PERSPECTIVES ON SOCIAL WORK

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Perspectives on Social Work

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EDITORIAL – Promoting Doctoral Student Scholarship in *Perspectives on Social Work*

The social work doctoral student community offers valuable contributions to advance social justice and empower vulnerable populations within social work education, research, practice and policy. The scholarly efforts of social work doctoral students often work to push social work forward across a variety of domains, and doctoral student voices bring unique knowledge and experience to the field of social work. As a student-led doctoral student research journal, *Perspectives on Social Work* serves as a platform to promote the knowledge and scholarship of social work doctoral students while also offering students the opportunity to publish articles, participate in the peer review process and connect with other doctoral students. *Perspectives on Social Work* emphasizes the importance of student research and seeks to provide students with experiences to continue enhancing their skills within social work scholarship.

Two articles are featured in this issue of *Perspectives on Social Work* that highlight how social work doctoral students strive to offer unique insights into research and practice. Haney & Ayala (2022) offer findings from a qualitative study guided by feminist ethnography exploring how university women understand the intersection between consent and gender norms to inform consent promotion within sexual violence education initiatives on university campuses. Haney & Ayala (2022) present the complex understandings of consent and communicating consent, including differing definitions across varying situations and how relationship status interacts with consent. The authors present specific recommendations for consent promotion and education among university students that emphasize the complexities of navigating consent. Otis (2022) explores and advocates for the use of a restorative approach for police complaints in the U.S. After highlighting the problematic nature of filing a complaint, including lack of transparency and community involvement, Otis (2022) outlines a restorative model that could reinvigorate community policing and begin healing within communities. The author also suggests solutions to potential barriers in implementation and highlights the role of social work in advocating for and working within this restorative justice approach. As these articles indicate, *Perspectives on Social Work* seeks to promote the contributions that social work doctoral students make to social work research and practice.

Through the work and efforts of our doctoral student authors, peer reviewers and editorial board members, *Perspectives on Social Work* is able to publish each issue featuring doctoral students' scholarship. *Perspectives on Social Work* invites social work doctoral students to join our community as authors and peer reviewers to gain exposure and insight into the publication process and enhance scholarly writing skills. We hope that *Perspectives on Social Work* continues to serve as a platform for sharing the scholarly contributions of social work doctoral students as we strive to advance social work research, practice and policy.

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The intersection of consent and gender norms amongst university women in Canada

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Abstract

Women attending university are at increased risk of experiencing sexual violence in Canada. Yet there is a paucity of literature, specifically in the Canadian context, that explores conditions that allow sexual violence to thrive. One method of attempting to reduce sexual violence on university campuses is consent education, yet there is little qualitative evidence to support nuances of understanding consent and communicating consent in Canada. To gain a better understanding of the elements of consent relevant to sexual violence education, this study explored the intersection of consent and gender norms amongst 11 university women in Canada. Guided by feminist ethnography and using semi-structured interviews, results revealed three distinct themes related to how participants understood consent. Results showed that many participants upheld heteronormative and hegemonic ideas of gender in relation to consent. In order to further this area of research, we conclude with distinct policy and practice recommendations relevant for social workers, educators, and researchers.

Keywords: consent, gender, sexuality, sexual violence, postsecondary

The intersection of consent and gender norms amongst university women in Canada

One in five women attending university in Canada will experience sexual violence (Schwartz, 2018). Sexual violence involves any violence, whether physical or psychological, carried out without consent from all parties through sexual means, or by targeting sexuality. On university campuses, there are broad norms that can influence the incidence of sexual violence. In a review, Muehlenhard et al. (2016) outlined how students' limited knowledge about sex, gender expectations, party culture, and alcohol can increase the incidence of sexual violence on university campuses. Furthermore, university culture encompasses a unique set of beliefs, values, and practices such as binge drinking and partying (Carlson et al., 2010; Lorant et al., 2013; Scribner et al., 2011), that operate alongside structural issues and can create conditions where sexual violence thrives.

To combat the incidence of sexual violence in Canada on university campuses, provincial governments have directed institutions to create sexual violence policies that outline commitments to reducing sexual violence, prevention strategies, and the process of submitting a complaint. As sexual violence is often

defined as the lack of consent, consent promotion initiatives are a primary intervention used to reduce the incidence of sexual violence (Jozkowski & Peterson, 2013; Ortiz & Shafer, 2018; Thiessen & Buchannan, 2022). Elements of education often include discussion of gender norms and consent. It is imperative to include nuanced conceptualizations of gender and power dynamics to teach students what it means to receive and provide consent. However, these nuances are not often mentioned in education settings, particularly in Canadian literature. Much of the related literature explores gender and consent from a public health perspective within the United States or from a quantitative paradigm. This article reports findings from a feminist social work approach to understanding the relationship between gender and consent amongst university women in Canada. Prior to outlining the methods of this study, I include a brief literature review below which covers the relationship between consent, gender, and relationship dynamics among university students.

Literature Review

The literature that explores consent amongst university students is robust. Muehlenhard et al. (2016) conducted a conceptual and empirical review that explores the complexities of consent among college students in the United States. This review highlighted how consent is communicated, who provides consent, and how relational dynamics of consent are key considerations for teachings related to consent with university populations.

Affirmative consent vs. non-verbal consent

Affirmative consent is often positioned as the best way to provide consent (Harris, 2018). Affirmative consent is defined as ongoing agreement from all parties involved in a sexual activity that can be revoked at any time (Muehlenhard et al., 2016). However, this definition does not necessarily capture how many people communicate consent. Harris (2018), for example, argues the need to move beyond affirmative consent to more meaningfully represent the ways people communicate through verbal and non-verbal cues. The relevant literature also acknowledges that affirmative consent does not represent most of consent communication. In their review, Muehlenhard et al. (2016) identifies that many university students actively consent using non-verbal cues. A common theme across the literature illustrates that non-verbal cues are utilized frequently compared to verbal cues amongst university populations (Beres, 2010; Hall, 1998; Jozkowski & Wiersma, 2015).

The intersection of gender with consent starkly contrasts the affirmative consent definition. For example, Humphreys and Herold (2007) reported that female undergraduate university students wanted consent explicitly and verbally communicated compared to their male counterparts. This gendered difference provides an additional barrier when communicating sexual consent. More problematic is the common response that the absence of a verbal "no" constitutes consent to sex. This method of communicating consent is based on the Traditional Sexual Script (TSS). The TSS is one of the most pervasive sexual scripts that specifies how women and men in sexual relationships are expected to behave (Hyde at al., 2018). An element of consent posited by the TSS is beliefs that a particular gender must communicate consent. Based on heteronormativity and cissexist ideas (Hyde et al., 2018), the TSS highlights that women must provide consent and act as gatekeepers to sex. When women are positioned as gatekeepers, there are assumptions that women control the level of sexual intimacy (Humphreys & Herold, 2007). Furthermore, as gatekeepers, women are expected to initially resist, aligning with theories of token resistance (Muehlenhard & Hollabaugh, 1988) to uphold a desirable social reputation (Hyde et al., 2018) and eventually consent to sex, whether through verbal or non-verbal cues. Jozkowski et al. (2013) suggests when women are conceptualized as gatekeepers, they may internalize beliefs that consent must be asked of them and that they have the opportunity to provide direct verbal consent. However, when coupled with the belief that men may not ask for consent (Humphreys & Herold, 2007), there may be

limited opportunities for those involved in a sexual encounter to receive and provide consent. Furthermore, these stereotypes perpetuate practices in heterosexual relationships that if men are sexual initiators and women are gatekeepers, consent may not be necessary because women will indicate the progression of sexual interactions (Jozkowski et al., 2013). Norms surrounding gatekeeping and consent are inherently problematic for several reasons. First, norms based in the TSS are static and do not reflect the complexity and dynamic nature of negotiating sex. These patterns also rely on heteronormativity and provide limited analysis for queer relationships. Lastly, these norms create conditions that demand a specific gender provide consent in a sexual encounter.

Relationship dynamics and consent

Another important realm of the consent literature is the comparison of consent communication between university students in committed and casual relationships. While hook-up culture and casual relationships seem to dominate sexual patterns of university students (Littleton et al., 2009), committed relationships are prevalent. It is important to explore the difference of casual relationships vs. committed relationships due to differing sexual scripts. Several studies have documented that relationship status within university populations influence consent communication (Beres, 2010, 2014, Humprehys & Herold, 2007; Willis et al., 2019). Amongst university students, those in committed relationships are more likely to assume their partners consent compared to those in casual relationships (Humphreys & Herold, 2007; Muehlenhard et al., 2016). These studies indicate that length of relationships can create norms within sexual encounters where consent may not be considered necessary compared to casual relationships (Humphreys & Herold, 2007; Muehlenhard et al., 2016). If consent is deemed unnecessary in committed relationships, there may be assumptions that sexual violence is less likely to occur. This false dichotomy of consent perpetuates beliefs that sexual violence only occurs in "stranger" context. Yet, sexual violence occurs in all forms of relationships, regardless of length or commitment.

