-ended questionnaire. The next method was a semi-structured interview. After each of these interviews, the researcher memorialized reflexive memos to aid in collecting data and ensure bracketing to prevent researcher biases from being introduced into the results. In total, the researcher reviewed 138 raw pages of interview transcripts to analyze the relevant data.

Through thorough data analysis and coding, five themes were identified and will be discussed in this chapter: (a) *negative reinforcement-demotivators*, (b) *positive reinforcement-motivators*, (c) *capacity to enforce the law*, (d) *justifications for reduced narcotics enforcement*, and (e) *methods of reduced enforcement*. The analysis of these themes will address each of the two research questions explored in this study.

Theme Development

This study utilized three methods of data collection. Each of these methods—(a) open-ended qualitative questionnaire, (b) semi-structured interview, and (c) reflexive memos—provided distinct data for analysis. While interviews comprised the primary data source, the questionnaires were a valuable tool to ensure the triangulation necessary to provide trustworthiness based on the consistency of the data through confirmation. Reflexive memos were conducted throughout the process of data collection and analysis. The interviews were recorded via Zoom web-conferencing software and transcribed using Temi.com transcription services. Following the protocols established in the previous chapter, and upon approval from Liberty University's Institutional Review Board (see Appendix A), each audio-recorded interview and transcript were reviewed at least two times by the researcher to verify accuracy.

Each of the questionnaires and interviews was coded to identify themes and sub-themes.

Through member-checking, participants were provided the opportunity to review the analysis for verification.

The researcher verified the accuracy of the data by reading the transcripts provided by Temi.com while listening to the recorded interviews. Corrections were made directly into the Temi document and copied into NVivo 12 software for further analysis. While this occurred, and during subsequent reading, themes were identified by the researcher.

First Cycle Coding

In Vivo coding was utilized in first cycle coding. In vivo coding places particular significance on the specific words of the participants (Manning, 2017). By identifying specific words or phrases used by the participants, I was able to view their lived experiences from their cultural perspectives as law enforcement officers. Comporting with Saldaña's (2016) goal to extract significant data through verbatim statements allowed the researcher to capture the phenomenon under investigation.

Second Cycle Coding

Several sub-themes of the themes were identified by reviewing the interview transcripts after the initial thematic analysis. Through focused coding, the most significant and frequent themes were organized within the first cycle codes. Saldaña (2016) recommended this type of second cycle coding, especially when utilizing computer-assisted qualitative data analysis software to aid in organization and analysis of transcripts (see Table 4).

Themes

Table 4

Themes and Related Codes

Themes	Sub-Themes
Negative Reinforcement (Demotivators)	Criminals are not afraid Lack of consequences Cannot prevent crime Cannot help the community Out before the paperwork is done
Positive Reinforcement (Motivators)	Breaking the cycle of narcotics and crime Helping the addict Preventing crime through incapacitation Desire to help the community Ego
Capacity to Enforce the Law	Perception of legislative failure Need for community support Rule of law Prop 47 directly increased crime
Justifications for Reduced Narcotics Enforcement	Apathy No consequences Not worth the effort The public gave up Misdemeanors are not significant
Methods of Reduced Enforcement	Ignore Stop looking Cite and release

Negative Reinforcement (Demotivators)

Negative reinforcement (demotivators) was identified as a main theme in the study. Throughout the questionnaires and the interviews, several participants described their experiences of demotivators in different embodiments. Although many participants detailed their desire to help the community, negative reinforcement (demotivators) covered perceived reasons

why participants felt a reduced desire to police narcotics offenses post-Proposition 47. The theme of negative reinforcement (demotivators) was subsequently divided into the following sub-themes: *criminals are not afraid, lack of consequences, cannot prevent crime, cannot help the community, and out before the paperwork is done.*

Criminals Are Not Afraid. Of the 15 participants in the study, 13 participants felt that criminals were no longer afraid to commit crimes based on the blatant nature of the violations.

Charles stated:

Prior to prop 47, I believe that people didn't want to get caught, so they wouldn't possess the narcotics on them because they believe that they were going to go to jail. Now that prop 47 came about, I believe that that they think that there's no repercussions for them. So, I believe that it's easier for them to carry narcotics now than before, because before they used to actually physically go to jail and do time.

Thomas expressed a like-minded sentiment about the emboldening of criminals without consequence when he stated, "I wish there were consequences to people's actions right now. I feel there's not because it all stems from Prop 47. We've basically emboldened criminals because they know that they're not going to face any serious type of consequences."

Kung described how criminals no longer fear disobeying officers when he said, "After Prop. 47 suspects seem a lot more defiant and unwilling to comply to the lawful command of the officer." RCB echoed that: "The violator knows there is no consequence for their actions so their level of respect for authority is minimal." Chris also described that perception of repeatedly engaging the same offenders because they do not fear the consequences. He stated, "Police have to deal with the same crook day in and day out because they have no fear of consequence." The discussion of a lack of jail time resurfaced when Sean said, "[Narcotics] became difficult to

enforce, because offenders no longer feared the justice system. They knew they were not getting jail time."

Lack of Consequences. Twelve participants addressed a concern for the lack of consequences as a demotivating factor in their discretionary enforcement decisions. Chris addressed it as a systemwide issue when he stated,

There's zero consequences for [criminal] behavior. If it does go to court, there there's zero consequences. There's no jail time, there's no probation or anything like that. It's just, "Hey, don't do this again." And that's pretty much all there is.

Rick lamented the idea that poverty affects the lack of consequence when he stated, "They don't serve any jail time. The majority of the people that are drug offenders don't have money, so they're not going to pay any fines. So nothing really happens to them . . . there's no punishment for what they do."

The transition of criminal repercussions from booking to citation was presented as a demotivating factor when it reduces the consequence of deviant behavior. RCB stated, "If I arrest somebody multiple times over a period of years, let's say, but all they're getting are these tickets that are not showing up on actual rap sheets, then it looks like this person is a decent person, not committing crimes." Using imagery to describe the need for consequences in the system of punishment, Steed stated, "With no consequences, enforcement lacks any real tools. There's no teeth in the justice system."

Cannot Prevent Crime. Several officers spoke to their desire to combat criminal activity. By experiencing the feeling of inability to prevent crime, eight participants commented on the negative impact on their motivation. Bob expressed the frustrating feeling he finds himself experiencing when he stated, "I believe that narcotics lead to violent crime at some point. So

now it's frustrating because you can't do anything about it." Kung described the impact of inabilities to prevent property crimes:

So a big majority of the people who were going to stores and committing thefts and burglaries and other property crimes, I believe were able to finance their drug habit and surely made a lot easier for them to do that because there was less enforcement due to, I guess, sort of like the fatigue factor from patrol.

Melissa expounded on this idea with a story about how her inability to prevent crime negatively affected a family. She stated:

I had a call once straight out of roll call. First thing in the morning, 6:30 in the morning. Somebody found a man in their car. We get there. The dude is passed out in the passenger seat of the car with the entire contents of the glove box spread out on his lap. So, he passed out mid burglary. So, what's he doing? He's trying to steal something to get enough money, to get his drugs. He's victimizing people's cars. He's victimizing people's houses. These people will never feel safe again, just so this guy can get high because that's what he's chosen to do instead of being a productive member of society.

Suzanne continued the discussion of the inability to prevent crime based on the diminished enforcement options. She stated:

So, if these narcotics suspects are given a citation out in the field, they go back to being criminals on the street, and in my eyes, they become habitual offenders. So, I know that if I stop them, they're just going to get a citation and sign their ticket. They're going to promise to appear to go to court. And then the same thing on another day, I'm going to stop them again and again, and then they become habitual offenders to me.

Cannot Help the Community. Almost every officer described their motivation to become a police officer by expressing a desire to help people. Several officers then contrasted that desire with the realization that Proposition 47 played a role in hampering their ability to help the community. Bob described the feeling of helping the community when he stated:

I felt like by taking a person off the street even though it was just for possession of narcotics and it may not seem like a big deal to people, obviously with the passing of Prop 47, they, they think this is a big nothing, but what I saw was me helping potential victims, not be victims. Allowing people to keep their property that they worked for. Keeping people from being robbed or worse. I felt like I was doing a service to pretty much to everybody involved.

Adam made a poignant statement regarding the contrast between victims and offenders when he stated, "I think they're moving away from doing police work. And it's almost like we're defending the criminal more than we're defending the person that's a victim." Suzanne relayed the difficulty in hearing some of the sentiments of community members when she stated, "The repercussions were very minimal to them. It was challenging to hear the frustration of victims of crimes. Victims could not understand why these individuals could not stay in jail for a longer period of time." Sean described the way his ability to keep neighborhoods safe changed; he stated:

Prior to Prop 47, I felt like [narcotics] was a very serious crime. It was zero tolerance. It was a plague to the community. And that people really cared about keeping their neighborhood drug-free. That's the way I took it. I would make the arrest. I looked for narcotics. I took the arrest serious and then all of that, changed after Prop 47.

Melissa summarized the inability to help the community when she stated, "[Before Prop 47] we looked for crime, now we just respond to it."

Out before the Paperwork Is Done. Participants described a perception of disincentivizing when offenders spent less time incarcerated for the newly defeloned crimes than the officers spent memorializing the events that led to the arrest. Ten participants discussed this lived experience. Charles succinctly addressed the concern when he stated, "It's just not worth it. Not worth the time something that's going to . . . They're going to be out before the ink dries on our paperwork." Chris echoed the sentiment with the inclusion of the option to cite and release the offender. "Once the offender gets to jail or is given a ticket, he's released and he's out back on the street before the officer's even done with the paperwork." Guy addressed the concept through the inclusion of the terminology *revolving door* when he stated:

It was appearing to be a revolving door experience for me in my enforcement capacity because I was interfacing with these people not too long after having arrested them once, twice, or the third time. So, I felt like the accountability and overwatch, if you will, once they entered into these programs was insufficient.

