RECLAIMING SAFETY: PARTICIPATORY RESEARCH, COMMUNITY PERSPECTIVES, AND POSSIBILITIES FOR TRANSFORMATION

Lauren Johnson, Cinnamon Pelly, Ebony L. Ruhland, Simone Bess, Jacinda K. Dariotis & Janet Moore*

This paper offers the first known interdisciplinary, community-based participatory research study to focus directly on two questions that have drawn increased attention in the wake of global protests over racialized police violence: 1) What is the definition of safety? and 2) How can safety be made equally accessible to all? The study is part of a larger project that was co-designed by community members and academic researchers. The project aimed to strengthen local justice reform efforts by adding new data literacy skills to existing community-organizing capacity among Black residents of the Cincinnati, Ohio metropolitan area. Community-led roundtable discussions offered community members (n=12) an opportunity to answer the two research questions. Exploratory qualitative analysis resulted in four emergent themes through which participants: (1) defined safety primarily as freedom from harm and enjoyment of close, supportive relationships; (2) identified

*Lauren Johnson is an Associate at Dinsmore & Shohl and a 2021 graduate of the University of Cincinnati College of Law. Cinnamon D. Pelly, M.S., is Chief Operating Officer at Urban League of Greater Southwestern Ohio. Dr. Ebony Ruhland (https://orcid.org/0000-0002-3802-6295) is an Assistant Professor at the University of Cincinnati School of Criminal Justice. Simone Bess is a Community-Based Educator in Cincinnati, Ohio. Dr. Jacinda K. Dariotis (https://orcid.org/0000-0002-3217-0392) is Director of the Family Resiliency Center and Professor and Pampered Chef Ltd. Endowed Chair in the Department of Human Development and Family Studies at the University of Illinois Urbana-Champaign, and Adjunct Professor in the Department of Population, Family, and Reproductive Health at the Johns Hopkins University Bloomberg School of Public Health. Janet Moore (https://orcid.org/0000-0003-2019-0289) is a Professor at the University of Cincinnati College of Law. Direct correspondence to Janet Moore, University of Cincinnati College of Law, Cincinnati, OH 45221-0040 (email: janet.moore@uc.edu). This research was supported by the Ohio Transformation Fund and the Harold C. Schott Foundation. There are no financial interests to disclose. We thank our community partners Iris Roley, Reverend Damon Lynch, III, the Cincinnati Black United Front, and New Prospect Baptist Church for making this project possible. We are grateful to Corrine Kinebrew and the many additional community members who helped to design and implement this research, and to the research participants who took time to talk with us. Dr. Edie Morris, Christina Rogers, Harper Hill, and the University of Cincinnati Evaluation Services Center provided excellent research assistance.

poverty and racism as key barriers to creating safety; (3) described complex, overlapping, and sometimes conflicting roles and responsibilities for creating safety; and (4) expressed strong ambivalence over whether and how police contribute to safety. Applying Monica Bell's legal estrangement theory, the team examined those themes for evidence of four modalities through which marginalized communities engage with criminal legal systems (subordination, consumption, resistance, and transformation). The data reflected minimal subordination and resistance, relatively high levels of consumption, and mixed perspectives on system transformation. Further implications for theory, policy, and future research are discussed.

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INTRODUCTION

Racialized police violence is not a new phenomenon, but the May 2020 killing of George Floyd by Minneapolis police sparked protests of unprecedented global and multiracial scope.[1] Across the United States alone, the three-month period from May to August 2020 saw over 7,750 demonstrations opposing white supremacy and violence against Black communities[2]—an outcry often compared with the Civil Rights Movement of the 1960s and other, earlier phases of an ongoing struggle for justice.[3] Reflecting the history of similar protests, the focus extended beyond police brutality to demands for broader structural change.[4] Previously discounted approaches to accomplishing such change began to gain traction. Several of these approaches have deep roots in social movements dedicated to penal abolition and related systemic transformations such as dismantling racism, advancing economic justice, and expanding community control over policy making and implementation.[5] Key strategies include divesting from criminal legal systems and reinvesting resources into Black communities.[6] At their core, these approaches and strategies involve redefining public safety and making safety equally accessible for all.

This project offers the first known interdisciplinary, community-based participatory research (CBPR) to directly address those two issues—the definition of safety and how to achieve it—as empirical questions ripe for qualitative data collection and analysis. This exploratory study emerged from community discussions, led by local community organizers, about the achievements and failings of the Cincinnati, Ohio Collaborative Agreement (CA) to reform policing. Hailed by some as a national model for police reform, the CA resulted from activism

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1. *See* Gabriel O. Apata, '*I Can't Breathe*'*: The Suffocating Nature of Racism*, THEORY, CULTURE & SOC'Y, Dec. 2020, at 241, 241-42; Jesse Washington, *Why Did Black Lives Matter Protests Attract Unprecedented White Support?*, ANDSCAPE (June 18, 2020), https://perma.cc/F65P-KRKB.