The relationship between gender and relationship status when communicating and conceptualizing consent is particularly important in the context of social work and social work research. Many social workers occupy roles in sexual violence prevention, consent education, and sexual health. As a social work researcher, it is important to position my research to benefit practicing social workers. It is crucial to consider these unique aspects of consent and gender amongst university students to create comprehensive education within university settings that incorporate nuances of gender and relationship status. Therefore, this article reports findings from my masters' thesis to better understand the relationship between gender and consent amongst university women and provides empirical evidence of the importance of addressing these dynamics.

Methods

This paper draws from my feminist ethnographic master's thesis conducted in a western Canadian university (Haney, 2017). The aim of the study was to better understand university women's beliefs and attitudes about sexuality, including discussions of gender, consent, rape myths, and sexual relationships. The overall research question for this study was: What are the beliefs and attitudes of women university students regarding sexuality? Feminist ethnography as a methodology is committed to capturing the lived experience as it is impacted by race, gender, class, sexuality, and all other aspects of participants' lives (Craven & Davis, 2013). Developed on the principle that the majority of knowledge has been produced by men (Gobo, 2008), feminist ethnography is founded on the need for a methodology that is produced by and for women. Feminist authors have argued that as ethnography was created by men, the research produced was not neutral and was instead biased from the particular mentality of men (Gobo, 2008; Stacey, 1988). A prominent critique of feminist ethnography within the feminist literature concerns the observation that feminist ethnography tends to explore the lived experience of privileged, white women

while discriminating against the voices of women of color (Craven & Davis, 2013). Despite this debate, feminist ethnography is noted for its ability to generate knowledge that explores and reveals the multiple forms of oppression and marginalization that create systems of structural inequalities (Craven & Davis, 2013).

Prior to outlining the sample of the study, I introduce my positionality within the study. Due to the qualitative and feminist nature of my research, it is essential to locate myself within this work and how my position and identities influence the construction of my research.

Positionality

I came to this work as a young, white, middle-class, disabled, queer, social worker, and emerging scholar. I was passionate about consent and sexual violence for many reasons, both personal and professional. During my first year of studies as an undergraduate student, I experienced sexual violence. While I had experienced sexual violence in the past, this event occurred in the context of the university I attended. This experience was normalized, and I was encouraged to keep quiet about what happened. The institution where I studied offered no support for those who had experienced sexual violence. After the completion of my undergraduate degree, I moved to a different university for my Master of Social Work and was hopeful there would be more supports for those who experienced sexual violence. However, none were available. As a social worker, I was drawn towards this noticeable service gap and influenced by my personal experience. I decided to conduct this research broadly about sexuality, with a focus on consent and gender because of their relationship to sexual violence. I was and am hopeful that the research I created, drawn from my personal and professional experience, can influence sexual violence supports on university campuses.

Sample

The target population for my study was adult university women currently studying at one university in a Western Canadian province. The criteria for the study were as follows: be enrolled in a full-time university program; identify as a woman, whether that was a cis, trans, or non-binary woman; be between 18-30 years old; have completed at least one year of full-time university prior to participation in the study; comfortable discussing sexuality; and can speak to university culture. It is crucial to specify gender identity in the study as it is the gendered constructions and experiences of women that were explored. Also, women attending university are increasingly viewed as sexually vulnerable compared to men, which highlights their demographic importance (Armstrong et al., 2006). Full-time enrollment was a requirement for the study due to the differences in student experiences of full-time and part-time students (MacCann et al., 2012). Prior to participation in the study, participants must have attended one academic year of university. Having experienced a whole year immersed in university sub-culture prior to participating in the study was necessary as participants may have more insight regarding the beliefs, values, and experiences of university.

Participants had to fall within the age range of 18-30 years. Participants had to be over the age of 18, so that they have had the opportunity to engage in all activities of university such as bars, clubs, pubs, and concerts. The upper end of the age range is due in part to shifting from standardized adulthood. In Canada, young adults are experiencing variation in the traditional sequence of young adulthood (Molgat, 2007). In addition, the shifting ideologies and social expectations have influenced adults to prolong young adulthood (Tanner & Arnett, 2016). It was also required that participants be comfortable discussing multiple facets of their sexuality including gender roles, defining sexuality, consent, and sexual expectations of self. I used a pre-screening in the form of a phone call to determine if participants were

comfortable discussing sexuality. This was key to ensure participants would be comfortable discussing their sexuality during the interview.

Participants

Eleven women, between the ages of 19-28 years, participated in the study. All participants identified their gender as a woman; two identified that they were not heterosexual, the remaining nine did not specify their sexual orientation. Participants were from a variety of self-identified ethnic backgrounds including African, South-Asian, and European. Of the 11 participants, six were in committed relationships and five were single. Participants were from a variety of academic disciplines and there were undergraduate and graduate students in the sample.

Data collection

The primary data collection method for this research study was rich, in-depth, semi-structured interviews. Semi-structured interviews provide a guide for the interviewer to explore, probe, and ask questions that clarify the content being explored (Patton, 2002). There were minimal risks associated with participating in this study. Participants may have experienced limited feelings of distress when talking about their beliefs and attitudes around sexuality. If participants experienced distress, I included contact information for several relevant counseling agencies on the consent form and it was made clear to participants that they did not have to answer questions that made them uncomfortable. My study received ethics approval and individuals provided written informed consent prior to beginning the interview.

Interviews ranged in length between one to two hours, were audio-recorded and transcribed verbatim. After each interview, I took extensive field notes to ensure my reflections as a researcher were incorporated in the analysis. In addition, I used memoranda or memos during the analysis when I had a specific thought or reflection about the data. An example of a memo I wrote during the analysis was, "I wonder what the internalization process looks like when participants express limited ability to communicate sexual desires."

Data analysis

I included all data in my feminist ethnography to ensure a thick description, which creates a detailed account of both participants and my own reflections to better represent cultural patterns (Gobo, 2008). The process of including all data allows for both the participants and my knowledge as a researcher to be integrated and combined. The knowledge of multiple perspectives facilitated the understanding of the workings of the cultural group (Gobo, 2008). I paid attention to both ethnographic and feminist ethnographic underpinnings. Using memos, I paid specific attention to the emotional, subjective experiences, looking for areas of potential political impact, and how each participant constructed reality.

As a novice researcher, I used a conceptual framework and research questions as a guide for beginning the coding process (Jane & Liz, 2002). Conceptual frameworks are individualized data analysis tools developed by the researcher. They integrate the research questions, main themes of the literature, and reflections from the interviews to create initial codes for the data. The initial codes provided me assistance when creating potential themes related to the research questions. Throughout the data analysis process, codes were combined, revised, or deleted. Subsequently, codes were linked to larger themes and categories.

Ethics

The University of Calgary Conjoint Faculties Research Ethics Board approved this research study.

Results

In this next section, I present the results of my study's thesis related to participants' beliefs and attitudes about consent and gender in the context of sexual relationships organized in three themes. In the first, I discuss how participants understood the concept of consent. I then outline how participants perceived gender identity as a marker for the necessity of consent, and finally, I describe how participants positioned relationship status as a necessity for consent.

Defining consent

When discussing consent communication, participants had a variety of perspectives. Most did not fully align with the concept of affirmative consent (Harris, 2018). One participant for example, contextualized consent in terms of safety, verbal, and non-verbal cues: "If you want to be safe, have verbal consent but I think nowadays no one says, hey do you want to have sex, it is more just happens".

This participant considers safety associated with verbal communication. In this sense, the participant notes that consent is important to avoid adverse outcomes in sexual interactions. Interestingly, this participant asserts verbal communication is of greater importance to ensure safe consensual sex. However, the participant acknowledged this method of communication is not necessarily representative of negotiating a sexual encounter as they end their statement with a qualifier that most do not use verbal cues to consent. Their understanding of consent supports arguments from Harris (2018) that affirmative, verbal consent does not accurately capture the ways in which some university students communicate consent.