Kung experienced dwindling motivation from his experiences. He stated:

They'll be smoking [drugs] by the time you finish everything. It might've been five to seven hours. And then for the DA not to file anything, lack of evidence. And you'd go through that numerous times, you know, what's the point, but I mean, we do have a duty, so at least, you know, put them through the system in hopes that at least one of them will take a plea or something and see the errors of their way, but that really rarely happens.

Melissa shared a similar experience with offenders engaging in narcotics use before she could complete the documentation. She stated, "He's going to be out scoring more drugs while you're still sitting in the station, writing your report."

Positive Reinforcement (Motivators)

The concept of motivation and positive reinforcement was the second theme identified in this study. Participants were eager to share their lived experiences with the factors that incentivized them to enforce narcotics laws, especially before the implementation of Proposition 47. Five sub-themes were identified under the theme of *positive reinforcement (motivators)*: *breaking the cycle of narcotics and crime, helping the addict, preventing crime through incapacitation, desire to help the community, and ego.*

Breaking the Cycle of Narcotics and Crime. The connection between crime, especially property crimes, and narcotics use was a common experience shared across participants. Nine of the participants discussed the experience and described how the commission of property crimes can be a result of the offenders' need to fund their narcotics addiction. Steve identified the cyclical nature of addiction and crime when he stated:

You know, to me, [satisfaction] had to do with you knew there would be a chance that you might be preventing further crime, that you might interrupt the cycle of addiction and crime. You kind of hope that that could happen. And I don't know if I ever really knew if it happened or not, but that there would be some kind of actual consequence and maybe an interruption in the cycle of the repetition of crime, addiction, crime, addiction.

RWC specifically addressed the idea that arrests can have a positive impact on the cycle of narcotics and crime:

I might not be able to make an arrest of somebody breaking into a house or victimizing the community in that way, but I was able to make the arrest on the narcotics, and that would put that person, at least in custody for a little bit to stop that rash of burglaries or robberies.

RCB viewed the concept of breaking the cycle through crime sprees versus crime prevention when he stated, "They're fueling that drug habit somehow. And my training and experience has always shown that it's through crime that they're fueling their drug habits. So, I mean, you're positively impacting the community in multitudes of ways." Guy spoke to breaking the cycle of violent crime associated with the sale of narcotics, rather than the addiction perspective when he stated, "The sellers are again, usually part of larger networks of gangs and an organized crime, and with that comes inevitable violence." Adam addressed cyclical crime prevention through the concept of addressing crime trends before they grow to an uncontrollable level when he stated, "That habit is not just a victimless crime in order to supply that habit, they have to break into things. They steal things . . . I mean, they'd break into your house, they steal your bikes. It goes on and on."

Helping the Addict. One of the most common rationales for the participants to choose a career in law enforcement was their desire to help people. Accordingly, the idea of helping the offender recover from narcotics addiction was identified as a shared lived experience amongst participants. Steed addressed the phenomenon from a personal perspective discussing his sister's journey through addiction and how that informed his motivations. Steed stated, "My sister struggled with addiction. I knew that it wasn't just armies of shitbags out there doing dope. It could attack anybody. . . . I came from having a little bit more understanding than a lot of other coppers." Steed transitioned his description from his sister to offenders when he stated,

I was glad when Prop 36 was passed and it compelled these people to get treatment. . . . I was never big on throwing an addict into jail and if they do enough time in jail, they'll come out and they'll be sober.

Steed finalized his thoughts by explaining the result of losing the ability to help those suffering from addiction: "I was a big fan of the mandated treatment. But when they took that away, the enforcement aspect to me, just really dwindled."

Bob acknowledged his desire to help people extended beyond the community down to the offenders. He stated:

In aligning with helping people, oftentimes when people would go to jail it forced them to sober up. It would force them to somehow, I mean, they'd be forced literally to be sober because you can't do drugs in jail. So oftentimes they'd get help. I mean, they'd be offered help. Sometimes they'd be given medication to help them try to stay off the drugs once they were sober.

Kung discussed the effect of lengthy incarceration and its positive impact on addiction treatment when he stated that prison provide an opportunity for "some type of rehabilitation or be off drugs for at least six months to a year. But if you're arrested, not prosecuted and you're out the next day, it only helps to increase their drug habit."

The phenomenon of seeing narcotics abusers forced to make decisions that will affect their well-being for a lifetime was addressed by RWC when he stated:

Making these arrests for narcotics, forced that suspect at that time to make that life decision, to have their hand forced into rehab. So, we have Prop 36 [court ordered rehabilitation] in relation to narcotics arrests. So, you would arrest somebody for a felony narcotics crime. So, they had basically kind of two choices. One was to go to jail for a

year to serve time for that crime, or you'd have that second option. It was just kind of a forced rehab.

Sean discussed the idea of lifestyle decisions through the lens of addiction-fueled challenges. Sean stated, "Hopefully the person who gets arrested for narcotics get some type of substance abuse treatment, some type of help. They acknowledge that they hit rock bottom and hopefully they change their lives." Steve echoed the sentiment of incarceration being a de facto rehabilitative tool when he stated, "They would break the addiction, maybe, through diversion or actually through incarceration. And I think that was part of the hope, the possibility of what could happen in a positive way."

Preventing Crime through Incapacitation. Many participants spoke on the subject of being able to prevent future crime, especially property crimes, by arresting narcotics suspects. Participants made it clear that their lived experiences demonstrated an obvious connection between narcotics abuse and other related crimes to fund the offender's addiction. Officers discussed their motivation to prevent future crime by enforcing narcotics law and to incapacitate the offender through incarceration.

Of the 15 participants, 13 discussed the idea of preventing crime through incarceration. Thomas explained that he learned this theory early in his career: "The people that were using narcotics were the ones that were breaking into houses, breaking into cars. So, if you could take the user off the street, it would have an impact on reducing those types of crimes." Thomas continued his description of this experience by stating, "It would have a correlation. It would have that effect that the crime would go down because there's not as many people out and about committing those crimes because you've taken them off the streets because of the drugs."

RCB alluded to the apparent positive impact of incapacitation when he stated, "If you take them off the streets, obviously they're not there to commit the crimes. They're not there to go out and break into your car. They're not there to go and break into your business."

Rick connected drug users and future crimes while endorsing the effectiveness of incapacitation in reducing crime. He stated:

Drug users are involved in more than just drug crimes. They're involved with theft and other violent crime. And so [narcotics enforcement] was a pretty in your face way of getting them off the street by the enforcement of those drug laws to protect society. . . . Before Prop 47 people would be locked up in a jail for an extended period of time or go to state prison for felony convictions for drug stuff. So, they weren't out free to run around and commit other crimes because they were locked up.

Chris identified the phenomenon of anonymity in future crime victims, but this unknown factor did not deter his motivation:

Knowing that I might not necessarily know the person that may have been victimized, but the self-satisfaction in knowing that if this person is, is locked up, he is not out there creating victims. So it was a preventative measure. And it was self-satisfying knowing that there was going to be one less victim out in the communities because this person is in jail.

Bob spoke further on the topic of universal potential for any member of society to be negatively impacted by crime when he stated, "People that worked really hard to get their child, a brand-new bicycle. That bicycle is still going to be there tomorrow because this person's in jail."

Charles made a simple but effective statement to explain the benefits of incapacitation through incarceration when he said, "You stop just a narcotics user, but you potentially stop other crimes from being committed."

Desire to Help the Community. The participants expressed a strong desire to help their community. This sub-theme was present in their introductions and descriptions of their rationale for entering a law enforcement career. Steed described the idea of removing the bad element from neighborhoods when he stated:

I might be a little traditional in that I think people deserve to live in clean neighborhoods. That really bothered me when I'd have these idiots in people's neighborhoods doing these things. And of course, the very last thing is, these areas where they come in to do their dope, buy their dope. They're looking for targets of opportunity on the way in and on the way out. And that's when you see a lot of property crimes, especially early in the morning before people get up and go to work.

RCB addressed the importance of positively influencing the community by remembering the concept that police are members of the public as well. He stated:

And one of the things I always felt about law enforcement is that you can actually impact the community. You can be a part of a community. Just by essence of your work makes you a part of a community and makes you a part of that can actually influence the community in a positive way.

RWC introduced the idea that not all community members have the capacity to protect themselves, and law enforcement officers are tasked with this job. He explained that the most important aspect of one's job as a law enforcement officer is] "protecting those who really can't protect themselves. You're dealing with people usually on the worst day of their lives and that's

pretty traumatic for a lot of people and how they come out of that experience is hopefully helpful.”

Steve addressed the concept that crime creates victims. He did not want additional victims, and he explained that when he stated, "My major motivation was to try in some small way to protect the people from criminals from crime victimization." Thomas had a similar motivation to prevent victims. He addressed that when he stated, "I wanted a career where I could have an impact on helping the community by taking the bad element to jail and to problem solve with the community and keeping the neighborhood safe." Finally, Suzanne added a personal element to helping the community because of her experience growing up and living in the community she polices. She stated:

I didn't grow up in the nicest, safest area. I saw a lot of violent crime in my neighborhood and not a lot of role models that could mentor me. I wanted to be that mentor, that role model to come back to my community and be that mentor for the community for the children in my community.

Ego. Participants described *ego* as a desire to be respected and acknowledged by their supervisors and peers. There was a commonality amongst participants in the usage of terms like *good arrest* and *atta boy* to describe the quality of their enforcement and the acknowledgments, respectively. Adam described the combination of pride and fun associated with policing when he stated:

It's just it's just the thing around the station. You know, it's a pride thing. It's something where you're trying to show the bigger dogs or the people in the yard. You're just trying to show everybody like, Hey, listen, I can do it too. Because you hear stories of people

hooking and booking and chasing people and doing the things that you came on the job for. Most of us came on the job to have fun, but do a good job doing it.