2. Roudabeh Kishi & Sam Jones, *Demonstrations & Political Violence in America: New Data for Summer 2020*, ACLED (Sept. 3, 2020), https://perma.cc/T8DX-QUWW.

3. *See* Olivia B. Waxman, *10 Experts on Where the George Floyd Protests Fit into American History*, TIME (June 4, 2020, 4:32 PM EDT), https://perma.cc/2VEW-PZQT.

4. *See id* (noting that protests in the Civil Rights Movement of the 1960s and protests following George Floyd's killing were referendums on American democracy, not just expressions of anger stemming from isolated incidents).

5. *See* Amna A. Akbar, *Toward a Radical Imagination of Law*, 93 N.Y.U. L. REV. 405, 462 (2018); Dorothy E. Roberts, *Abolition Constitutionalism*, 133 HARV. L. REV. 1, 48-49 (2019); Allegra M. McLeod, *Envisioning Abolition Democracy*, 132 HARV. L. REV. 1613, 1622 (2019); Jocelyn Simonson, *Police Reform Through a Power Lens*, 130 YALE L.J. 778, 783 (2021).

6. *See* Mariame Kaba, *Yes, We Mean Literally Abolish the Police*, N.Y. TIMES (June 12, 2020), https://perma.cc/93ZM-XXHH; Robin D. G. Kelley, *What Does Black Lives Matter Want?*, BOS. REV. (Aug. 17, 2016), https://perma.cc/Z2GE-Z4FX; *Vision for Black Lives*, THE MOVEMENT FOR BLACK LIVES, https://perma.cc/HPP5-B56A (archived May 5, 2022).

and litigation related to the disproportionate impact of policing and police violence on Black people in Cincinnati.[7] However, others saw problems with the CA's implementation over time.[8] In response, this project pursued two goals relevant to this Article: 1) asking community members for their definitions of safety and ways to create equal access to safety; and 2) supplementing existing community-organizing capacity with new research skills to advance safety-generating policies. These goals reflect participatory research priorities of respecting community-generated research questions, agendas, and expertise, and building sustainable co-learning partnerships between community members and academically trained researchers that generate actionable results.[9] Project goals and design were further informed by the interdisciplinary literature and sociolegal theory discussed in Part I. Research methods and results are presented in Parts II and III, respectively. Part IV discusses the implications of those results. Part V notes study limitations and opportunities for future research.

I. BACKGROUND

This Part reviews the literature that informed our project. Part I.A provides an overview of activism and scholarship related to the U.S. carceral state. Part I.B describes the interdisciplinary, community-based participatory approach to empirical research and its limited prior application in the context of criminal legal systems. Part I.C discusses the sociolegal theories that shaped our analysis: Monica Bell's legal estrangement theory and Susan Silbey's legal consciousness theory.

A. Activism, scholarship, and the carceral state

Recent movements to end racialized police violence build on centuries of

7. *See* Ashton Hood, *A Candid Discussion About Social Justice: Iris Roley, the Black United Front, and the History of Cincinnati's Collaborative Agreement*, FREEDOM CTR. J., 2019, at 143, 146; ROBERT E. WORDEN & SARAH J. MCLEAN, MIRAGE OF POLICE REFORM: PROCEDURAL JUSTICE AND POLICE LEGITIMACY 189-90 (2017); *Wyatt Cenac's Problem Areas: Teacher Problems, Burial Problems, Collaborative Problems* (HBO television broadcast June 15, 2018).

8. *See* SAUL A. GREEN, JOSEPH E. BRANN, JEFFREY A. FAGAN & JOHN E. ECK, PROGRESS REPORT: CITY OF CINCINNATI COLLABORATIVE AGREEMENT 11 (2018), https://perma.cc/ML63-JJBU; SAUL A. GREEN, JOHN E. ECK, JOSEPH E. BRANN & JEFFREY A. FAGAN, RESPONSE TO CITY OF CINCINNATI'S SUPPLEMENTAL COMMUNITY PROBLEM-ORIENTED POLICING STRATEGY REPORT 1 (2018), https://perma.cc/3YRS-CT9A (discussing "lack of attention . . . resistance . . . uncertain commitment . . . and a lack of awareness" among Cincinnati police leadership regarding implementation of community problem-oriented policing, a central CA reform strategy).