Along similar lines, another participant highlighted that consent "should" be clear and continuous throughout a sexual interaction:

> I only know the really basics, but it is asking all the way along right, it is not like that there is, at
>
> all points and no would be respected in any point during sex or any point in a relationship. I think
>
> it is having those clear conversations not just in the moment either right and before or after being
>
> like I crossed a line and we need to talk about this, or we went further and are you comfortable
>
> right.

Contrasting to the previous definition of consent, this participant communicated consent should be clear, continuous, and verbal. However, it is unclear if this definition represents the participant's beliefs or practices. Regardless, both participants identify tension with their preferred definition of consent. While they acknowledge consent should theoretically represent models of affirmative consent, their practices may not. The distinction between how consent "should" be communicated and how it is enacted in practice are noteworthy and echo that consent is complex and cannot be reduced to a "yes means yes" approach.

When discussing what constitutes consent, participants also discussed how alcohol and drugs impact definitions of consent. There was an interesting distinction between participants when defining consent

when alcohol or drugs are involved. This distinction referred to timing and communicating consent. One participant stated that:

> It comes back to partially the next day when they are sober, would they say yeah that is fine and
>
> that was consent or would they be like no, that wasn't. That is very individual. Some people think
>
> it is expected that if you are drinking and partying then you give consent, which is not right.

On the other hand, another participant indicated:

> Anything that inhibits your ability to say yes, I don't care if you feel sober or if you have a buzz
>
> or if you are blacked out, same shit. If it is in your body I don't care, right, and if you know that
>
> you are going to get drunk, maybe have a conversation with your partner by saying hey I really
>
> only want to have three drinks, if I go past that, don't touch me.

The results regarding definitions of consent indicate and echo claims from Harris (2018), that affirmative, verbal consent does not represent all the ways in which consent is communicated on university campuses. Definitions of consent provide an interesting view to how university women in this study conceptualized consent. There was clear dissonance within and between participants in terms of understanding consent verbally, non-verbally, and within the contexts of drugs or alcohol. Specifically, participants illustrated internal contradictions about how they understood consent across domains of definitions, performing consent, and the influences of substances. The participants' experiences highlight that consent cannot be imagined or taught as a simple yes/no approach that is solely reliant on verbal cues. While many may postulate that consent should be verbal, it is not representative of the participants' practices.

Gender as a marker for who gives consent

Most participants in this study commented on the ways gender may determine "who" should initiate sex. Gender was a primary point of our conversations when participants determined who should provide consent in a sexual interaction. For example, when one participant was asked about gender and consent, she said:

> I am not sure to be honest, this might sound bad, but I think women should be the one to always
>
> give consent, I think men are known to want to have sex because they are constantly thinking
>
> about it. I think if a girl is really drunk and she is slobbering some all over their face, I assume
>
> she wants it and that there is consent there, but if a girl is passed out then obviously, she doesn't
>
> want to have sex with you.

This quote highlights the complexities of gender role/expectations when communicating consent. Firstly, the participant demonstrates a sense of shame in her understanding of consent and gender by prefacing that her statement is not favorable. She also defines consent in a heteronormative context where consent operates in heterosexual relationships that are grounded in men's desire. The gender dynamic combined

with intoxication demonstrates that this participant understands consent as confined to gender norms, the TSS, and that alcohol to the degree of intoxication may not necessarily hinder the ability to consent.

Similarly, other participants noted the relationship between gender and who should communicate consent, as the following quotes exemplify:

> I always thought that it was the female who has to give consent and I know that is wrong, I want
>
> to say it should be mutual. But it is presented and unconsciously, yeah it is usually about the
>
> female.

> I think it is usually the expectation is that the male is the initiator, and the female is the one to
>
> give consent, but I think it needs to be a mutual consent. I know there are situations where it is
>
> kind of like the other way, so I think it is mutual.

Here, participants discuss the difference between expectation and reality of communicating consent. The participants state consent should be mutual, however demonstrate dissonance between expectations and reality. In particular, mutual consent was articulated as a belief rather than a practice taken up by these participants. The dissonance between participants' beliefs and practices demonstrates overarching beliefs that men are the initiators of sex as the default and women explicitly say yes or no. Both quotes highlight the tension between the belief of mutual communication and their practices of consent that are heavily based in the TSS.

The concept of desire in relation to consent and gender was also noted by participants. One participant stated:

> I think that a man is more of the who is like let's have sex and the girl kind of just like, of course
>
> I would want to do it if it was with my boyfriend, but it isn't something I would bring up myself.
>
> The sex is more for the guy, rather than the girl.

From this participant's perspective, desire is only experienced by men in heterosexual relationships. Interestingly, this participant explains that as a woman, she must provide consent because the interaction is being allowed by her, but her desire is absent. According to this construction, sex operates solely for the purpose of men, therefore women must communicate consent because sex is being done to them, rather than with or for them. This relates to understandings of objectification (Moradi & Huang, 2008), where during the sexual interaction, women are passive objects that exist for the desire of men. The function of communicating consent relies on beliefs that women do not desire sex and only perform for the male partner. While this comment comes from one participant, the relationship between desire, gender, and consent is noteworthy. Within this belief, men would not have to communicate consent because their desire is constant and assumed. Along the same lines, a participant noted the act of sex itself is male dominated; men are the initiators of sex and women by default are the gatekeepers. This participant stated that:

I am aware that even in myself, but when you are told and learn that males are more visual and

sex oriented right that then it feels like they are the one that feel pushed more, basically I think

and I have struggled with that in terms of thinking about, somehow it has been construed in my

mind that sex is male dominated and I know that it isn't correct but it is hard to get out of and

hard to not see the oppression.

While similar to the previous participant's conceptualization, this participant's ideas about consent are based on scripts and gender norms. Interestingly, most participants have internalized beliefs that sex is male oriented in terms of their own desire. In this instance, the participant states she understands that norms are constructed and placed onto her, however simply knowing this information is not enough to break free of oppressive gender norms.

Gender as a marker of consent was a dominant tension many participants noted in this study. At times they demonstrated dissonance between their beliefs and practices regarding consent communication. The majority of participants spoke about women as gatekeepers of consent, which aligns with the TSS. Interestingly, while some participants identified as not heterosexual, they did not distinguish how consent shows up in queer relationships, further demonstrating the impacts of heteronormativity on all relationships, including those that are queer. Furthermore, the desire of women and consent is a noteworthy finding. Some participants explicitly identified that sex is primarily for male desire, therefore women must communicate consent because their bodies are objectified. Next, I discuss relationship status as a marker for the necessity of consent.

Relationship status as a marker for the necessity of consent

In our conversations, many participants articulated particular contexts where consent may be more necessary. While gender was the primary indicator of consent—as discussed in the previous theme—conversations also alluded to relationship type and length as marking the necessity of consent. Throughout the interviews, participants noted the difference for the necessity of consent dependent on relationship length and type. For example, one participant explained:

Definitely verbal consent in a one-night stand is super important but I think as you get more in a

committed relationship, non-verbal consent is much more common. Because then you are used to

each other, and you think you can read each other. Like rape still happens in committed

relationships but I think generally not as much.

This participant notes that verbal consent in a one-night stand is crucial because you may not be familiar with each other's non-verbal cues. However, verbal consent may not be as necessary in committed relationships. Interestingly, this participant highlights that rape may not occur as much in relationships. However, sexual violence is prevalent in relationships and this belief does not align with the reality of domestic sexual violence (Alhabib et al., 2009). Similarly, another participant spoke about being unable to interpret cues and signs in casual relationships:

> The basic premise doesn't change but I think in a one-night stand you have to be more, almost
>
> more careful if you don't know the person and you don't know their signs and signals, you almost
>
> have to be more explicit in my opinion to be correct. You are not going to have those follow up
>
> conversations.

This participant brought the conversation to safety to be sure you are not violating boundaries in casual hook-ups. The participant spoke about the importance of verbal consent because in casual hook-ups you may not see the person again and you want to make sure boundaries are not crossed.

In terms of the necessity of consent, participants articulated that verbal consent becomes less necessary as relationships progress towards commitment. One participant stated:

> I guess as it gets more serious it gets less necessary, maybe if it is something different you need
>
> consent maybe if you haven't done it before. But just as things get more serious and the
>
> relationship goes on it isn't important to get that verbal [consent]. You kind of get to know each
>
> other and you know what is ok and what is not.