Charles succinctly addressed the pride of accomplishment in quality police work when he stated, "It's going to look good all around. We stopped the problem. Guys walk through a station with pride. I got a drug dealer, drug user, whatever it is, off the streets and have pride in the work they do." Guy introduced the idea of taking pride in meeting the performance measures of law enforcement officers. He stated, "Police officers who make the most of most felony arrests are typically more respected by virtue of those investigations gaining the most training experience and that facilitates other interests in the profession as one is moving through one's career." Steed identified the connection between accomplishing the tasks he was trained to do and the pride that comes with that accomplishment:

It was just that feeling of I made a difference today. I made a difference in people's lives today. And it was just really gratifying. I guess part of it's ego, but part of it is also you're doing the task that you were trained to do. And there's just something about that. Nobody goes to the police academy and says, oh, I'm going to be the best ticket writer there is. Everybody goes to the police academy and says, I want to put bad people in jail. Well, you know what? I had a chance to put bad people in jail today. And I had a chance to also maybe make this person, give this person the opportunity to have a better life. So that's, that's kind of the way I felt about it.

Finally, Thomas drew attention to the fact that ego is driven by the opportunity to brag to one's coworkers about successes. He explained it by saying, "It was just it was fun. It was fun getting that felony arrest and being able to brag to my coworkers."

Capacity to Enforce the Law

Capacity to enforce the law was the third main theme identified in the current study. Both the questionnaires and the semi-structured interviews contained rich-thick descriptions of lived experiences that impacted the officers' perceived ability to effectively accomplish their goal of policing narcotics crimes. As stated previously, the participants' desire to enforce the law is not in question, but the perception of Proposition 47's effect on that ability was identified as a theme. Capacity to enforce the law was subsequently divided into five sub-themes: *perception of legislative failure, need for community support, rule of law, Proposition 47 directly increased crime, and reduced training and experience.*

Perception of Legislative Failure. The perception that Proposition 47 is a failed experiment was rampant amongst the participants. Thirteen of the 15 participants perceived changes are necessary to avoid significant victimization. Chris was quite clear when he blamed the legislation for an increase in property crime. Chris stated, "Based on the crime stats that I see in my particular area now, the burglary from motor vehicles and the thefts are through the roof. And it's my opinion . . . that it's a direct result of Prop 47."

Bob was far more somber in his predictions of the proposition's ultimate effect on society. Bob stated, "Prop 47 is a leading us down a road to oblivion . . . where we're having a complete and utter breakdown of our society . . . I think that Prop 47 has created a big, big, big mess."

Kung expressed frustration with the philosophy that generates legislation like Proposition 47 and other decriminalization reforms. He stated, "When they keep passing laws or legislation like Prop 47, when somebody believes in their own philosophy that decriminalizing narcotic use is going to make things better, they are hallucinating. Things don't work like that in the real

world." Melissa also discussed her dim outlook on society and how her hope is dwindling despite her efforts to convince the community otherwise. She stated:

I don't see getting any better. I keep telling people at work when they're frustrated about it, that the pendulum will swing back. But I've been saying that for 10 years. So, I guess I'm wrong. It's not going to swing back, but I wish it would because drugs are a scourge.

Steed provided a visual representation of his perceived failure of Proposition 47 when he described the prevalence of visible narcotics use in the city when he stated:

Now and you have huge swaths that are basically open-air drug markets. These homeless encampment areas where they congregate in large groups and we've basically had our tools stripped away from us to provide enforcement in that area. When I say tool stripped away from us, I'm talking about the ability to regulate camping on sidewalks or collecting all these huge piles of debris where either they're making structures out of debris and it is just an open-air drug market. The ground is literally littered with hypodermic syringes.

Steve gave one of the most poignant observations about the lack of enforcement based on Proposition 47. His words echoed in my mind long after the interview. He stated, "When there are no consequences for crime, there's more crime. And that's a sad part, because that means there are more victims and that's what I would like to not see happen."

Need for Community Support. A perception that effective policing requires community support emerged as being present in the lived experiences of the participants. Rick made it clear how critical the support of the community is to success when he stated that the public establishes police policy "through electing politicians that make laws, and also them voting on laws as the public. So, if they don't back us in what we do, we won't be effective at solving the problems of

society." Charles described the lived experience of striving to meet the community's desires but feeling the scrutiny of the methods he felt were necessary to reach those goals. He stated:

It's like making hot dogs. Nobody likes to know how hot dogs are made, but they like how they taste. And it's kind of similar how narcotics is. You're not going like how we would need to do the things we need to do to clean up neighborhoods and stop narcotic sales and use and weed shops and everything from popping up. But you would like the results if we did it.

Guy discussed his perspective of the changing values of the community. These values forced an adjustment in policing styles to maintain community support. Guy stated, "I think the public has reconciled to be okay with being victims of crime so long as they are not victims of what they perceive to be crimes and brutality by law enforcement." Sean expressed the joy that comes from meeting the needs of the community and thereby garnering their support when he stated:

The community was asking for us to intervene in narcotic sales because a lot of the crimes stemmed from narcotics possession from users and sellers. Stopping narcotic sales and users would reduce the crime in that area. And that was something that we did see by arresting those who were buying narcotics or possessing or selling. We saw that the area can be better and that's what the community wanted.

Rule of Law. Not surprisingly, the law enforcement officers who participated in this study described a desire to enforce the law. The desire was often expressed in conflict with the effects of Proposition 47 when discussed from the perspective of the participants' experiences. Bob expressed this conflict most clearly when he stated, "[Proposition 47] made policing

narcotics offenses almost obsolete." Thomas described the importance of being in a profession that is allowed to enforce laws. He stated:

I do find that helping the community is very important, but I also find that being able to enforce the law in my respective state is very important. And there have been some things in the not-too-distant past, in the current present, that kind of prohibit law enforcement in general from doing those things. So while I still believe that helping the community is very important, I am a strong and firm believer that enforcing the law is also very important for our profession and law enforcement.

Guy described how desensitization and acceptance of certain narcotics offenses had forced leaders within the government to acquiesce to the community's desires when he stated, "That's more of a moral, societal benefit argument. I felt like government and leadership had just surrendered to this weakness in our humanity. Instead of holding a standard, holding a line and saying, no, dope is bad." Guy summarized his experience by stating, "When you defelonize it particularly in the minds of civilians, you're tacitly condoning it, and you're saying 'Hey, it's not that serious. It's not that big of a deal.'" Charles lamented the idea that the conflict has progressed so far that the symptoms of losing control of the offenders have become visible. He explained that narcotics crimes could be prevented when he stated, "It's a super easy fix. Just stop making it a low-level crime and actually put some effort into it. Unfortunately, it's just something that's gotten so out of control now that it's going to take a lot of battling." Lastly, Adam explained the consequences of his perceived lack of support from not only the community but also the leaders within law enforcement. He stated that policing leaders should "let us do our jobs to the best of our ability, because if we don't do it, then crime's just going to get worse. We have to be able to do our jobs."

Proposition 47 Directly Increased Crime. The participants described how defelonization indirectly impacted their ability to be successful at reaching particular enforcement goals. At the same time, the participants claimed that the perceived unintended consequence of Proposition 47 was an increase in crime. Bob described the way defelonization allowed offenders to exit incarceration to re-offend quickly. He stated, "Not prosecuting or minimizing these offenses has led to an increase in violent crime and flooded the streets with dangerous drugs. Offenders continue to be released quickly only to carry out the same offenses or more serious crimes." Kung also spoke on the topic of misdemeanor offenders being released and allowed to commit property crimes to facilitate their addiction when he stated:

What happened after Proposition 47 facilitated a lot of these users to be able to easier for them to commit property crimes. If you're in the law enforcement, I believe 90% of us know that in order for you to be able to obtain the funds, to buy the narcotics a lot of these people resort to a theft and are not going to be working a 40-hour job and be able to have a regular job to be able to sustain your narcotic habits.

Charles discussed the same challenges from the perspective of gang members and their violent crimes. He stated:

Or now we're seeing former gang members who are just dope heads, just narcotics abusers. And that the gangs are using these guys now to say, Hey, here's a pistol. You want some dope, need you to go put in work real quick here, and we'll, we'll give you some and they'll do it. And it's surprising and alarming. We'll see a lot of transients nowadays with actual firearms.

Rick was clear in his description of the time before and after Proposition 47 was enacted when he said, "[Before Prop 47, I] saw the effects in suspects being in jail. After [Prop 47, I]

repeatedly saw the suspects out of jail to re-offend." Suzanne spoke with similar conviction about her lived experiences after the defeloning of narcotics offenses. She said, "They could then get released out in the field, giving them an opportunity to continue to commit crimes."

Justifications for Reduced Narcotics Enforcement

The next theme identified during the analysis of the data was *justifications for reduced narcotics enforcement*. This theme is described as a perceived waning desire to enforce narcotics violations of law, prompted primarily by the enactment of Proposition 47. Participants tended to rationalize their decisions to reduce their enforcement efforts into the following five sub-themes: *apathy, no consequences, not worth the effort, the public gave up, and misdemeanors are not important*.

Apathy. Participants described their experiences feeling and observing a dwindling desire to enforce laws. Proposition 47 seemed to play a significant role in the way apathy was manifest in discretionary decision-making. Adam described the phenomenon by using the word lazy to acknowledge the impropriety of reducing the enforcement. He stated, "You don't have that desire to want to just stop people. And it's Prop 47 that's a major contributor to that. . . . However, I think specifically with Prop 47 though, it's just made people lazier." Adam expanded on that idea when he stated, "You don't want to search as hard and that can be dangerous. . . . What if that person has a knife on him? What if that person has a gun that you didn't find, because you did a poor search?" Bob used a slang term for responding to calls slowly in the hopes that the problem would be solved during the lengthy response time. He described this as *Officer Time*. He stated, "The whole thing is just frustrating. It makes you just not even want to do it. . . . As the old phrase goes, let Officer Time handle." Melissa explained the level of apathy

from the perspective of uncooperative offenders. She described the phenomenon of letting them resist and eventually avoid consequences when she stated:

Back when I started almost 22 years ago, that's what we were taught. Ask, tell, do. So, you ask the suspect to comply. If he doesn't do it, you tell him to comply. If he still doesn't do it, then you would make him comply. Now it's more like, can you please, sir, sir, please, sir, please. No? Okay, bye... There's no point in working hard... [Proposition 47] killed my motivation.