9. *See* Alice J. Hausman et al., *Developing Measures of Community-Relevant Outcomes for Violence Prevention Programs: A Community-Based Participatory Research Approach to Measurement*, 52 AM. J. CMTY. PSYCH. 249, 249-50 (2013); Emily M.S. Houh & Kristin Kalsem, *It's Critical: Legal Participatory Action Research*, 19 MICH. J. RACE & L. 287, 294 (2014).

work by Black activists and scholars who endeavored to carve pathways to achieving safety in their communities. Exemplary voices from the 19th century through today include Frederick Douglass, Ida B. Wells, W.E.B. Du Bois, and the NAACP;[10] the Black Panther Party and the Poor People's Campaign of the 1960s;[11] and the contemporary Movement for Black Lives, People's Coalition for Safety and Freedom, and Freedom Georgia Initiative.[12] Critical analyses, policy prescriptions, and popular demands have often focused on the ways that racism, poverty, and criminal legal systems operate together in undermining safety. For example, the Black Panther Party's Ten Point Program echoed aspects of the Depression-era New Deal Economic Bill of Rights by calling for full employment, decent housing, and quality education, while also demanding the immediate end of police brutality, freedom for Black men held in prisons and jails, and trial by juries of community peers.[13] Pursuing similar themes, the Movement for Black Lives' Vision for Black Lives demands "an end to the war on Black people; reparations; invest[ment in Black communities]-divest[ment from carceral controls]; economic justice; community control; and political power."[14]

Countless academic research publications, government reports, and testimonials from affected communities have likewise documented that policing often involves managing social tensions over power disparities rooted in race and poverty, with results that disproportionately harm low-income people and people of

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10. *See generally* Maria Sanelli & Nathaniel Williams, *Frederick Douglass: Words of Wisdom for All Centuries*, *in* TEACHING ABOUT FREDERICK DOUGLASS: A RESOURCE GUIDE FOR TEACHERS OF CULTURAL DIVERSITY 179 (Maria Sanelli & Louis Rodriquez eds., 2012) (describing Frederick Douglass's abolitionist ideology and methods of resistance); PAULA J. GIDDINGS, IDA: A SWORD AMONG LIONS (2008) (discussing the life of Ida B. Wells and her campaign against lynching); Monica C. Bell, *Legal Estrangement: A Concept for These Times*, AM. SOCIO. ASS'N FOOTNOTES, July-Aug. 2020, at 7, 8 (discussing the influence of W.E.B. Du Bois on legal estrangement theory); August Meier & John H. Bracey, Jr., *The NAACP as a Reform Movement, 1909-1965: "To Reach the Conscience of America"*, 59 J.S. HIST. 3 (1993) (outlining the NAACP's involvement in social-reform movements through the twentieth century).

11. *See generally* Huey P. Newton, War Against the Panthers: A Study of Repression in America 141-46 (June 1980) (Ph.D. dissertation, University of California, Santa Cruz) (conveying the Black Panthers' "Ten-Point Program"); Ricky J. Pope & Shawn T. Flanigan, *Revolution for Breakfast: Intersections of Activism, Service, and Violence in the Black Panther Party's Community Service Programs*, 26 SOC. JUST. RSCH. 445, 446 (2013) (describing the Black Panther Party's provision of free social services as an important complement to activism and a "commitment to bear arms" in protecting the local community); *Economic Bill of Rights*, C.R. MOVEMENT ARCHIVE, https://perma.cc/664Y-C7WA (archived May 5, 2022) (outlining the Poor People's Campaign's "Economic Bill of Rights"); Gregory Bailey, *Correcting Capitalism: King's Critique of Economic Injustice*, PENUMBRA, Spring 2015, at 22, 23 (describing Dr. Martin Luther King, Jr.'s organization of the Poor People's Campaign).

12. *See* THE MOVEMENT FOR BLACK LIVES, *supra* note 6; *Our Values*, THE PEOPLE'S COAL. FOR SAFETY AND FREEDOM, https://perma.cc/8ZZV-DP67 (archived May 5, 2022); THE FREEDOM GA. INITIATIVE, https://perma.cc/5JHB-WKBP (archived May 5, 2022).

13. *See* Newton, *supra* note 11, at 141-46; *see also* Mary T. Bassett, *Beyond Berets: The Black Panthers as Health Activists*, 106 AM. J. PUB. HEALTH 1741, 1741 (2016).