This participant mentioned in committed relationships, you will be able to read cues and signals to know when a boundary is crossed. However, this idea is based on open and honest communication in committed relationships where all parties can express their needs. This participant's understanding negates that power and gender norms operate in committed relationships (Logan et al., 2015) and familiarity alone is not enough to determine the necessity of consent. Another participant spoke about her relationship and the necessity of verbal consent. She stated that:

> Regardless of that I think that because we have been in a relationship for so long that like asking
>
> for consent before sex it is not a formal thing that happens, it is not like, if I did this, would you
>
> say yes, if I did this would you say yes, it doesn't happen because we know each other really
>
> well.

This participant's belief that familiarity with a committed sexual partner negates the necessity of verbal consent is of interest in the context of sexual and domestic violence, which is consistent with Livingston and colleagues' sexual precedence theory (Livingston et al., 2004). There is an assumption that you do not need explicit or verbal consent in committed relationships because those involved are always available for various sexual activities. It is crucial to consider how the desire for sex is dynamic and cues and signals alone may not indicate ongoing consent.

Discussion

My feminist ethnographic study was conducted at one university in a western Canadian province; therefore, results are not transferable to all university contexts. However, given that much of the literature is based in a public health perspective and quantitative paradigm from the United States, there is reason to

believe these results may have resonance for other Canadian universities and the profession of social work. While there is research specifically on consent within Canada (Kilimnik & Humphreys, 2018; Willis et al., 2021), these studies were conducted based on a quantitative paradigm. The findings of my study offer a qualitative, feminist, and nuanced social work perspective to understand how consent is understood and communicated on university campuses. My findings align with other consent related research which confirms the complex relationship between gender and consent (Humphreys, 2021; Willis et al., 2019). Specifically, my results confirm beliefs that women are often located as gatekeepers of consent in university contexts (Jozkowski et al., 2013).

The contrasting perspectives of participants represent the complexity of understanding, navigating, and communicating consent when alcohol and drugs are involved. It is interesting to distinguish how some participants emphasized that if a person is impaired, their feelings after sex dictate whether sex was consensual or not, while another participant explicitly stated that consent must be met prior to intoxication. These responses provide a snapshot to understand how some university women understand the relationships between drugs, alcohol, and consent. Many beliefs about gender and consent communication were profound. Without explicitly naming desire, some participants highlighted their beliefs that as women, they must communicate consent because their bodies are marked as desirable for someone else.

Understanding consent in both casual and committed relationships is also an important and noteworthy finding. Participants in this study were consistent that verbal and explicit consent is more necessary in casual relationships such as hook-ups and one-night stands. Interestingly, participants explained that in committed relationships, verbal consent may not be as necessary as you can rely on non-verbal signals. However, it is problematic to assume those in relationships can always accurately read signals and cues. This assumption replicates ideas that sexual interactions are static and unchanging. Preferences for different types of sex can change as well as how people communicate non-verbally. The assumption of non-verbal cues does not consider power dynamics in relationships. It is important to understand how power operates in relationships and some people may not be able to express non-verbally that they do not consent to sex or specific sexual activities. Furthermore, at times people in committed relationships may be silent when a sexual interaction is initiated, and silence can be a form of refusal. However, if the other partner believes that they are reading their body language and lack of a "no" as consent, there is limited realities where the sexual encounter is considered unwanted.

While two participants identified they were not heterosexual, they did not present distinct beliefs about the intersection of consent and gender in queer sexual relationships. Rather, they had similar remarks as other participants. While both participants mentioned they had queer relationships, their comments about consent and gender echoed heteronormativity similar to the heterosexual participants. Compulsory heterosexuality may have influenced the research process, both in my questions and the responses from queer participants. Compulsory heterosexuality creates conditions through social structures to privilege heterosexuality as the norm, regardless of orientation, and insidiously shows up in everyday interactions (Javaid, 2018). The framing of my research questions and responses from participants may have been influenced by compulsory heterosexuality as participants did not distinguish their queer relationships outside the heteronormative.

In sum, the results of my study identify how consent is understood amongst a sample of university women at a single university in Western Canada. The participants in this study primarily discussed different markers for the necessity of consent. Their understandings of gender and relationship status are two distinct functions to explore the necessity of consent. These findings are noteworthy, specifically within the realm of consent promotion, sexual violence prevention, and social work practice.

Implications

The implications of my study's results for practice can be primarily conceptualized related to social work in the areas of sexual health and sexual violence education and prevention. As consent promotion is widely used in sexual health education and sexual violence prevention (Jozkowski, 2022; Jozkowski & Peterson, 2013), my study's results are relevant to consider. Within the context of university settings, many social workers will occupy roles as sexual health and sexual violence educators. In particular, I outline three distinct recommendations based on the results of this study for social workers to consider. While these recommendations are situated in the context of universities, they may be transferable to broader fields of sexual health and sexual violence. In particular, they may have relevance for secondary settings such as junior and high schools, which often lack robust sexual health education (Thiessen et al., 2021).

Consent education is a common method of sexual violence prevention on university campuses (Jozkowski & Peterson, 2013; Ortiz & Shafer, 2018; Thiessen & Buchannan, 2022). Often, methods of getting consent are taught explicitly, for example "get consent", "consent is sexy", and other encouragers to receive consent. However, these methods are primarily taught with the importance of verbal consent. Yet, the results of my study echoes articulations by Harris, (2018) that indicate verbal consent does not accurately capture how consent is communicated. Instead of relying on the importance of verbal consent, educators in these capacities can teach how to consent in a variety of ways. Educators can teach that while verbal consent is valid, learning how to give and understand consent using non-verbal cues may also be beneficial. As well, education that focuses primarily on verbal consent does not align with those who may be unable to express consent verbally due to varying abilities.

Furthermore, educators can disrupt beliefs that consent is a static yes/no event that precipitates a sexual encounter. Many participants in this study echoed that consent should be an ongoing process during sexual activity, yet this did not accurately depict how they consented. In consent education, educators should discuss the importance of consent throughout sexual activity. This idea also aligns with the importance of pleasure in sex as there can be constant communication, whether verbal or non-verbal that creates opportunity to consistently negotiate pleasure. Additionally, educators can have conversations about the influence of drugs and alcohol. Instead of presenting rigid approaches that sex is not consensual if alcohol or drugs are involved, both researchers and educators can find ways to teach how to consent if capacity is limited. While it may be ideal to have full capacity when engaging in sex, this does not accurately capture the realities of sexual encounters at universities (Edkins et al., 2017). Instead, a harm-reduction approach (Charlet & Heinz, 2017) can be used to find meaningful ways to negotiate consent when alcohol or drugs are involved.

Lastly, consent educators on university campuses can disrupt the TSS in relation to teaching consent. Consent educators, who are often social workers, can be explicit and disrupt heteronormative understandings of consent. Specifically, educators can take an approach that discusses consent as required by all parties in a sexual encounter and that assumptions of desire and pleasure should not dictate the necessity of consent. Furthermore, they can also teach that relationship status and length does not determine the need for consent. While those in committed relationships may be able to read cues more accurately, this does not absolve the importance of verbal consent. Sexual violence becomes less understood as a possibility in committed relationships, particularly if the importance of consent in all types of relationships is not taught. Social workers employed as sexual health and sexual violence educators are in a unique position to disrupt the TSS in their practice to better prevent sexual violence, both within and outside of university contexts.

Conclusion

In this study, I used feminist ethnography to explore university women's beliefs and attitudes about consent and gender norms. The findings provide unique insights into the participants' distinctions between expectations and practices of consent and gender norms. While the results of my study are noteworthy, there are several limitations. As discussed above, the design of my research questions may have been shaped by compulsory heterosexuality, therefore not creating a research space where queer participants felt they could express their beliefs. Furthermore, my demographic questionnaire did not address disability nor did my questions, therefore I excluded accounts of the intersection of disability with consent and gender norms. Lastly, while participants self-identified across a wide range of ethnicities, my research questions did not necessarily discuss power relations related to racism. Yet, my feminist ethnography revealed how gender norms influence consent in ways that often position women outside of desire, pleasure, and the ability to communicate their sexual needs. Social workers, in particular, have a unique opportunity to take up the relationship between gender and consent and provide education that disrupts heteronormative ideas of consent, gender, desire, and power.

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Transforming Community Policing:
A Restorative Approach to Police Complaints

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Abstract

Recorded abuses of power perpetuated by police officers in the United States (U.S.) are nothing new. This social problem has culminated in the violent, deadly cases against citizens or "use of excessive force", specifically against Black men. These cases have sparked a nationwide reaction to systemic abuse by police, harkening back to events of the civil rights movement in the 1960s and 1970s. Specifically targeting the current, problematic formal process of addressing police complaints in the U.S., the need for an alternative model is posited. In this conceptual article, a restorative model for addressing complaints against police is proposed and analyzed for feasibility within contemporary community policing. Future recommendations for development are suggested to adapt current U.S. processes of policing complaints.