Sean summarized the apathetic attitude toward narcotics enforcement when he stated, "Dealing with offenders became more of a nuisance after Prop 47." Charles went so far as to let a specialized certification lapse. He addressed that decision by saying, "[After Prop 47, I] no longer cared to maintain Drug Recognition Expert certification and didn't care to keep up with the expertise."

No Consequences. Although the lack of consequences was identified as a sub-theme under the main theme of *negative reinforcement (demotivators)*, the lived experience was rediscovered in a separate and distinctly different perspective of rationalizing actualized behavioral changes among the participants. For this reason, the sub-theme may be similarly named but addresses markedly different lived experiences as a *justification for reduced narcotics enforcement*. Melissa spoke on the subject of reducing her effort based on the lack of consequences but viewed this decision through the lens of keeping herself physically safe and avoiding the potential for discipline when she stated, "Nothing's going to happen with [the offender], and there's no reward. The only thing you're looking at is getting into a use of force, getting hurt and getting punished for something that you thought you were doing was the right thing." Charles rationalized the reduced effort by asking a rhetorical question: "This guy's going

to be back out. Why should I do it?" Thomas addressed the decision based on the speed at which offenders are released. He stated that when Proposition 47 was enacted, "the revolving door was installed in the city. And you would start seeing these people all the time. It became such a nuisance dealing with everybody, that's when narcotics-related arrests kind of took a back seat." Bob admitted there was a decline in initiating detentions of offenders because of the level of consequence when he explained, "The lack of consequences has led to a decline in stopping potential offenders through officer initiated contacts." Bob also asked a question that seemed to more clearly define the effect of consequences on the justification for reduced enforcement. He asked, "What would be the point of enforcing a law that nobody will ever face consequences for?"

Not Worth the Effort. During the discussion of reduced enforcement behaviors and subsequent justifications, the participants verbalized the cost-benefit analysis they conduct when making discretionary enforcement decisions. During participants' analysis, they assigned effort as the potential cost and several other factors as potential benefits that rarely outweighed the cost. Charles made a clear declaration of his analysis by saying, "I just don't feel it's worth my time to initiate a stop solely based on narcotics." Thomas described the effect of prioritizing the cost over the benefit when he stated:

When Prop 47 happened, it was like the e-brake on the car was thrown on and everything just came to an abrupt halt. And then it didn't really, it became not as worth it anymore. Now, I don't want to say that I never made another narcotics related arrest as a result of Prop 47. Those types of, those types of incidents became a kind of like a last resort type of thing.

Guy described the way the results of his analysis came as a surprise to him. He stated, "I used to arrest people for possession, as well as possession for sales and each of those had its own prosecutorial trajectory. It became a wake-up call, in terms of the value of my efforts in time and energy." Rick spoke for himself and his peers when he addressed the cost in terms of resources and logistics. He stated, "It's not cost-effective to enforce those laws now, due to it being a revolving door where it's a catch and release. That amount of time of doing all the paperwork, booking evidence, and stuff like that is still there." In summarizing his experience, Rick stated, "We're just spending a bunch of time doing paperwork for something that they're never really going to have to answer for people don't really go to jail anymore for any of those violations." Steve described his perception of wasted time, as well as the perceptions held by his fellow officers when he stated, "It would be a waste of time to actually get involved in enforcement action. . . . I think as the consequences for crime decrease the initiative to actually make arrests for those crimes diminished."

Steed did not hesitate to share his perspective on the subject of his cost–benefit analysis. Not only did the effort of enforcement factor into his decision, but also his inability to ensure rehabilitative treatment for the addicted offenders. Steed stated:

But I'll tell you and I'll be really bluntly, honest. We don't care. Like they've completely stripped away our ability to really do anything about it. So, say I do watch a guy go in and I see him come out and as he's leaving, he gives me probable cause to jam him up to stop and pull him out of his car. Something like that. What that does now is it creates two to three hours of paperwork for me. In order for me to just give him a ticket and have to book his dope. And I'll be honest with you. I'm not going to put that level of work into something where one, the person's not getting arrested. They're not going to be compelled

to go to treatment. They're not going to get any better. All they're going to do is find another homeless encampment to buy their dope from the next day.

The Public Gave Up. While many of the participants disagreed with the public opinion of crime, specifically narcotics offenses, the participants admitted they followed the community's desires that employs them and ultimately determines their effectiveness. Kung addressed the change in public opinion hoping that someday they will see the error in their thinking. Kung stated, "It's extremely important. It affects so many lives more directly. But I guess someday when they start really analyzing all the data, they could see that." RCB made it clear that his opinion of narcotic offenses remained the same, but his enforcement decisions changed based on the residents of his city and their wishes. RCB explained, "[After Proposition 47] my thoughts on [narcotics offenses] haven't changed. Actions, however, I've got to be a little more selective because it's been made clear that the city doesn't care about narcotics offenses." Rick went further in his explanation of rationale. He accounted for the wishes of the public he serves when he stated:

I didn't aggressively look for [narcotics] after Prop 47 as I did before because I looked at the bigger picture of what the public would want for me and my coworkers, that it's not worth the time to be spent on.

Sean also named the public as the impetus for his reduced narcotics enforcement. He stated:

I really lost a lot of, a lot of that pride and arresting people for narcotics. I felt like the public stopped that. They didn't care about narcotics anymore. They didn't care about it. It wasn't a big issue. It's hard for me to transition from it being a serious crime to now it's, it's no longer a serious crime. And I really lost interest. We weren't getting the same support as we were before. So, it just changed the whole dynamics of policing narcotics.

Misdemeanors Are Not Significant. One of the primary legislative changes produced by Proposition 47 was the defelonization of narcotics offenses. Since drug crimes were a felony before its enactment and a misdemeanor after, the participants discussed how this change became a justification for reduced enforcement. Charles addressed the cost–benefit analysis between making a misdemeanor arrest and the logistics associated with the arrest. He stated:

A lot of guys on the job are just kind of, over it. I'm going to go do all this for a misdemeanor? Why am I going to do all this? I have all this paper to do just for this misdemeanor.

Guy provided a similar sentiment regarding arresting offenders for mere possession of narcotics. He stated, "Those arrests for possession alone were not cementing themselves in a manner that I felt was rewarding enough for all of the effort and energy involved in making those arrests." Steed likened misdemeanor narcotics arrests to glorified citations. He expressed dismay in continuing his previous enforcement efforts for a misdemeanor: "I'm not going to do it for a glorified ticket. I'm just not going to do it, especially when this guy's not going to be compelled to get treatment. It's not going to take this guy off the streets." Finalizing that thought, Steed stated, "I'm at a point now where as long as they're keeping it in their little area and I'm not having them wander around areas where the good folks are living, then I really don't concern myself with it." Suzanne also addressed the citation aspect of misdemeanor arrests. She used traffic violations as an example of how low on the priority decision-making scale that citations can be. Suzanne stated:

Cite and release is the same level as stopping somebody for running a stop sign. I believe that if you're in possession of a narcotic, that's a crime, you deserve to go to jail, whether it's a day or two or 10 days, whatever our court system believes that you deserve for

possessing that narcotic, I believe that running a stop sign, a vehicle code should be a citation where you promise to appear to go to court at a certain day. I think it's two different things.

Steve compared the consequences for misdemeanor narcotics violations to the communist country in which he previously lived. Steve stated:

I lived in places or had been to places where they had the death penalty for drug offenses, and actually, I've always thought that the penalties for drug offenses were much too weak that we should have much stronger penalties, including up to the death penalty for drug trafficking. So, my own attitudes sort of was we're not really serious about what we're doing here, and it's a little bit futile, so I'm not going to invest too much in this, unless the criminal justice system and our society gets really serious about it.

RCB spoke through a unique perspective of being investigated for misconduct that was alleged during a narcotics investigation. He feared the investigators would not view misdemeanor offenses seriously enough to justify the benefit of the doubt in these investigations. He stated:

When I would start a narcotics investigation and it had the potential for a use of force, a complaint, something that may negatively impact me, I feel like the person that's going to investigate that, they're not going to see it as they did before. They're going to see it as I'm investigating a narcotics offense and seeing it as the equivalent of jaywalking. This person just likes to use [drugs]. It's no impact on you, me or the community, which I completely disagree with, but I don't think that I have that same backing.

Methods of Reduced Enforcement

The final theme discussed in this chapter was identified through the discussion of post-Proposition 47 decisions made by the participants. In the previously discussed theme of *justifications for reduced enforcement*, many officers admitted they made different discretionary decisions after the enactment of Proposition 47. This section transitions to the practical applications of their amended decisions to reduce narcotics enforcement. The following three sub-themes were identified in the spoken data: *ignore*, *stop looking*, and *cite and release*.

Ignore. The *ignore* sub-theme is described as the participant's ignoring narcotics violations they personally observed. Once Proposition 47 defeloned drug crimes, the officers were afforded additional discretion in enforcement decisions. Bob spoke to the additional discretionary allowances when he stated, "The result of Prop 47 gave officers more discretion and led to minimal enforcement." Melissa described the way she would react when she saw a narcotics offender. She explained, "A pedestrian acting all crazy in the street where we would normally have in the past, stopped them. You might just turn the corner and drive away now." Adam described a scenario in which he was training a new officer who did not notice a baggie of narcotics during a search. Adam was torn on how to handle the situation based on his reduced desire to find or enforce drug laws, but once the narcotics are recovered, his discretion is severely hampered. Adam stated:

This guy has got meth stuck on his arm because he was sleeping on it and didn't realize there's a little baggy, a little dime bag of meth stuck on his arm. And the [officer in training] is searching everywhere. Hasn't seen it yet. As somebody with time on, I don't want to find that. There it is though. It's right there in plain sight and there's nothing that you can do about it. . . . I just don't even want to see it.

Bob explained his tactic for ignoring potential narcotics violators when he stated, "I don't police narcotics offenses [post-Proposition 47] . . . [When I see narcotics suspects after Prop 47, I] smile and wave. Or not even unless it's a radio call or there's something specific about it."