14. Akbar, *supra* note 5, at 426-27; *see also* THE MOVEMENT FOR BLACK LIVES, *supra* note 6.

color.[15] A recent example is the report of President Obama's Task Force on 21st Century Policing (the Report). Among the Report's first recommendations is a call to acknowledge the role of policing "in past and present injustice and discrimination."[16] However, this comment must be viewed in context with respect to both the historical legacy of policing and the Report's analysis and recommendations. On one hand, the Report recognizes that policing is just one part of larger criminal legal systems that need comprehensive evaluation and improvement. The Report recognizes that ensuring public safety requires addressing systemic issues that contribute to crime but that police cannot solve, including poverty and often-racialized disparities in access to quality health care, education, employment, and housing.[17] Yet while acknowledging that resources other than policing can promote safety, the Report does not identify avenues for augmenting and equalizing access to those resources.[18] Instead, the Report retains a mainstream equation of policing and safety by focusing on strategies for solving problems with policing.[19]

Nor does the Report adequately account for the fact that policing cannot be divorced from U.S. exceptionalism. The United States is a global leader among industrialized countries in high rates of violence, in penal severity, and in low

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15. *See, e.g.*, STEVEN M. GILLON, SEPARATE AND UNEQUAL: THE KERNER COMMISSION AND THE UNRAVELING OF AMERICAN LIBERALISM 137 (2018) (describing Kerner Commission contributor David Ginsburg's conclusion that policing represented white repression and exacerbated social unrest in Black communities); MARIE GOTTSCHALK, CAUGHT: THE PRISON STATE AND THE LOCKDOWN OF AMERICAN POLITICS 126-27 (2015) (analyzing the vast racial disparities that underlie ostensibly color-blind policing initiatives); ELIZABETH HINTON, FROM THE WAR ON POVERTY TO THE WAR ON CRIME: THE MAKING OF MASS INCARCERATION IN AMERICA 25 (2016) ("Crime control and punitive measures directed at black urban Americans seemed the most politically astute and economically viable way to solve [the urban] crisis."); AMY E. LERMAN & VESLA M. WEAVER, ARRESTING CITIZENSHIP: THE DEMOCRATIC CONSEQUENCES OF AMERICAN CRIME CONTROL 2-3, 15 (2014) (arguing that in overpoliced communities, citizens come to view the government's primary purpose as "keeping people in line"); HEATHER SCHOENFELD, BUILDING THE PRISON STATE: RACE AND THE POLITICS OF MASS INCARCERATION 12-13 (2018) (locating the origins of tough-on-crime policies in racial resentment and backlash, and concluding that such policies disproportionately affect Black Americans); NAT'L RSCH. COUNCIL, THE GROWTH OF INCARCERATION IN THE UNITED STATES: EXPLORING CAUSES AND CONSEQUENCES 21-22 (Jeremy Travis, Bruce Western & Steve Redburn eds., 2014) (observing that majority members of society support harsh criminal punishments that reproduce and deepen existing social inequalities, thus reproducing societal power imbalances through criminal policies); Katherine Beckett, *The Politics, Promise, and Peril of Criminal Justice Reform in the Context of Mass Incarceration*, 1 ANN. REV. CRIMINOLOGY 235, 237-38 (2018) (detailing the negative impacts that policing has on targeted communities); David Garland, *Penal Controls and Social Controls: Toward a Theory of American Penal Exceptionalism*, 22 PUNISHMENT & SOC'Y 321, 322 (2020) (arguing that resorting to penal controls, rather than social welfare implementation, reinforces social problems).

16. PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING, FINAL REPORT OF THE PRESIDENT'S TASK FORCE ON 21ST CENTURY POLICING 12 (2015), https://perma.cc/NUG5-YSC4.

17. *See id.* at 7-8.

18. *See id.*

19. *See id.* at 1-4 (outlining the Report's recommendations).

levels of social welfare supports.[20] Distinctively harsh incarceration rates accompany exceptionally lengthy sentences, onerous fines, fees, and forfeitures, and civil disabilities such as denial of voting rights and exclusion from employment, housing, and educational opportunities.[21] These penal measures result in increased precarity, disenfranchisement, and estrangement. This is particularly true in low-income communities and communities of color that have disproportionately high contact with criminal legal systems.[22] The interrelationship of these systems and impacts has been described as imposing a lower-caste form of "custodial" or "carceral" citizenship.[23]

Interdisciplinary research indicates that reversing these patterns requires new commitments to policies that dismantle poverty and racialized disparities in access to essential resources such as health care, education, employment, and housing.[24] But political hurdles to systemic transformation are numerous and

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20. *See* LISA L. MILLER, THE MYTH OF MOB RULE: VIOLENT CRIME AND DEMOCRATIC POLITICS 98, 102, 158-59 (2016); Garland, *supra* note 15, at 324-25, 334.