Keywords: restorative justice, police complaints, community policing, policing policy, community

Transforming Community Policing: A Restorative Approach
to Police Complaints

How do communities across the U.S. keep individual police officers accountable when their conduct fails the communities they serve? This is a challenge that our nation is forced to consider in the wake of recent murders committed by police officers. The pervasiveness of this social problem is often framed in a manner that attempts to either highlight the real systemic problem or cast doubt - or even mistrust - for the "other side" of this issue. Within this divide, inequities that exist across other social problems are ever-present between the state sponsored social control and historically disadvantaged groups. Edwards et al. (2019) reported that over the life course, Black men are the most likely demographic group to be killed by police, the boots on the ground for state sponsored law enforcement. Facing this seemingly growing phantom of violence looming over our culture, further steps are being taken to hold those who abuse this role accountable for their actions. However, these actions are often promises of change by officials and federal intervention, and research has shown these efforts have limited impacts on reducing killings and harm to communities (Goh, 2020). But how do we work towards healing the historical and contemporary harms and transforming our modern system of policing? In this article, I will draw upon the existing decades of wisdom within the Restorative Justice (RJ) movement and the potential for utilizing RJ to repair harm and embrace community engagement. I will also offer a

conceptual process to describe key elements and potential barriers that must be considered prior
to a restorative policy solution towards complaints of misconduct against police officers.

The Problem: Complaints Against Police Misconduct

In the U.S., the modern, predominant model of policing, called the forced-based command and control
model, relies on the use of physical domination and coercion to induce compliance (McCluskey, 2003).
Through this model of social control, the most aggressive officers have been found to issue greater
numbers of citations and receive more complaints (Hassell & Archbold, 2010). In defining complaints for
police misconduct, there are *formal* and *informal* protests that can be made – legal suits, departmental
submissions, notifying local press, the use of social media, or simply talking with other community
members (Schwartz, 2014; Walker & Archbold, 2018). While these advocacy actions certainly reflect
different degrees of resistance and accessibility to formal processes, this work will focus on departmental
submissions, or when a community member directly files a formal complaint to the jurisdiction of the
police organization, often directly to the police department. Additionally, in defining *police misconduct*,
this paper will conceptualize the term as a violation of legislative or department policies which reflect
illegal or immoral actions that are inconsistent with ethical professional conduct (Barker & Carter, 1986;
Champion, 2001; Donner et al., 2016). While definitions of what *misconduct* entails vary, examples often
include:

> accessing police records for personal use, abusing sick leave, lying to supervisors, perjuring on
>
> reports and in court, falsifying overtime reports, using excessive force, accepting bribes or
>
> gratuities, failing to report misconduct of a fellow officer, violating traffic laws when no
>
> emergency exists…sleeping while on duty… (Donner et al., 2016, p. 844)

and verbal abuse (Donner et al., 2016; D'Souza et al., 2019). While reported incidences of police
misconduct and complaints are related, there are numerous incidences of misconduct that have no paper
trail. In other words, these two constructs are mutually inclusive, but there are certainly many unreported
or underreported incidences (Brunson, 2007; Prenzler & Ronken, 2008). As to why there are likely so
many unreported incidences, considering the process of filing a complaint may elucidate why.

Filing a Complaint

Taking the perspective of a person wanting to file a complaint against an officer, there are several avenues
one could take. Initially, the complainant may want to call the police department which they had the
interaction with, but this may lead to retribution from the department. Alternatively, they may wish to go
to the police station to file the complaint– but what if they run into the same officer who harmed them?
This person may next consider filing an anonymous complaint to protect themselves from being targeted
from future reactions – but it turns out that this person's local police department does not allow
anonymous complaints, and the person must sign the complaint in person under penalty of perjury – with
electronic signatures not being accepted. Finally, after finding no reprieve, this person turns to exploring
alternatives on the internet. If they have access to the internet and the skills necessary to maneuver
complex, convoluted governmental sites, they may find the federal government's official site and the page
on "Reporting Crime" (USA.gov, 2021). On this site, they would read the following four suggestions if
they successfully navigated to the very bottom of the page "File a Complaint About a Law Enforcement
Officer or Judge":

1. Contact the law enforcement agency involved.

2. Submit your complaint in writing to the chief of police or the head of the law enforcement agency involved.
3. Send a copy of your complaint to the Internal Affairs Division of the law enforcement agency. Be sure to keep a copy for yourself.
4. If the problem remains unresolved, learn how to file a complaint with the U.S. Department of Justice's (DOJ) Civil Rights Division [directs the user to numerous inconclusive sites which in turn directs users to contact their local law enforcement agency].

Effectively, this person has ended up where they began, being directed by the federal government to directly contact the agency which harmed them. In other words, they have been given the bureaucratic runaround.

Citation Quotas

Historically and today, problematic policing practices which foster paramilitary and the "us [police] versus them [the community] mentality" have certainly led to abuses of power (Boivin et al., 2020). One such policy that feeds upon this notion are informal or formal citation quotas. Citation quotas, a policy which requires or encourages officers to issue a certain number of citations per period, not only reduces officer discretion and creates questionable citizen-state relations, but it also inherently creates harm between police and communities (Bronstein, 2014). By pressuring officers to proactively engage community members for the purposes of meeting metrics and the bottom line, unnecessary fines create mistrust and harm – all while serving little deterrence for violent crime (Bronstein, 2014; Lundman, 1979; Sharp, 2005; Taylor, 1973). While it is nearly impossible to know how many police departments across the U.S. have formal policy regarding citation quotas, departments have been found to have informal quotas where officer "productivity" is measured through performance metrics - citations (Sparrow, 2015). This problematic policing policy has undoubtedly inspired a neoliberal dehumanization of community members into sources of revenue, and it can be inferred that this informal or formal policy may lead to an additional degree of paternalism and unnecessary conflict (Goldstein et al., 2020; Graulich, 2020; Soss, 2011; Su, 2020).

Body-worn Cameras

Today, with increasing civil unrest that rivals the civil rights movement of the 1960s, a sense of agency towards police misconduct is arising (Schwartz, 2020; Terrill & Ingram, 2016; Terrill & McCluskey, 2002; Umbreit, 2021). Perhaps because of the growing implementation of departmental policies of mandating body-worn-cameras for officers, the public and police now have a method of seeing what actually happened – lessening the onus of police reports, which have been found to dramatically underreport the number of uses of force (Adams, 1995). Studies have shown that the implementation of policies such as the use of body-worn-cameras, procedural justice trainings, and prioritizing training for officers with minimal complaints to buffer against ego-networks [social networks that predict behaviors] have reduced excessive use of force by police and the number of citizens' complaints against police (Ariel et al., 2015; Ouellet et al., 2019; Kaveh et al., 2021; Wood et al., 2021).

Speaking to the frequency of formal complaints filed against officers is a difficult area to gain a firm, contemporary grounding. Nationally, a 2002 DOJ report stated that large police departments with 100 or more officers received an annual average of 26,000 complaints (Hickman, 2006). In terms of more current figures, there is a stark absence of literature identifying accurate numbers of police complaints and aging research has highlighted the presence of mechanisms that deter citizens from lodging complaints (Hassell & Archibold, 2010; Hickman, 2006; Manis et al., 2008). Today, body-worn cameras have served as a notable recent innovation that has reduced the number of complaints – fostering accountability for both police and citizens. However, despite the growing power of technology, there is still a lack of uniformity and centrality in tracking police complaints within local departments and federal agencies, suggesting an intentional ambiguity or willful ignorance (Hickman & Poore, 2016).

Just a Few Bad Apples?