Chris's desire to engage in discretionary enforcement also waned. He explained this phenomenon when he stated, "Unfortunately Prop 47 has made me not want to stop people." Charles provided an alternative to outright ignoring narcotics suspects. He used a technique of arresting them for an outstanding warrant, if one existed, in lieu of a new narcotics charge. He stated:

We'll take him to jail on the warrant. It's quicker, shorter, but less paperwork. Just less headache, less hassle, and the criminal's more happy. We're more happy. It's just, you know, the criminal [says] "Great. They're not going to put extra open charges on me. Not going waste their time. So, I'll be out of here quicker." And it's just got a lot of guys who just don't feel like wasting time on it.

Stop Looking. The sub-theme of *stop looking* described the technique to reduce the amount of narcotics enforcement in which officers engage by no longer seeking narcotics offenders. While this choice allowed them to enforce violations if they found themselves facing one, they were not proactive in their efforts to find drug offenders. Chris explained it by discussing the phenomenon of discovering narcotics without the intent to do so. Chris stated:

[Proposition 47] changed [narcotics policing] drastically. It's a last resort type of enforcement that I'll take. I'm not out there looking for it. If it comes across through another investigation that I'm conducting, obviously I'll deal with it when it falls into my lap. So to speak, but I'm not actively looking for narcotics users during my daily patrol duties.

Kung used similar phrasing to address the phenomenon of discovering narcotics without the specific intent to investigate that particular crime. Kung stated, "Unless it really fell on my lap. I stopped looking for it. It just wasn't worth it for me having an effort. I don't know how much more simpler maybe can I put it." Bob provided an example of how this phenomenon of accidentally finding narcotics may occur during an unrelated investigation. Bob stated:

I'll give you an example. I got a radio call essentially of it was an arson suspect. So, I found the arson suspect and detained the arson suspect. Going through her property, she was eventually arrested for arson. She had a baggie of I believe it was meth in her personal possession. So, I just took it and I booked it, but I didn't ask for any additional filing I didn't ask for it. It's only narcotics.

Melissa provided a similar example of the change in her investigative techniques and her desire to thoroughly search the belongings of an offender for fear that she may find drugs. She stated:

I'm not actively looking [for narcotics]. I suppose if I stopped somebody on the street, I wouldn't necessarily want to go rummaging through their backpack if I think there might be drugs and there's no other reason to go rummaging through their backpack. We used to want to find that stuff. Now, we actively don't want to. Like I'd much rather not find your drugs or your crack pipe or whatever.

Finally, Adam admitted that he and his peers often attempted to avoid stopping and detaining those who were likely to possess narcotics. Adam stated, "After Prop 47 other officers I worked with and I would find ourselves attempting to avoid stopping what is referred to as tweakers (meth users) or other suspicious individuals who appeared they may have narcotics on them."

Cite and Release. The cite and release sub-theme was defined as the discretion to utilize the newly authorized enforcement tool of citations in lieu of custodial arrest. Once Proposition 47 defeloned narcotics offenses, these citations became an authorized option for those who made the discretionary decision to enforce drug laws. Thomas succinctly explained his lived experience: "I would normally arrest and physically book for narcotics violations as a last resort. Most of the arrests became misdemeanor citations." Suzanne viewed this additional option as a positive consequence based on the amount of time necessary to complete the citation. She stated, "After Proposition 47, the process of a narcotic arrest would take less time. I am able to give a citation to the possessor." Steed discussed the negative aspects of this option regarding how difficult it can be to identify narcotics suspects without identification positively:

And now for instance, they want us to do a ticket, well, this person doesn't really have an address, but they don't want us to book them either. So, it's not like it's going to be a warrant that's worth a damn, many of them don't have good ID. So even if you do take them and book them, they get [fingerprinted] and just kicked right out the back.

Chris discussed more of the laborious aspects of arrests through the use of the citation option when he stated, "You still have to confiscate all the narcotics and you have to weigh it and book it as evidence and, and complete reports that way. So, it's still a fairly lengthy process to do." Finally, RCB addressed the challenge of not knowing the disposition of cases that originate with citations. RCB stated, "Nobody knows whether or not they even go to court in the future. I can't tell you the number of ticket-style narcotics arrests that I've made and I've never seen court for."

Answering the Research Questions

RQ 1: What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses?

This research question had a singular focus on how the participants viewed their ability to perform their duties concerning narcotics enforcement. With that in mind, although five themes were identified from the data, only one applied to the first research question: *capacity to enforce the law*. Through thorough analysis of the transcripts and questionnaires of the participants, five sub-themes were identified to inform *capacity to enforce the law*. These sub-themes were as follows: *perception of legislative failure, need for community support, rule of law, Proposition 47 directly increased crime, and reduced training and experience*.

RQ 2: What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

In analyzing the data associated with this study, four main themes were identified to address this research question: (a) *Negative reinforcement (demotivators)*; (b) *positive reinforcement (motivators)*; (c) *justifications for reduced narcotics enforcement*; and (d) *methods of reduced enforcement*. The researcher conducted detailed data analysis of the transcripts and questionnaires to develop five sub-themes for *negative reinforcement (demotivators)*. The following sub-themes emerged: *criminals are not afraid, lack of consequences, cannot prevent crime, cannot help the community, and out before the paperwork is done*. The second main theme identified was *positive reinforcement-motivators* and the sub-themes informing this main theme were *breaking the cycle of narcotics and crime, helping the addict, preventing crime through incapacitation, desire to help the community, and ego*. By reviewing the data associated with the third main theme, *justifications for reduced narcotics enforcement*, five additional sub-

themes emerged: *apathy, no consequences, not worth the effort, the public gave up, and misdemeanors are not important*. The final main theme addressing the first research question was *methods of reduced enforcement*, which contained the following three sub-themes: *ignore, stop looking, and cite and release*.

Summary

This chapter discussed the data analysis and subsequent findings of the study. The study's overview included a reiteration of the research questions, an introduction of the participants, and a thorough discussion of the findings. During data analysis, several themes and sub-themes emerged from the questionnaires and interviews. In the next chapter, there will be an exploration of the findings, a discussion of the implications for implementation in public policy, and a review of the limitations of this study.

CHAPTER FIVE: CONCLUSION

Overview

This transcendental phenomenological study explored how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. Within the context of this qualitative study, the researcher aimed to understand the self-efficacy of, and challenges to, police officers as it related to their experiences before and after Proposition 47 was ratified. This chapter details the summary of findings. A discussion of these findings follows, as well as an exploration of the existing literature to include the theoretical and empirical implications of the findings. Limitations and delimitations are addressed, and the concluding portion contains recommendations for future research.

To explore the impact Proposition 47 had on the lived experiences of law enforcement officers in Los Angeles County, this study was driven by two research questions:

RQ 1: What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses?

RQ 2: What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

Through the use of phenomenology, I gathered thick, rich descriptions of the participants' lived experiences. Transcendental phenomenology allows the researcher to look at the phenomenon while bracketing or removing themselves from the experience (Moustakas, 1994). By coding the interviews and questionnaires, I identified several themes and sub-themes. Five primary themes were identified: (a) negative reinforcement (demotivators), (b) positive reinforcement (motivators), (c) perceived capacity to enforce the law, (d) justifications for

reduced narcotics enforcement, and (e) methods of reduced enforcement. Of the five identified themes, only one, perceived capacity to enforce the law, applied to RQ1. The remaining four themes were used to answer RQ2.

Research Question One

What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses?

This research question had a singular focus on how the participants perceived their ability to perform their duties concerning narcotics enforcement. The concept of self-efficacy required an exploration of the participants' perceived capability to accomplish their occupational goals successfully. I initially identified the theme of capacity to enforce the law, but then the following sub-themes were identified during data analysis: perception of legislative failure, need for community support, rule of law, and Proposition 47 directly increased crime.

Research Question Two

What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

Unlike the first research question, several primary themes emerged when exploring RQ2: negative reinforcement (demotivators), positive reinforcement (motivators), justifications for reduced narcotics enforcement, and methods of reduced enforcement. Through thorough data analysis of the transcripts and questionnaires, I identified five sub-themes to negative reinforcement (demotivators). These themes were as follows: criminals are not afraid, lack of consequences, cannot prevent crime, cannot help the community, and out before the paperwork is done. The second theme that emerged was positive reinforcement (motivators), which had sub-themes of breaking the cycle of narcotics and crime, helping the addict, preventing crime through

incapacitation, desire to help the community, and ego. The data associated with the third theme, justifications for reduced narcotics enforcement, showed five additional sub-themes: apathy, no consequences, not worth the effort, the public gave up, and misdemeanors are not important. The final theme addressing RQ2 was methods of reduced enforcement, which contained the following three sub-themes: ignore, stop looking, and cite and release.

Discussion

This transcendental phenomenological study was conducted to explore how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. The rational choice theory was the primary theoretical framework that guided this study. I chose transcendental phenomenology as the research design, with participants selected through the use of purposeful sampling. Once selected, the 15 participants provided data through various sources. Open-ended questionnaires were completed online. I conducted semi-structured individual interviews with each participant. Reflexive memo journaling provided an opportunity for bracketing as the final aspect of data collection and analysis. In the following section, I discuss the findings of this study as they pertain to the theoretical and empirical literature explored in this study's literature review and evaluate how the current research has supported and conflicted with the current peer-reviewed literature.

Theoretical Literature

The theoretical framework for this study was the rational choice theory. The rational choice theory was initially introduced in 1789 by Jeremy Bentham and theorized that offenders complete a cost-benefit analysis of their criminal opportunities before deciding (Hassan et al., 2015; Pogarsky et al., 2017; Zhao et al., 2020). While exploring that concept, it became clear that

the rational choice theory also extends to law enforcement officers (Ramey & Steidley, 2018; Willis & Toronjo, 2019). Because each discretionary enforcement decision made by a law enforcement officer can result in positive or negative returns on their job satisfaction, career development, or safety, the rational choice theory was extended from offender application to the choices made by officers when deciding to enforce narcotics offenses post-Proposition 47. The participants in this study provided data that described how their decisions were affected by the factors that Proposition 47 implemented within the law enforcement profession.