21. *See* Garland, *supra* note 15, at 324-25; LERMAN & WEAVER, *supra* note 15, at 94-95; Beth A. Colgan, *Fines, Fees, and Forfeitures*, CRIMINOLOGY, CRIM. JUST., L. & SOC'Y, Dec. 2017, at 21, 22-23; MARGARET COLGATE LOVE, JENNY ROBERTS & CECELIA KLINGELE, COLLATERAL CONSEQUENCES OF CRIMINAL CONVICTIONS: LAW, POLICY AND PRACTICE 37-38 (2013 ed.).

22. *See* KATHERINE BECKETT & STEVE HERBERT, BANISHED: THE NEW SOCIAL CONTROL IN URBAN AMERICA 10-12, 101-02 (2010); LERMAN & WEAVER, *supra* note 15, at 23-24; Joe Soss & Vesla Weaver, *Police Are Our Government: Politics, Political Science, and the Policing of Race-Class Subjugated Communities*, 20 ANN. REV. POL. SCI. 565, 567 (2017).

23. *See, e.g.*, LERMAN & WEAVER, *supra* note 15, at 2-5 (discussing factors of "custodial" citizenship, with a disproportionate impact on young Black men); Reuben Jonathan Miller & Forrest Stuart, *Carceral Citizenship: Race, Rights and Responsibility in the Age of Mass Supervision*, 21 THEORETICAL CRIMINOLOGY 532, 533 (2017); *see also* Janet Moore, *Isonomy, Austerity, and the Right to Choose Counsel*, 51 IND. L. REV. 167, 176-77 (2018) (defining "carceral state" as the "dynamic network of policies, institutions, personnel, and apparatuses through which federal, state, local, and tribal governments exercise power to police, prosecute, and punish").

24. *See, e.g.*, Steven E. Barkan & Michael Rocque, *Socioeconomic Status and Racism as Fundamental Causes of Street Criminality*, 26 CRITICAL CRIMINOLOGY 211, 225-26 (2018) (suggesting that efforts to diminish socioeconomic inequality and racism may reduce street crime); Flavio Cunha, James J. Heckman, Lance Lochner & Dimitriy V. Masterov, *Interpreting the Evidence on Life Cycle Skill Formation*, *in* 1 HANDBOOK OF THE ECONOMICS OF EDUCATION 697, 756 (Eric A. Hanushek & Finis Welch eds., 2006) (reviewing studies revealing that early-childhood interventions decrease crime and delinquency); Jorge Luis García, James J. Heckman & Anna L. Ziff, *Early Childhood Education and Crime*, 40 INFANT MENTAL HEALTH J. 141, 143 (2019) (arguing that early-childhood intervention reduces involvement in crime and violent behavior); Kieran Mitton, *Public Health and Violence*, 29 CRITICAL PUB. HEALTH 135, 135 (2019) (describing the "public health approach to violence reduction"); Leah Sakala & Nancy La Vigne, *Community-Driven Models for Safety and Justice*, 16 DU BOIS REV. 253, 262 (2019) (advocating for community-driven public-safety projects in communities of color); Maximilian Rudolph & Peter Starke, *How Does the Welfare State Reduce Crime? The Effect of Program Characteristics and Decommodification Across 18 OECD-Countries*, J. CRIM. JUST., May-June 2020, at 1, 8 (suggesting that unemployment benefits are an effective means of preventing crime).

daunting. Federalist deference to local governance impedes widespread implementation of productive policy change,[25] while federal resources support punitive local policies that include the counterproductive militarization of police.[26] Institutional resistance—including resistance from public-sector unions that represent employees of the carceral state—has impeded reform, as has the lack of sufficiently broad, sustained, and powerful countervailing pressure from social movements or other stakeholders to date.[27]

B. Interdisciplinary community-based participatory research

Due to the foregoing factors, the crisis of the carceral state presents what transdisciplinary research calls a "wicked problem" which, like crises in ecology and public health, calls for an all-hands-on-deck approach to generate new theoretical frameworks and concrete, directly applicable solutions.[28] Our project intervenes in this wicked problem with an interdisciplinary exploration of what our Community-Based Participatory Research (CBPR) team identified as two first-order questions: (1) What is safety? and (2) How can it be made equally accessible to all? As noted above, participatory research prioritizes the needs, questions, strategies, and expertise of communities that are otherwise too often viewed as

25. *See* MILLER, *supra* note 20, at 159-60; Nicola Lacey, David Soskice & David Hope, *Understanding the Determinants of Penal Policy: Crime, Culture, and Comparative Political Economy*, 1 ANN. REV. CRIMINOLOGY 195, 211 (2018); VANESSA BARKER, THE POLITICS OF IMPRISONMENT: HOW THE DEMOCRATIC PROCESS SHAPES THE WAY AMERICA PUNISHES OFFENDERS 4 (2009).