In responding to complaints against officers, extant literature has found that a small number of officers account for a disproportionate percentage of complaints (Christopher Commission, 1991; Harris, 2009, 2011; Lersch & Mieczkowski, 1996, 2000; McCluskey & Terrill, 2005; Terrill & Ingram, 2016; Walker, 2001). Specifically, different studies have found that between 4.4% and 12% of officers were responsible for a range of 20% to 41% of complaints for departments (Christopher Commission, 1991; Dugan & Breda, 1991; Harris, 2011; Lersch & Mieczkowski, 1996; U.S. Commission on Civil Rights, 1981). While these figures relay that some officers incur more complaints than others, the problem is far beyond the well-known "few bad apples" argument. Furthermore, research has found that relatively few complaints are sustained through complaint policies (Dugan & Breda, 1991; Hassell & Archbold, 2010; Hickman, 2006; Lersch & Mieczkowski, 2000; Liederbach et al., 2007; Manis et al., 2008; Terrill & McCluskey, 2002). But what do the designations of *sustained* or *not sustained* mean? And who is making this decision and justification? In defining this key decision, Hassell and Archbold (2010) state:

> A sustained complaint is one where the investigation revealed sufficient evidence to
>
> support the allegations made in the complaint. Complaints that were not sustained include
>
> cases where the acts providing the basis for the complaint occurred but were justified,
>
> lawful or proper; when the investigation proved that the allegation was false; the basis for
>
> the complaint was fabricated; and when the investigation failed to disclose sufficient
>
> evidence to support the allegation. (p. 479-480)

A clear subsequent, but enigmatic question is, what *sufficient* entails – but this is of course left to the eye of the beholder – or internal affairs police officers, police commanders, or sometimes the rare exception – external civilian affairs commissions.

In recent years, scholars have highlighted the paucity of scholarship measuring the frequency of sustained police reports (Terrill & Ingram, 2016). Estimates for complaints sustained from studies completed in the 1990s and 2000s range from 2% to 28.2%, depending on the type of misconduct reported and available data (Christopher Commission, 1991; Dugan and Breda, 1991; Hassell & Archbold, 2010; Pate & Fridell, 1993). Furthermore, in an eight-city analysis of citizen complaints against police officers, Terrill and Ingram (2016) found that Black complainants were additionally 29-43% less likely to have their complaints sustained when compared to White complainants. In other words, the already unfavorable odds are exacerbated for Black communities – leaving more community members invalidated and unrecognized – perpetuating mistrust and harm (Waters & Brown, 2000).

Complaint Handling

For complaints that are sustained, the next step in the process varies depending on the department. Generally, the police complaint process reflects steps listed in Figure 1 (City of Minneapolis, 2021). Beginning with the filing of the complaint and if the complaint is initially sustained, the process reaches a crossroads at the 'Internal Review' stage, where the case then is dismissed or assigned to coaching or investigation. When the case is dismissed, no further action typically follows. Further training may entail coaching between a supervisor and the officer or outsourcing for additional training opportunities. Investigation includes an exploration of

available details of the complaint and may be conducted by administration or an internal affairs department. Following the investigation, future training may be recommended, the case may be dismissed, or the complaint may be forwarded to the Police Chief, who has the ultimate decision for executing disciplinary actions. Within this process of addressing police complaints, some police departments include alternative approaches, such as traditional models of mediation, inclusion of community input, and other rare exceptions (Riley et al., 2021). Cities such as Baltimore, Los Angeles, New Orleans, New York, and Denver have all recently begun the process of integrating external mediation into the complaint process, but further innovation and full integration is needed (Riley et al., 2021; Riley & Prenzler, 2020). In sum, there are only a handful of jurisdictions that have taken steps towards alternatives and there is barebones groundwork already laid for implementing a RJ response to police-community complaints. However, a more in-depth conceptualization and theoretical footing of the RJ process is needed to better understand this potential policy solution and reinvigorate police-community trust.

Figure 1

Traditional police complaint process
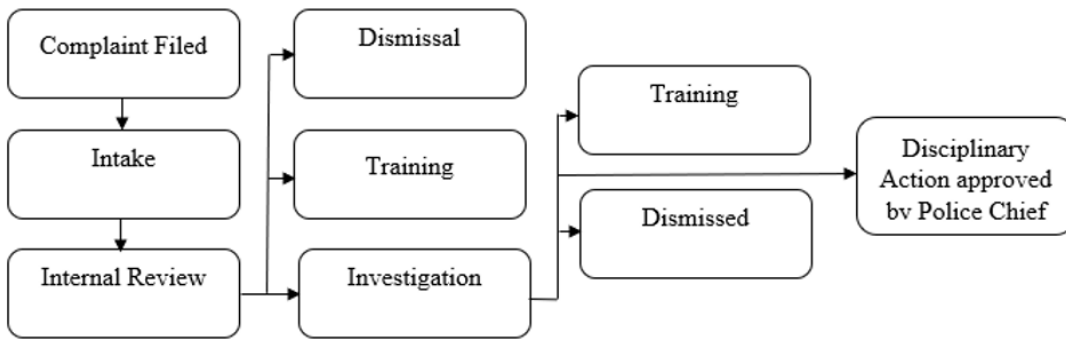
Civilian Review Boards

One notable innovation to police misconduct is the limited inclusion of community into the process, civilian review boards. Currently, there is a troubling shortage of empirical evidence assessing the quantity and quality of these review boards and their efficacy in the complaint process (Hickman & Poore, 2016). This idea of including the public within the context of police accountability has taken many different forms: Police and Fire Commissions, Public Commissions, Public Review Boards, Internal Affairs Commissions, and others. Within these groups, which work with police departments in differing degrees, there is little known about how to gauge the degree that communities are involved, who are members of these groups, how much accountability power they hold, and how widespread they are. Today, recent scholarship focusing on reforms within this context have critically explored these groups and suggested the inclusion of minority and academic representatives on civilian review boards (Headley, 2021; Mugari, 2018). However, despite public attention and interest in remaking modern policing there is a clear paucity of conceptual scholarship which captures the underlying need – the systemic integration of community within addressing police functions.

Community Policing

Is community policing now just a buzzword? Are problematic policing practices echoing mistakes from the past – is history repeating itself? Before considering these questions and defining community policing, some basic historical context is needed. Modern U.S. policing can be traced back to two colonial era police ancestors: England's constables in northern colonies and slave patrols in the south - vestiges which linger within our modern conceptualization of policing (Potter, 2013). Many years later during the civil

rights movement of the 1960s and 1970s, these odious vestiges manifested in calls for change from communities of color (Community Policing Consortium, 1994). As a response to these calls for change, early forms of community policing were implemented, leading to the first empirical study conducted in the San Diego Police Department (Boydstun & Sherry, 1975). This study uncovered the ineffectiveness of now dated practices, such as random patrolling, and discovered the importance of proactive interaction with community – revelations we now take for granted nearly 50 years later. In the following decades, community policing was broadly institutionalized in Clinton's 1994 Violent Crime Control and Law Enforcement Act, disseminating many modern policing practices that we now see today (Peak, 2013). However, in recent years it has become increasingly apparent that contemporary community policing, still bearing its historical vestiges, has largely drifted away from its original mission and has deprioritized the needs of communities (Boettke et al., 2016; Cheng, 2020; Rukus et al., 2018).

In defining how we now conceptualize community policing today, the approach includes a wide variety of practices that includes problem-oriented policing, community-based policing, neighborhood policing, and service style policing (Birgden & Julio, 2011; Kerley & Benson, 2000). These approaches are further defined as addressing the following three aims (DOJ, 2014):

1. Organizational Transformation
2. Problem Solving
3. Community Partnerships

Positioning the current system of police complaints under these three aims, there is an apparent disconnect of purpose. Coaching, investigation, and dismissal, as shown in Figure 1, do not foster widespread organizational change – only placing the onus on the individual officer as the problem. Does the current complaint address the aim of "problem solving"? If problem solving reflects the need to address the harm and relationship between the complainant and the police department, extant research would answer with a resounding no (Prenzler et al., 2013; Waters & Brown, 2000). Or perhaps problem solving could be interpreted as preventing future complaints against officers. Similarly, current responses to sustained complaints, such as reactive training for officers, have had inconclusive results (Wood et al., 2021). Lastly, community partnerships. While it has been reported that the number of civilian oversight groups has increased, little specifics are known about their effectiveness (De Angelis, 2009). Turning to community-police representativeness, or the degree to which demographic groups within a community reflect that of a police department, Trochmann and Gover (2016) found a relationship between community-police representativeness and police complaints -- the more representative, the less complaints. In sum, the police complaint process does not embody the principles of community policing, but perhaps it can with reform.

In recent years, scholars have highlighted the disconnect between the ideals of community policing and the complaint systems (Giwa et al., 2014; Palmiotto, 2011; Prenzler & Porter, 2016). While the current policing complaint system in the U.S. is certainly not a monolith, there appears to be both an absence of appropriately tracked incidences of misconduct and an abject failure to include complainants and communities in the accountability process – reflecting traditional processes of American criminal justice. Reflecting on this public-police disconnect, Goldsmith (1990) articulates the role of community trust and need for constructive conflict resolution:

…a broadly-conceived, publicly credible complaints system for handling complaints

against the police is important not only in terms of public confidence…but also

specifically in facilitating the diagnosis of problems in police operations which affect the

effectiveness and legitimacy of police practices. (p. 215)

Credibility, confidence, growth, and legitimacy. As core components of the social contract between the citizen and state, an effective and restorative process is essential to address conflict and repair harms.