Of the 15 participants, 13 provided descriptive lived experiences in which they perceived offenders were no longer fearful of violating the law. Additionally, the sub-theme of lack of consequences emerged. Twelve of the participants described that the punitive exposure was not significant enough after Proposition 47 to prevent an increase in crime. The leverage of incarceration informed the participants' decision to enforce narcotics laws. This finding supports the findings of Grattet et al. (2017), who found that a reduction in penalties may have led to a corresponding lack of motivation to make arrests for those associated crimes.

Although the perceived leverage enabled by punitive exposure affected officer motivations, the manifestation of those motivations was a more significant concept. While offenders, as well as officers, maintain the ability to make rational decisions, many participants elected to reduce their enforcement efforts. Ten of the participants expressed an onset of apathy that led to reduced enforcement. This finding is contrary to previous research findings in which officers tended to be motivated to continue their previous behaviors and discount alternative solutions regardless of legislative changes (Pearson et al., 2018). Similarly, the theoretical framework defining the officers' discretionary decisions as a cost–benefit analysis was extended when the participants described their decision methods when electing to enforce or ignore

narcotics violations. Participants like Rick, Sean, and Suzanne detailed how their perception of a "revolving door" of incarceration negatively impacted their enforcement efforts. Although this reduction in enforcement was a reluctant change according to most of the data, many participants felt their choice comported with the new ideals of the community and subsequently their agency. This choice to adjust their efforts to meet the organizational goals is in line with the findings of Pelfrey and Keener (2016), who also found that law enforcement officers will align their employment decisions with their organizational directions. Steve provided his perceptions that supervisors within their agency no longer cared about these narcotics offenses. That informed their decision to reduce their efforts.

In viewing the data through the lens of the rational choice theory, 10 of the 15 participants described how the growth of internal apathy informed their discretionary decisions when crimes occurred in their presence. Primarily, they rationalized their failure to enforce narcotics offenses by discussing the reduction in penalty and consequences. The deliberate avoidance of punitive action corroborates Grattet et al.'s (2017) findings, who found that as criminal penalties were reduced, law enforcement officers became discouraged from resorting to arrests. Twelve of the participants described the results of their decisions to cease or outright avoid the enforcement of narcotics crimes post-Proposition 47. Participants recounted coming to the realization that the cost of engaging in enforcement outweighed the benefits to them, their organization, and society. This realization supported the findings of Mooney et al. (2018, 2019) and Bird et al. (2020), who discovered Proposition 47 reduced re-arrests and re-convictions.

Empirical Literature

Negative Reinforcement (Demotivators)

Participants gave descriptions of their decision-making process to determine subsequent enforcement actions. At some point during data collection, every participant spoke of their demotivators and rationale for reduced narcotics enforcement. Two primary factors emerged when the participants described struggling with the idea that offenders no longer feared consequences enough to deter their unlawful behavior. This finding supports Ishoy and Dabney's (2018) findings that contrition and blameworthiness of the offender played significant roles in officers' discretionary decisions. Additionally, the findings of Mears et al. (2017) were also supported related to the role that offender perception plays in discretionary enforcement decisions.

Positive Reinforcement (Motivators)

A majority of the participants detailed their desire to reduce the rate of crimes associated with narcotics use. Property crimes were the offenses most often discussed as a method of funding the offender's addiction. This finding refutes the findings of Maier et al. (2017), whose research indicated a reduction in property crime post-Proposition 47.

The participants described an innate desire to make positive steps toward rehabilitating addicted offenders, even by way of punitive acts such as incarceration, to aid the offender in overcoming the underlying causations of addiction. This finding confirms the findings of Brouwer et al. (2018), who discovered that officers' desire to act is a powerful force. Much like Brouwer et al., this study refutes the findings of Johnson and LaFrance (2016) and Buvik (2016), who found a decrease in productivity when less labor-intensive options are available.

Many of the participants identified ego as a motivating factor to engage in narcotics enforcement. The felonious aspect of the crime led to the introduction of terminology like “good arrest” and “atta boy” to describe the quality of their enforcement and the acknowledgments. These findings extend the findings of Johnson and LaFrance (2016), who, in turn, corroborated the research of Buvik (2016) as it related to the inversely proportional relationship between the number of arrests and career length.

Capacity to Enforce the Law

Participants perceived an inability to enforce the law effectively, specifically narcotics offenses, as a consequence of Proposition 47. There was a prevalent perception that the legislation directly caused an increase in property crime. While these findings are based on the perceptions and lived experiences of the participants, they do not support the findings of Maier et al. (2017), who found that crime rates, with the exception of homicide, universally declined during the period after the decriminalization of narcotics.

Justifications for Reduced Narcotics Enforcement

The participants each had unique experiences that brought them together in their shared profession of law enforcement. Participants perceived Proposition 47 resulted in a reduction in their narcotics enforcement efforts. Many of the participants described their rationale. Apathy was overwhelmingly the most common rationale to justify their reduced efforts. These findings did not support Pearson et al. (2018), whose research indicated that officers tend to maintain their previous enforcement decisions regardless of legislative changes.

Methods of Reduced Enforcement

Participants not only justified their rationale for diminished interest and actualization within the subject of narcotics enforcement but also provided examples of how their reduced

efforts were manifest through their lived experiences of seeing narcotics violations and making the discretionary decision to continue without engaging the offender or confronting the violator. The data suggesting that officers actively ignored narcotics offenses support the findings that officers chose the easiest method of resolving police contacts (Buvik, 2016). Current peer-reviewed literature has shown a reduction in arrests post-Proposition 47 (Bird et al., 2020). The findings of this study are consistent with that literature; however, the reduced arrest rates could be informed by the lower enforcement rates rather than reduced rates of offense.

Participants in this study described a lived experience beyond choosing not to act on observed criminal activity; apart from ignoring violations they observed, these officers often stop looking for narcotics violations altogether. Law enforcement officers went out of their way to avoid encountering narcotics violations post-Proposition 47. Previous research indicated that officers chose the easiest method of resolution (Buvik, 2016). Outright avoidance may point to a manifestation of this method.

The enactment of Proposition 47 reduced most narcotics violations from felonies to misdemeanors. This defelonization provided law enforcers with additional discretionary options of enforcement. Among these options was a policy that allowed officers to cite and release the offender in the field in lieu of physical arrest and booking into jail. Officers tend to select the least restrictive method of resolution (Pearson et al., 2018). Although the participants were divided on their support of cite and release, their acceptance of it supports Pearson et al.'s research.

Implications

This transcendental phenomenological study explored how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement

behaviors when policing narcotics crimes. The following section contains a discussion of the theoretical, empirical, and practical implications of the study. Recommendations for legislators, law enforcement administrators, and practitioners is also addressed.

Theoretical

This study explored the challenges presented to law enforcement officers in Los Angeles County post-Proposition 47. Rational choice theory provided the framework for the research. The findings indicated that demotivational factors such as negative reinforcement impacted the officers' decisions to engage in discretionary enforcement behaviors. A lack of consequences and the perception that criminals are no longer scared to violate the law negatively influenced the officers' desire to enforce narcotics offenses. Bentham theorized that decisions result from a cost-benefit analysis, and decisions can be deterred with proper negative reinforcement (Hassan et al., 2015; Tomlinson, 2016).

While Jeremy Bentham originally wrote of rational choice decisions among offenders, the theoretical structure also applies to law enforcement officers' decisions to engage in discretionary enforcement options. In the current study, once Proposition 47 defelonized narcotics violations, officers were no longer mandated to take action on the newly categorized misdemeanor crimes. The participants described the process of their decision-making process when they justified reducing their narcotics enforcement by claiming it was not worth the effort. Their analysis ultimately led to feelings of apathy and manifested in reduced enforcement.

The expansion of Jeremy Bentham's rational choice theory from offender application is crucial to understanding any discretionary decision. In much the same way offenders can be deterred from committing crimes if the consequences are adequately effective, this study provided evidence which showed that law enforcement officers could be similarly dissuaded

from engaging in enforcement behaviors if the negative reinforcement is sufficient to impact their cost–benefit analysis.

Empirical

This study resulted in an intriguing combination of predictable and surprising findings. The first significant implication of this research was the specificities of the motivational factors among the officers who participated in the study. Specifically, officers were motivated by the positive reinforcement involved with incarcerating those who violated drug laws. The benefits of incarceration were twofold. Firstly, the officers believed that imprisonment provided an opportunity for compelled drug treatment and rehabilitation. Secondly, incarceration-based incapacitation prevented future victimization. The final motivating factor for the participants was ego-driven. Many participants indicated that the felonious nature of drug arrests led to a perception of respect among their peers and supervisors. This additional respect improved their status within the workplace and improved their perceived career success. Post-Proposition 47, removing narcotics violations from the felonious category resulted in a reduced level of respect from law enforcement peers that those arrests fueled.

The second empirical implication is the perception that Proposition 47 reduced the participants' capacity to enforce the law. The data showed that officers believed the defelonization of narcotics crimes directly resulted in an increase in crime, specifically property crime. Nearly every participant indicated a connection between drug addiction and the theft-related crimes necessary to fund that addiction, such as the burglaries and shopliftings described in the interviews. The lack of incapacitation through reduced penalties was perceived as a primary factor in the increased crime rates within the study's setting.

The third implication was the participants' overt decision to reduce their enforcement efforts as they apply to narcotics violations. Officers justified their decision to disengage based on several factors. Officers indicated their apathy removed the motivation to enforce drug laws. The lack of consequences, combined with the perception that misdemeanor crimes were not significant enough, resulted in a perception that enforcing narcotics violations was not worth the effort. These revelations hold significant implications by which the stakeholders associated with Proposition 47 can better understand the motivation, and more importantly, the demotivation of law enforcement officers. The following section contains a further discussion of this aspect.