26. *See, e.g.*, Casey Delehanty, Jack Mewhirter, Ryan Welch & Jason Wilks, *Militarization and Police Violence: The Case of the 1033 Program*, RSCH. & POL., Apr.-June 2017, at 1, 2-3; Jonathan Mummolo, *Militarization Fails to Enhance Police Safety or Reduce Crime but May Harm Police Reputation*, 115 PROCEEDINGS NAT'L ACAD. SCIS. 9181, 9186 (2018).

27. *See* JAMES FORMAN JR., LOCKING UP OUR OWN: CRIME AND PUNISHMENT IN BLACK AMERICA 12 (2017) ("[B]ecause African Americans are a minority nationally, they needed help to win national action against poverty, joblessness, segregation, and other root causes of crime. The help never arrived."); GOTTSCHALK, *supra* note 15, at 14-15; MILLER, *supra* note 20, at 8-9 (arguing that the fragmented nature of American democracy prevents lawmakers from being pressured to enact social policies); Beckett, *supra* note 15, at 250-51; Jocelyn Simonson, *Democratizing Criminal Justice Through Contestation and Resistance*, 111 NW. U. L. REV. 1609, 1610 (2017).

28. *See generally* Valerie A. Brown, Peter M. Deane, John A. Harris & Jacqueline Y. Russell, *Towards a Just and Sustainable Future*, *in* TACKLING WICKED PROBLEMS THROUGH THE TRANSDISCIPLINARY IMAGINATION 3, 3-4 (Valerie A. Brown, John A. Harris & Jacqueline Y. Russell eds., 2010) (defining a "wicked problem" in transdisciplinary research); Matthew W. Epperson & Carrie Pettus-Davis, *Smart Decarceration: Guiding Concepts for an Era of Criminal Justice Transformation*, *in* SMART DECARCERATION: ACHIEVING CRIMINAL JUSTICE TRANSFORMATION IN THE 21ST CENTURY 3, 19-22 (Matthew W. Epperson & Carrie Pettus-Davis eds., 2017) (calling for transdisciplinary research to advance decarceration).

research subjects, and develops research capacity that can yield sustainable results through co-learning community-academic partnerships.[29] Although participatory research is well established in public health and education,[30] it is relatively rare in research on criminal legal systems, despite calls for its implementation in that context.[31] When applied to criminal legal systems, researchers have tended to focus on specific prevention-oriented interventions with prisoners, juveniles, or domestic violence victims instead of attempting to engage more broadly with residents of predominantly Black communities on the more foundational questions of what safety means and how it can be achieved.[32]

Of course, this is not to say that participatory research has failed to engage that broader population or to touch on those first-order questions. For example, Korotchenko and Anderson reported that residents (n=23) of a predominantly low-income African American community perceived negative health impacts from feelings of being unsafe.[33] Drawing on social isolation and collective efficacy theories, the authors reported connections between feelings of unsafety and concentrated poverty, social isolation, community disorder, crime, negative stigma, and police brutality.[34] Working on a multiphase youth violence prevention project, Hausman and colleagues reported that focus groups of adults (n=46) in three predominantly Black urban neighborhoods identified indicators of success related to reduced crime, including environmental improvements such as clean streets and schools, economic development (more businesses, home ownership, and savings), and prosocial behavior (greater trust and civility, and

29. *See* Hausman et al., *supra* note 9, at 249-50; Houh & Kalsem, *supra* note 9, at 312; Lisa Vaughn & Farrah Jacquez, *Participatory Research Methods—Choice Points in the Research Process*, J. PARTICIPATORY RSCH. METHODS, 2020, at 1, 1-2.

30. Nina Wallerstein et al., *Engage for Equity: A Long-Term Study of Community-Based Participatory Research and Community-Engaged Research Practices and Outcomes*, 47 HEALTH EDUC. & BEHAV. 380, 380-81 (2020).

31. *See* Monica C. Bell, *The Community in Criminal Justice: Subordination, Consumption, Resistance, and Transformation*, 16 DU BOIS REV. 197, 210-11 (2019); Ida Dupont, *Beyond Doing No Harm: A Call for Participatory Action Research with Marginalized Populations in Criminological Research*, 16 CRITICAL CRIMINOLOGY 197, 200, 205 (2008); CARRIE PETTUS-DAVIS, MATTHEW EPPERSON & ANNIE GRIER, GUIDEPOSTS FOR THE ERA OF SMART DECARCERATION 16 (n.d.), https://perma.cc/U6LL-BAC2 (calling for "research-practice-policy partnerships that use community- and action-based participatory research").