Restorative Justice

Beginning in the 1970s alongside community policing as a response to state violence against communities of color, social justice reform efforts rooted within indigenous practices grew into responses toward crime that stressed the importance of bringing victims, offenders, and the community together – leading to what we now call RJ (Umbreit, 1989). Building off the early prototypes of RJ such as Victim Offender Reconciliation Programs, Circle processes, and others, Howard Zehr (1990) captured the spirit of the movement and coined the term *restorative justice* in his work, *Changing Lenses* (Umbreit, 1985; Umbreit et al., 2000). Through the past several decades of institutionalization RJ, the conceptualization of RJ has since expanded into a quasi-discipline in of itself – spanning across social work, criminology, education, theology, human resources, law, and other fields.

Restorative Justice and social work have for years run parallel upon the same track of social justice innovation and change. Recent efforts in community centered police reform have led to the incorporation of social workers into emergency services and restorative justice into addressing crime (Alarid & Montemayor, 2011; Ghelani, 2021). Social work values and RJ are also closely aligned in the mutual goal of raising the voices of the vulnerable, repairing and strengthening relationships, and broadening accessibility to societal justice (NASW, 2022; Umbreit & Armour 2010).

Research on RJ over the past few decades has revealed consistent, positive results regarding cost savings, victim and offender satisfaction, recidivism, and many other variables (Umbreit & Armour, 2010; Umbreit & Coates, 1992; Umbreit et al., 2006; Wilson et al., 2018). Within the RJ paradigm, there are three categories of stakeholders which makeup the characters of each story of a crime: the offender(s), the person who committed the harm, the victim(s), or those who were harmed, and the community, or all those who are impacted. Among these stakeholders, three core questions are the mainstay of any RJ process:

1. Who has been harmed?
2. What do those who are harmed need in order to heal?
3. What do those responsible for the harm need to do to repair damaged relationships?

Within these questions, there are three key elements: the harm, the people, and relationships – all essential ingredients which capture the locus of healing and reestablish functional relationships.

Turning to the context of police complaints, the restorative process is currently underutilized and ripe for creative innovation. Broadly speaking, the number of formal complaints is likely an underestimate of the actual number of harms created during police interactions with the public, and a restorative approach offers a clear avenue for healing and constructive change. Rooted within the theory of John Braithwaite's reintegrative shaming, RJ cultivates an alternative spin on the western understanding of shaming – positive shaming (Braithwaite, 1989; Chodron, 2008). Distinct from negative shame, which is ladened with guilt and blame, positive shame enables one to recognize harm towards oneself or others and allows one to grow (Chodron, 2008, p. 137). Current systems operating within the traditional criminal justice system weaponize public shaming, which fosters ostracization and antisocial behavior – whether via popular press, social media, or word of mouth (Kasra, 2017). Restorative Justice does not utilize this popular conception of public shaming, but rather positive, reintegrative shaming to repair and address needs (Brathwaite, 2017). Police officers are human and make mistakes. However, as in any professional occupation, the stakes are high and the need for personal and organizational accountability are essential for public healing and trust. As a core aspect of the healing process, positive shame is certainly uncomfortable for those responsible, but necessary for healing, accountability, and voluntary growth.

Restorative Model for Police Complaints

As an incredibly heterogenous phenomenon, there are numerous concerns to consider when contemplating an alternative approach to police complaints. In proposing a restorative model for police complaints, I first acknowledge that one should take a critical eye to this model structure. However, while this model considers the traditional approach to complaints, it should be noted that police departments vary widely across the country, states, counties, and cities, and the institution of policing in different communities varies on many levels. In Figure 2, I propose a restorative model which incorporates the essence of community policing into the police complaint process.

Figure 2

RJ approach to police complaints
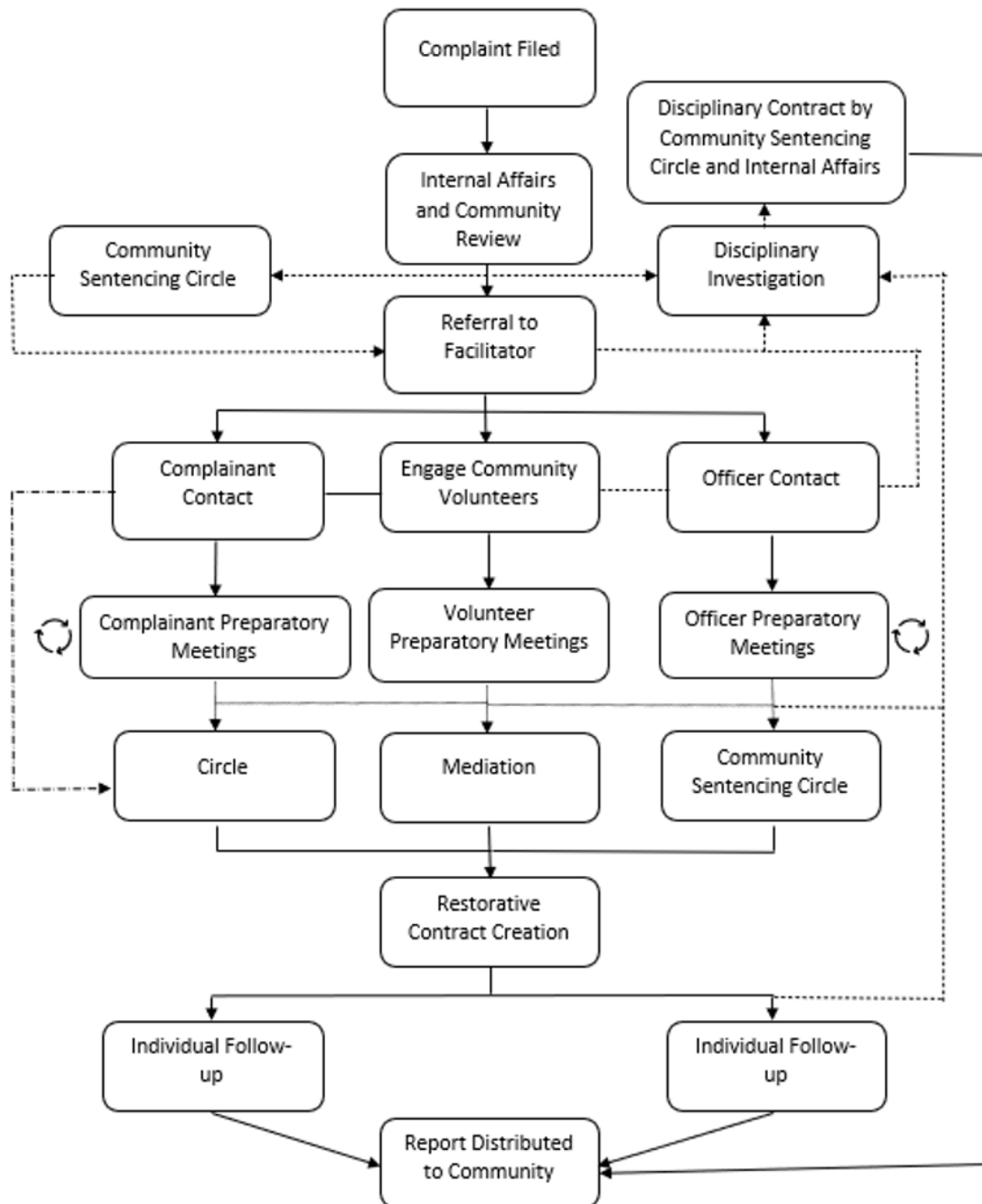
Initial Evaluation

Starting at the beginning of Figure 2, the complaint is first be submitted to a dyadic partnership, a tenured internal affairs representative from within the police department and a community level position. This community level position could take multiple different forms depending on the context of the community. The position could be a newly elected office, a social worker, community volunteer, or a lottery, quasi-jury duty appointment. Preferably, this position would be filled by a social worker or professional whose code of ethics and license ensures a focus on vulnerable populations and the wellbeing of the wider public. These two individuals would then deliberate on whether this case should immediately go to a disciplinary investigation (dashed line) or the default process (solid line) – a restorative model of mediation. Reasons for immediate disciplinary action may be an egregious violation of rights, severe policy violation, or other reasons warranting immediate prosecution. In the case of a tie, the case may go in front of a community review board.