Practical

The implications of this study should be of significance to several stakeholders affected by the impact of legislative defelonization like Proposition 47. These parties include legislators, law enforcement administrators, and the practitioners themselves. Legislators are, by definition, the farthest removed from the daily impact of this legislation. By proximity and through occupational function, legislators rarely have an opportunity to see policing firsthand. Like much of the public, the policing that lawmakers see is often remarkable and newsworthy but rarely associated with the mundane discretionary decisions discussed in this study. They must rely on the information they receive by way of lobbyists and chief administrators. The latter is discussed in the next section. With regard to the lobbying efforts, the picture of daily policing decisions will necessarily be biased toward the organizational motivations of those providing the information. Although the motivation to author this type of defelonization may have been a concern for over-policing and reduction of prison overpopulation, this study's findings suggest several unintended consequences due to the implementation. Legislators must address the perception of increased crime, specifically property crimes, that resulted from Proposition 47.

The participants described the increase in blatant crime when offenders either do not fear the consequences or do not experience consequences, which is a phenomenon no politician desires.

Secondly, law enforcement administrators must understand that the discretionary decisions made by their employees are significantly impacted by legislative change. The perception that Proposition 47 caused an impact that was in direct opposition to the mission of law enforcement created a feeling of apathy among the officers in this study. Law enforcement leaders would be remiss if they did not address this potential. Being in a leadership role in law enforcement can be a political position. Whether the leader is an elected sheriff or an appointed chief of police, the opportunity to endorse pending legislation exists. Leaders must be wary of supporting legislative change that has the potential to impact their workforce negatively.

Secondly, these administrators must be aware of how apathy and the accompanying negative emotions manifest among their subordinates. By making themselves and the chain of supervision within the organization aware of the potential impacts, the justifications for reduced narcotics enforcement and subsequent methods of reduced enforcement can be mitigated. Consistent with management responsibilities, the ideals and goals of the organization are dictated by the agency's chief administrator. This vision must be passed down the chain of command to communicate and garner voluntary compliance from the subordinate employees effectively. When legislative mandates like Proposition 47 drive policy changes, support for these changes should be transparently demonstrated for the entirety of the organization to avoid some of the negative cultural reinforcements discussed by the participants. This phenomenon is most clearly observed in officers' perception of losing the admiration of supervisors when felony arrest numbers declined after defelonization.

Another implication of this study is directed toward the officers represented by the participants. Law enforcement officers must not rely on their leaders to dictate how they react to legislative change. The onus is on the individual to understand that change is inevitable in policing. Many of these changes are driven through legislative action. Those feelings can be redirected toward positive contributions instead of embracing a perception of legislative failure that subsequently drives negative emotion. Officers who recognize the signs and symptoms of apathy as they develop among their coworkers have an opportunity to create a network of peer support as a method of preventing the spiral into reduced enforcement effort. Secondly, in the jurisdictions that legally allow members of law enforcement agencies to engage in labor union activities, the recognition of potentially harmful legislation can be a catalyst for voicing dissent through lobbying efforts. Taking ownership of the occupational knowledge and educating legislators about the unintended consequences related to defelonization can create a symbiotic relationship that may prevent the perceptions that these participants experienced.

The final implication from this study affects the district attorneys and city attorneys who prosecute the narcotics cases in question. The current district attorney in Los Angeles County, George Gascon, proposed Proposition 47 while serving as district attorney of San Francisco County (Dooley-Sammuli et al., 2015). The unintended consequences of this legislation that came to light in this study are critical of Proposition 47. They can create animosity between the prosecutorial and the enforcement branches of government in the county. Directing the analysis more globally throughout counties outside of Los Angeles, the district attorneys should be aware of officers that described their perceptions related to prosecutorial discretion. More effective communication between these two branches of government could prevent feelings of animus through transparency.

Delimitations and Limitations

The purpose of this study necessarily created a delimitation among the population. By exploring how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes, specific criteria for the participants were required. Participants were required to have at least 10 years of combined continuous law enforcement employment within Los Angeles County before and after the implementation of Proposition 47. Each participant must have been assigned to a non-supervisory patrol capacity before and after the enactment of Proposition 47 in 2014. Patrol was defined as the default assignment for a police officer whose primary responsibility is answering calls for service compared to an assignment to a specialized enforcement unit (e.g., vice, narcotics, etc.).

The first criterion ensured each participant had adequate law enforcement experience before and after the enactment of Proposition 47 to conduct a thorough comparison of their lived experiences during each time period. The second criterion was established to verify the lived experience of making discretionary enforcement decisions. Law enforcement supervisors often experience daily activities differently than their subordinates, who are tasked with more enforcement responsibilities rather than managerial responsibilities. Finally, Proposition 47 is California legislation. The setting of this study necessitated that the participants experienced the phenomenon while enforcing laws in that jurisdiction, and more specifically, within Los Angeles County.

Certain factors are beyond the control of the researcher. These limitations are present in every study, including this research (Queirós et al., 2017). The participants were recruited through purposeful sampling, which allowed those who volunteered to know the general nature

of the study. Based on the passionate responses from many of the participants, the subject of Proposition 47 evoked powerful and primarily negative emotion. This reaction creates an opportunity for the social desirability effect. Heo (2021) defined the social desirability effect as "a tendency to respond as the way which people think socially desirable" (p. 969). Proposition 47 is held with such low regard within the setting that the popular responses would necessarily be negative. Additionally, participants' motivation to volunteer for a study researching a topic with such passion may suggest that those who felt the strongest about the topic would be more motivated to volunteer.

The demographic representation was a limitation in this study. When purposeful sampling is used to recruit participants, the ability to ensure a diverse population can be severely reduced because the focus of recruiting is based on the ability of the participants to speak to the research questions rather than seeking cross-sectional diversity within a given population (Creswell & Poth, 2018). Of the 15 participants in this study, only two were female. Only one participant possessed an advanced degree. Despite the setting's agency having a majority of Hispanic officers, eight of the 15 participants were White. While the geographic representation may initially appear to be a limitation in this study, those criteria were necessary to address the limited scope of the study's setting. That aspect is discussed further in the section addressing recommendations for future research.

Recommendations for Future Research

As the researcher, I purposefully used a narrow lens to understand how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. The limitations provide an opportunity for future scholars to expand upon the current research. This research was informed, in part,

based on a gap in research of Proposition 47. The majority of previous studies utilized quantitative methodologies to examine Proposition 47 in the light of arrest and crime rates (Arredondo et al., 2017; R. R. Johnson & Lafrance, 2016; Vitkauskas, 2017; Woods, 2016). Seeing the need for qualitative research examining the officers' motivations then helped create the framework for the current study. The findings from this study have shown the demotivators that resulted in the participants' enforcement reductions. Future research should use a quantitative methodology to examine the arrest rates of officers to determine if they reduced enforcement altogether or redirected their enforcement efforts toward different offenses post-Proposition 47.

Five states have passed defelonization legislation. These states are California, Utah, Connecticut, Alaska, and Oklahoma (Bird et al., 2020). It is recommended that future scholars conduct research to examine the lived experiences of officers in one of the other four jurisdictions affected by the defelonization of narcotics. Gender and age have been previously studied as factors in arrest rates (Mears et al., 2017; Schulenberg, 2016), but those demographics were examined as applied to the offender. Additional research should also include a population of female officers and explore the hypothesis that motivations may differ between male and female law enforcement officers.

Summary

The purpose of this qualitative study was to explore how law enforcement officers in Los Angeles County described their lived experiences of engaging in discretionary enforcement behaviors when policing narcotics crimes. I used a transcendental phenomenological design to understand how the participants perceived their lived experiences while making those enforcement decisions post-Proposition 47. The theoretical framework for the research was the

rational choice theory. Still, unlike the bulk of previous research that focused on the choice of offenders, I transitioned to the choices made by law enforcement officers and how Proposition 47 deterred enforcement decisions. Two research questions informed this study: What does Proposition 47 mean to law enforcement officers in Los Angeles County in relation to their self-efficacy to police narcotic offenses? What do law enforcement officers in Los Angeles County share as challenges when policing narcotic offenses in their communities after the ratification of Proposition 47?

The current study found that officers have motivating factors that increase their desire to enforce the law. Ego was a primary motivating factor in that the more significant the arrest, the more admiration from peers and supervisors is awarded to the officer making those arrests. Unfortunately, true to the rational choice theory, officers can be dissuaded from making enforcement decisions if the negative reinforcement is sufficient. The current study found that those same officers can be demotivated through perceptions that the arrests lack consequences and criminals are not fearful of the repercussion of violating the law. Ultimately, Proposition 47 led to reduced narcotics enforcement among the participants. They justified their diminished effort through apathy and the results of a cost–benefit analysis. The participants elected to cite and release the narcotics offenders in the field, ignored the observed violations, or stopped looking for narcotics violations altogether. Stakeholders, to include legislators, law enforcement administrators, and the practitioners themselves, can benefit from the findings in this study to inform legislation in the future that risks demotivating officers and ultimately causing a cessation in enforcement behaviors.

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APPENDICES

Appendix A: IRB Approval Letter

LIBERTY UNIVERSITY

INSTITUTIONAL REVIEW BOARD

July 13, 2021

Stephen Bell
Joshua Adams

Re: IRB Exemption - IRB-FY20-21-848 DEFELONIZATION AND POLICE DECISION-MAKING: A PHENOMENOLOGICAL STUDY OF POLICING BEHAVIORS IN LOS ANGELES COUNTY POST PROPOSITION 47

Dear Stephen Bell, Joshua Adams:

The Liberty University Institutional Review Board (IRB) has reviewed your application in accordance with the Office for Human Research Protections (OHRP) and Food and Drug Administration (FDA) regulations and finds your study to be exempt from further IRB review. This means you may begin your research with the data safeguarding methods mentioned in your approved application, and no further IRB oversight is required.

Your study falls under the following exemption category, which identifies specific situations in which human participants research is exempt from the policy set forth in 45 CFR 46:

101(b):

Category 2.(iii). Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior (including visual or auditory recording) if at least one of the following criteria is met:

The information obtained is recorded by the investigator in such a manner that the identity of the human subjects can readily be ascertained, directly or through identifiers linked to the subjects, and an IRB conducts a limited IRB review to make the determination required by §46.111(a)(7).