32. For participatory research involving prisoners, see, for example, Danielle L. Haverkate, Travis J. Meyers, Cody W. Telep & Kevin A. Wright, *On PAR with the Yard: Participatory Action Research to Advance Knowledge in Corrections*, 5 CORR.: POL'Y, PRAC. & RSCH. 28, 34-36 (2020). For participatory research on domestic violence, see, for example, Kristin Kalsem, *Judicial Education,* Private Violence*, and Community Action: A Case Study in Legal Participatory Action Research*, 22 J. GENDER, RACE & JUST. 41, 47-48 (2019), and Maya I. Ragavan et al., *A Systematic Review of Community-Based Research Interventions for Domestic Violence Survivors*, 9 PSYCH. VIOLENCE 139, 141 (2019) (reviewing literature of participatory research on domestic violence).

33. Stan Korotchenko & Kim M. Anderson, *Community-Based Participatory Research: How Residents of a Small Low-Income Racially Homogenous Disadvantaged Neighborhood Perceive the Effects of Poverty Stigma, Community Disorder, & Feelings of Unsafety on Health*, J. QUALITATIVE CRIM. JUST. & CRIMINOLOGY, 2020, at 1, 17.

34. *Id.* at 17-20.

"showing kids love").[35] Similar results are reported in studies that solicit or discuss views on safety, but do so without adopting a participatory-research approach.[36]

This project builds on the foregoing work by examining how members of predominantly Black communities in Cincinnati define safety and strategies for achieving it. Our focus emerged from community concerns about the difficulty of sustaining police reform over time amidst the ebb and flow of community activism and institutional resistance. These concerns led to a sense that sustainability required new thinking about the nature of safety and how to achieve it. Given the nature of these questions and concerns, our project drew upon legal estrangement theory as developed by Monica Bell[37] and related concepts from Susan Silbey's articulation of legal consciousness theory.[38] This approach can shed light on the ways that communities perceive and experience criminal legal systems, the degree to which those interactions range from acquiescence to resistance, and related possibilities for community organizing and policy change.

C. Sociolegal theory: Legal estrangement and legal consciousness

Monica Bell defines legal estrangement as "a process by which the law and its enforcers signal to marginalized groups that they are not fully part of American society" and therefore are excluded from the "*dignity*, *safety*, *dreams*, *health*, and *political voice*" enjoyed by others.[39] One aspect of that exclusion that is well documented in the literature involves complex attitudes toward policing that reflect the experience of being "subject only to the brute force of the state while excluded from its protection" when that protection is needed.[40]

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35. Alice J. Hausman et al., *Translating Community-Specified Indicators of Program Success into Measurable Outcomes*, J. PUB. HEALTH MGMT. & PRAC., Nov.-Dec. 2009, at E22, E24-25, E26 tbl.1; *see also* Hausman et al., *supra* note 9, at 250, 258-61 (discussing the need for and results of incorporating community-defined variables into evaluation of action research on violence prevention); Stephen S. Leff et al., *Using Community-Based Participatory Research to Develop the PARTNERS Youth Violence Prevention Program*, 4 PROGRESS CMTY. HEALTH P'SHIPS 207, 207-08, 214-15 (2010) (providing additional detail on CBPR project aimed at preventing youth violence).

36. *See, e.g.*, FORMAN, *supra* note 27, at 12 (discussing unmet demands to address root causes of crime); Elizabeth Comack & Jim Silver, *A Canadian Exception to the Punitive Turn? Community Responses to Policing Practices in Winnipeg's Inner City*, 33 CANADIAN J. SOCIO. 815, 836-37 (2008).

37. *See* Bell, *supra* note 10, at 8 (applying legal estrangement analysis); Bell, *supra* note 31, at 205 (noting that skepticism of reform-oriented programs is "in line with a legal estrangement perspective"); Monica C. Bell, *Police Reform and the Dismantling of Legal Estrangement*, 126 YALE L.J. 2054, 2066-67 (2017) [hereinafter Bell, *Dismantling Legal Estrangement*] (defining legal estrangement).

38. *See* Susan S. Silbey, *After Legal Consciousness*, 1 ANN. REV. L. & SOC. SCI. 323, 323 (2005).

39. Bell, *supra* note 10, at 8.

40. *See* Bell, *Dismantling Legal Estrangement*, *supra* note 37, at 2057, 2113-26; *see also* Gwen Prowse, Vesla M. Weaver & Tracey L. Meares, *The State from Below: Distorted Responsiveness in Policed Communities*, 56 URB. AFFS. REV. 1423, 1436 (2020).