Accountability Screening

The next step in the process is where the facilitator takes the process underarm. This facilitator would ideally work within an existing RJ program or have prior RJ mediation experience. The first step for the facilitator is to contact both the officer and the community complainant and assess for accountability on the side of the officer and willingness to participate on the side of the community complainant. If these are not present, then the facilitator would direct the process back toward the traditional disciplinary process. The facilitator then checks for accountability and willingness to participant and ask the community complainant about their preference for the next step in this model, the restorative process decision point. As is custom in most RJ practices, the process is offender focused but victim lead (Shaffer, 2003). In other words, the onus is on the person responsible, and the victim is consistently provided options on how to navigate the process. In addition to assessing from these stances, the facilitator would also invite the participation of community stakeholders – and if possible, stakeholders that live geographically close to the community complainant. These community stakeholders would ideally be volunteers who are drawn because of a desire for civic engagement or fellow officers who work within a police department, but the facilitator may need to engage in proactive recruitment of participants from different parts of the community. Within different formats, the number of community volunteers can range from one to five, depending on the context of the harm. Lastly, the facilitator would invite both the community complainant and the officer to bring support people with them to any meetings. These support people can be family members, friends, or others that ease tensions and foster aspects of healing.

Preparation

The next step in the process is the extensive and sometimes time-consuming preparation meetings with all consenting parties. These preparatory meetings are not only necessary to ease stress but have been linked to successful outcomes when done thoroughly (Umbreit et al., 2007). The extent of these meetings is dependent on many variables, including the nature of the harm, the readiness of the officer and community complainant, availability of all parties, and others. The content of these preparation meetings includes encouraging parties to write down their story and the impacts which resulted from the harm, inform them of questions that are commonly asked, provide choice of the seating, refreshments, and as many other choices as possible – down to the very lighting of the room. Following one or a series of preparation meetings, the facilitator will ensure that each person is both willing and prepared to engage in a face-to-face meeting.

Restorative Intervention

After the preparation meetings, the victim chooses among three options (or a combination of multiple) including a: Circle, Community Mediation, and/or Community Sentencing Circle. Circles include a process in which all parties sit in a circle and take turns talking by going around the circle clockwise –

with each person sharing their responses to the three core RJ questions listed above as well as others. Research on the circle process as an intervention is scarce, but extant research has shown positive results (Gillinson et al., 2010). Community Mediation is a format that is typically more intimate and conversational – with the complainant and the officer, optionally including support persons, sitting down with the facilitator and answering the same restorative questions. This RJ intervention has received ample evidence supporting its efficacy and is considered an evidence-based practice (Lipsey, 2009; Umbreit & Armour, 2010; Umbreit et al., 2006). Lastly, Community Sentencing Circles are similar to a circle but focus more on the needs of the community and align with the traditional criminal justice process with one notable difference, the centrality of the community and their role in determining the commitments of a plan for moving forward. Extant research on sentencing circles is also scarce, but existing studies have also found tentative, positive results (Brown-Kersey, 2011; Norris, 2008). Among these three formats, the complainant is the key decision maker who decides the path taken.

Agreement and Follow-up

Following the hosting of a joint meeting among the key parties of the harm, a *restorative contract* is created. This agreement is a contract which contains a list of tasks for all participants to complete. These contracts typically include items for the person who committed the harm to complete but can include items for those harmed or the community. All items have deadlines and future meetings may be held if the agreement is not followed. After the creation of this contract, the facilitator follows up with all parties after the deadlines. If items were not completed and further meetings are unable to be held to address these issues, then the process may reset to a sentencing circle and/or the traditional handling of complaints in which police leadership would jointly agree to a disciplinary plan with community input.

Feasibility and Implementation

While radical changes to processes that address police complaints may inherently be greeted with apprehension, this proposed process works alongside the existing model. Potential issues may include officer fear of civil suits from complainants; police union oversight; internal police culture, "I got your back if you have mine"; officers with repeat and extensive history of complaints; Garrity v. New Jersey Case (where officers who report misconduct in the context of a workplace performance issue become immune to prosecution); preventing a verbal berating of officers; and others. Turning to a recent example of the implementation of alternative dispute resolution (ADR), a traditional, legal style mediation for police complaints by the Los Angeles Police Department, the department identified four barriers to their mediation program (Greenwald & Beck, 2018):

1. Reluctance of officers to participate.
2. Lack of information about the program among officers.
3. Elements of police culture and supervisory practice.
4. Failure by complainants to attend mediation sessions.

In addressing these concerns, officer reluctance is an obvious issue to focus on first. There are several incentives that administrators can offer to encourage community collaboration. First, the department can offer time spent in these sessions as paid work hours. Because these sessions foster police-community relations, making this time paid may encourage participation and engagement. Second, officers can be welcomed to invite a support person into the sessions; this could be a family member, friend, coworker, or a trusted community member. Alongside officer choice in including support people, departments could actively recruit community stakeholders that represent subsects of the communities, actively encouraging participation and a seat at the table. Third, willingness to participate in this process could be taken into consideration for promotion at multiple levels. In other words, officers can be consistently invited to sit in on other cases as a community stakeholder – learning the process and engaging with fellow officers and addressing the concern over lack of information about programs. Ideally, officers from neighboring departments would engage with other police departments, creating a cross-pollination of police culture

reform and broader implementation as well as addressing the third concern listed above. This regional participation could be encouraged again by considering participation in neighboring communities as a merit for promotion. Lastly, there are several ideas that may encourage complainants' attendance. First, the complainant should be actively invited to include a support person. Second, the complainant should be given an abundance of choice regarding the process, as mentioned in the previous section – empowering their position. Third and most importantly, quality food and beverages should be provided – the power of sharing food and drinks together cannot be understated, although it currently lacks empirical support.

Working Within Communities

Another key issue which undermines the very principal of community policing and restorative justice is the problem of police officers not living in the communities that they serve. Often paired with social phenomena such as "White Flight" into the suburbs around larger cities, there is an inherent disconnect behind the ideals of community policing and officers living elsewhere (Grabiner, 2016; Rawls et al., 2018; Trochmann & Gover, 2016;). While historical damage needs to be addressed, officers should have a stake in the community that they work, such as residency, though some critics have cited issues such as a shortage of candidates (Hoisington, 2018). In response to these contemporary problems, scholars have begun to readdress the historical deterioration of community-police relations. In other words, the police have been viewed as actors of social control for many communities of color and there is little wonder that young women and men are hesitant to swell the ranks of those who have fringed upon their community's rights. Potential policy solutions could include programs which pay for community members' educations if they are interested in working within their home communities. Regardless, before any restorative process or other systemic changes can be implemented, officers *must* work *within* communities, not just *with.*

An additional consideration that is out of the scope of this work are the details of the RJ interventions – circles, mediation, or sentencing circles. Future research on this model and other RJ interventions must report on the details of these and other interventions to enable accurate meta-evaluations (McCold, 2008). There is also an equally important need to create a public facing platform for the community to interact and access information on police reports. Just as in any successful relationship, clear and holistic communication is central towards establishing trust.

Another step that can be taken towards revitalizing community policing is the incorporation of community input in assigning accommodations for police officers who go above and beyond – offering these officers a fast-track path to promotion. In other words, while there is currently a system for community members to file complaints against officers, a parallel, formal process should be made available for officers to receive recognition for service. As officers accrue experience and come up for promotion, their "Community Commendations" should be considered as a weighted factor, placing officers who truly embody the spirit of community policing in positions of leadership. In sum, officers who are willing to engage in repairing harm they have caused, be there for their colleagues to help them take accountability, and proactively connect with their community on a humanistic level should have the means and process to transcend our current concepts of an ideal police officer.

Conclusion

The point of this conceptual article is twofold. First, to highlight and draw more attention toward the problematic process of filing police complaints in the U.S. The abject absence of centralized data makes the challenge of holding those responsible for their abuses of power accountable unnecessarily difficult and counterintuitive. To begin healing harm within communities, we must effectively address the breaches of our social contract within our communities to begin leveraging innovative solutions. Social workers and other social justice advocates are uniquely positioned to advocate for communities that are disproportionately impacted. The second intent of this article is to offer a solution, a restorative centered approach towards police complaints and a revitalization of community policing. As seen in recent

tensions, the spirit of community policing has largely lost its way. Through the prism of a restorative lens, policy makers, scholars, social workers, social justice advocates, and neoteric police officers can champion the practice and policies to reform complaint systems and become true peacemakers.

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