Your stamped consent form(s) and final versions of your study documents can be found under the Attachments tab within the Submission Details section of your study on Cayuse IRB. Your stamped consent form(s) should be copied and used to gain the consent of your research participants. If you plan to provide your consent information electronically, the contents of the attached consent document(s) should be made available without alteration.

Please note that this exemption only applies to your current research application, and any modifications to your protocol must be reported to the Liberty University IRB for verification of continued exemption status. You may report these changes by completing a modification submission through your Cayuse IRB account.

If you have any questions about this exemption or need assistance in determining whether possible modifications to your protocol would change your exemption status, please email us at irb@liberty.edu.

Sincerely,

G. Michele Baker, MA, CIP

Administrative Chair of Institutional Research

Research Ethics Office

Appendix B: Semi-Structured Interview Guide

Demographic Information

1. What is your gender?
 - a. Male
 - b. Female
 - c. Non-Binary
 - d. Other
 - e. Decline to state

2. What is your age?
 - a. 20–29 years
 - b. 30–39 years
 - c. 40–49 years
 - d. 50–59 years
 - e. 60–69 years

3. How would you identify your race?
 - a. White
 - b. Black or African American
 - c. Hispanic
 - d. American Indian or Alaska Native
 - e. Asian
 - f. Native Hawaiian or other Pacific Islander
 - g. Other _____

4. What is your highest level of education?

- a. GED
- b. High School
- c. Some College
- d. Associates Degree
- e. Bachelor's Degree
- f. Master's Degree
- g. Doctoral Degree

5. Law Enforcement Experience

- a. 0–5 years
- b. 6–10 years
- c. 11–15 years
- d. 16–20 years
- e. 21–25 years
- f. 26–30 years
- g. 31–35 years
- h. More than 35 years

Data Collection

1. Please introduce yourself to me in relation to your position in law enforcement, as if we just met one another.
2. What motivated you to pursue a career in law enforcement?
3. What do you see as the most important aspect of your job?

4. Walk me through your process of detecting a person who is in possession of narcotics.
5. Tell me about a time, before Proposition 47, that you initiated an enforcement stop to investigate a narcotics offense.
6. How does that scenario change, if any, now that Proposition 47 is in place?
7. Prior to Prop 47, what were your thoughts about narcotics' offenses
8. What were your primary reasons for initiating a narcotics offense prior to Prop 47?
9. What was satisfying about initiating a narcotics investigation prior to Prop 47?
10. What was frustrating, if at all, about initiating a narcotics investigation prior to Prop 47?
11. Post-Prop 47, what are your thoughts about narcotics offenses?
12. What is satisfying, if at all, about narcotics' policing post-Prop 47?
13. What is frustrating, if at all, about narcotics' policing post-Prop 47?
14. How did the enactment of Proposition 47, if at all, change the way you police narcotics offenses?

Probing Questions

-Continuation probes

“Tell me more...”

-Elaboration probes

“Tell me more about that...”

-Verbal Agreement probes

“Yes, ok...”

-Clarification probes

“You said ____. What does that mean to you?”

-Steering probes

“Let’s get back to when you said ____....”

-Evidence probes

“Tell me about a situation when something like that happened?”

-Echo probes

The interviewer repeats the participant’s response to encourage elaboration.

-Silent probes

The interviewer remains silent to encourage the participant to think out loud.

Appendix C: Questionnaire Questions

1. What were some of the ways, if any, Proposition 47 benefited your ability to police narcotics offenses?
2. Describe the challenges you faced, if any, after Proposition 47 in carrying out your duties as an officer.
3. In what ways, if any, did Proposition 47 affect the way you decide to use discretion in stopping people?
4. Given your experience with Proposition 47, how would you compare the stop of a person in possession of narcotics before and after Proposition 47?
5. How did your enforcement tools change before and after Proposition 47?

Appendix D: Recruitment Flyer

Research Participants Needed

For a Study of Defelonization and Police Decision-Making



- Are you a peace officer with more than 10 years of experience?
- Did you work in a non-supervisory patrol assignment before and after 2014?

If you answered **yes** to both of these questions, you may be eligible to participate in a research study.

The purpose of this research is to understand the effects and challenges of decriminalization, in the form of Proposition 47, on discretionary enforcement of narcotics offenses in Los Angeles County.

Participants will be asked to complete an online questionnaire and an online, audio-recorded interview via Zoom. The questionnaire and interview will take approximately 45 minutes each to complete.

Participants who complete the questionnaire and interview will receive a \$15 Amazon.com gift card as compensation for their time via email.

If you would like to participate, please contact the researcher at the phone number or email address provided below.

A consent document is provided as the first page of the questionnaire.

Stephen Bell, a doctoral candidate in the Helms School of Government at Liberty University, is conducting this study.

Please contact Stephen Bell at [REDACTED] or [REDACTED] for more information.

Liberty University IRB – 1971 University Blvd., Green Hall 2845, Lynchburg, VA 24515

Appendix E: ORP Permission Letter

Stephen Bell
Doctoral Candidate
Liberty University

Dear Stephen Bell:

After careful review of your research proposal entitled *Defelonization and Police Decision-Making: A Phenomenological Study of Policing Behaviors in Los Angeles County Post Proposition 4*, I have decided to grant you permission to access our membership and invite them to participate in your study.

Sincerely,



Moderator
Objective Rally Point

Appendix F: Informed Consent

Title of the Project: Defelonization and Police Decision-Making: A Phenomenological Study of Policing Behaviors in Los Angeles County Post-Proposition 47

Principal Investigator: Stephen Bell, Liberty University, Ph.D. Candidate

Invitation to be Part of a Research Study

You are invited to participate in a research study. In order to participate, you must be a peace officer in Los Angeles, California County with more than ten years of experience who was assigned to non-supervisory uniformed patrol assignments before and after 2014. Taking part in this research project is voluntary.

Please take time to read this entire form and ask questions before deciding whether to take part in this research project.

What is the study about and why is it being done?

The purpose of this research is to understand the effects and challenges of decriminalization, in the form of Proposition 47, on discretionary enforcement of narcotics offenses in Los Angeles County.

What will happen if you take part in this study?

If you agree to be in this study, I would ask you to do the following things:

1. Complete an online questionnaire, via Google Forms, with open-ended questions related to the research topic. The questionnaire will take approximately 45 minutes to complete.
2. Complete an audio-recorded interview conducted via Zoom video conferencing. The interview will be recorded, but the video function will be deactivated to ensure anonymity. The interview is scheduled to last approximately 45 minutes. After the data has been analyzed, participants will be given an opportunity to review the findings to verify accuracy

How could you or others benefit from this study?

Participants should not expect to receive a direct benefit from taking part in this study.

Benefits to society could include the data collected aiding lawmakers in identifying potential unintended consequences to discretionary enforcement decisions associated with the decriminalization of drug laws.

What risks might you experience from being in this study?

The risks involved in this study are minimal, which means they are equal to the risks you would encounter in everyday life.

How will personal information be protected?

The records of this study will be kept private. Published reports will not include any information that will make it possible to identify a subject. Research records will be stored securely, and only

the researcher will have access to the records. Data collected from you may be shared for use in future research studies or with other researchers. If data collected from you is shared, any information that could identify you, if applicable, will be removed before the data is shared.

- Participant responses will be kept confidential through the use of pseudonyms chosen by the participant. Interviews will be conducted in a location where others will not easily overhear the conversation.
- Data will be stored on a password-locked USB drive and may be used in future presentations. After three years, all electronic records will be deleted.
- Interviews will be recorded and transcribed. Recordings will be stored on a password-locked computer for three years and then erased. Only the researcher will have access to these recordings.

How will you be compensated for being part of the study?

Participants will be compensated for participating in this study. Each participant who completes both the questionnaire and the interview portions will receive a \$15 Amazon.com gift card via email.

Does the researcher have any conflicts of interest?

The researcher serves as a supervisor at the [REDACTED]. To limit potential or perceived conflicts, the researcher will ensure no participants are under his direct supervision or influence. This disclosure is made so that you can decide if this relationship will affect your willingness to participate in this study. No action will be taken against an individual based on his or her decision to participate in this study.

Is study participation voluntary?

Participation in this study is voluntary. Your decision whether to participate will not affect your current or future relations with Liberty University, the [REDACTED], or the [REDACTED]. If you decide to participate, you are free to not answer any question or withdraw at any time without affecting those relationships.

What should you do if you decide to withdraw from the study?

If you choose to withdraw from the study, please contact the researcher at the email address/phone number included in the next paragraph. Should you choose to withdraw, data collected from you will be destroyed immediately and will not be included in this study.

Whom do you contact if you have questions or concerns about the study?

The researcher conducting this study is Stephen Bell. You may ask any questions you have now. If you have questions later, **you are encouraged** to contact him at [REDACTED] and/or SBell25@Liberty.edu. You may also contact the researcher's faculty sponsor, Dr. Joshua Adams, at [REDACTED].

Whom do you contact if you have questions about your rights as a research participant?

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher, **you are encouraged** to contact the Institutional Review Board, 1971 University Blvd., Green Hall Ste. 2845, Lynchburg, VA 24515 or email at irb@liberty.edu.

Disclaimer: The Institutional Review Board (IRB) is tasked with ensuring that human subjects research will be conducted in an ethical manner as defined and required by federal regulations. The topics covered and viewpoints expressed or alluded to by student and faculty researchers are those of the researchers and do not necessarily reflect the official policies or positions of Liberty University.

Your Consent

By signing this document, you are agreeing to be in this study. Make sure you understand what the study is about before you sign. You will be given a copy of this document for your records. The researcher will keep a copy with the study records. If you have any questions about the study after you sign this document, you can contact the researcher using the information provided above.

I have read and understood the above information. I have asked questions and have received answers. I consent to participate in the study.

The researcher has my permission to audio-record me as part of my participation in this study.

Printed Subject Name

Signature & Date