Bell further describes four different "modalities" through which race-class marginalized people interact with criminal legal systems: subordination, consumption, resistance, and transformation.[41] Each modality captures a different level of agency and of stigma associated with the exercise of such agency.[42] The four modalities are fluid and transitional, in that people can interact with carceral systems using different modalities depending on the situation.[43] Some modalities are more prevalent than others; often the modality that would result in the most significant changes to improving public safety is the one that is most difficult to achieve.[44]

The modality with the lowest level of agency and highest stigmatization is *subordination*, which Bell describes as "depriv[ing] and dispossess[ing]."[45] This modality considers individuals as "system outsiders" subjected to race-class domination by police and isolation from other community members.[46] The second modality, *consumption*, is less stigmatized but still low in agency.[47] Consumption involves community members using a criminal legal system as a service.[48] This modality can be best described by community members calling the police to handle problems, thus perpetuating the system's control over subordinate actors.[49] The third modality is *resistance*. Resistance is high in agency and highly stigmatized.[50] Bell defines resistance as "intentional resistance to the law or its enforcement," which can mean actively disobeying legal authority in order to fight against the system.[51] The last modality is *transformation*, which is high in agency and low in stigma.[52] This modality seeks to reform and reimagine the criminal justice system entirely by allowing community members to individually and collectively move toward overhauling our current systems and reworking them into something that better reflects the community's needs.[53] Bell recognizes that transformation is often the rarest and most difficult modality to achieve because it requires widespread collective efforts that "fundamentally restructure power in the criminal justice system"—a feat that remains daunting despite past and current mobilizations to accomplish it.[54]

Bell's approach to legal estrangement resonates with legal consciousness theory developed by Susan Silbey, whose work looks more generally at the ways

41. Bell, *supra* note 31, at 197.
42. *Id.* at 198.
43. *Id.* at 210.
44. *See id.* at 208.
45. *Id.* at 199.
46. *See id.* at 199-201.
47. *Id.* at 204.
48. *Id.*
49. *See id.*
50. *Id.* at 206.
51. *See id.*
52. *Id.* at 208.
53. *See id.*
54. *See id.* at 208-09.

that people experience law in their lives to explain three interrelated phenomena: (1) the gap between law as written and as applied; (2) the law's role in reproducing inequality; and (3) how "consciousness, ideology, and hegemony" contribute such that "systems of domination are not only tolerated but embraced by subordinate populations."[55] In her work with Patricia Ewick, Silbey identifies three major types of interaction—before, with, and against the law—that involve varying and fluid levels of deference, manipulation, and resistance.[56] Silbey connects that variation, and the rarity of resistance to or transformation of law, to the concept of hegemony, which she describes as the social reproduction of patterned interactions until they become "unnoticed, uncontested, and seemingly not open to negotiation."[57]

Thus, both legal estrangement and legal consciousness theories can offer insight into important questions about whether, when, where, how, and why taken-for-granted background assumptions become subject to challenge.[58] Those questions are especially pressing amidst renewed challenges to carceral policies, practices, and institutions that encompass the contested relationship between policing and safety. Those questions are also pressing given widespread agreement among academics and activists alike that sustainable transformation of criminal legal systems requires widespread, long-term public pressure, including from social movements.[59] This project sought to advance understanding and action on these issues by exploring what our CBPR team identifies as two first-order research questions: (1) How do members of predominantly Black communities in one midwestern city define safety? and (2) What strategies do those community members identify for offering everyone equal access to safety? Drawing on the theories discussed above, we hypothesized that open-ended engagement with the two research questions would reveal diverse perspectives that broke out of the crime-and-punishment box. More specifically, we anticipated that because recent local history intertwined struggle over police reform with issues of racial and economic equity, participants would tend to favor penal abolitionism and connect safety more closely with harm prevention, equitable socioeconomic relationships, and thriving communities than with policing, prosecutions, and prisons. Part II offers more detail on this site-specific history as a prelude to discussing research methods.

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55. Silbey, *supra* note 38, at 324-25, 328.

56. *See id.* at 348 (discussing PATRICIA EWICK & SUSAN S. SILBEY, THE COMMON PLACE OF LAW: STORIES FROM EVERYDAY LIFE 47 (1998)).

57. *See id.* at 330-31.

58. *See* Patricia Ewick & Susan Silbey, *Narrating Social Structure: Stories of Resistance to Legal Authority*, 108 AM. J. SOCIO. 1328, 1328-29 (2003) ("If hegemony refers to that which is unthinkable, resistance must depend at some point in thinking the unthinkable. How does this happen?").

59. *See* MILLER, *supra* note 20, at 207; GOTTSCHALK, *supra* note 15, at 282 (citing the need to "mobilize wide swaths of the public to bring on the convulsive politics from below . . . to dismantle the carceral state"); PHILIP GOODMAN, JOSHUA PAGE & MICHELLE PHELPS, BREAKING THE PENDULUM: THE LONG STRUGGLE OVER CRIMINAL JUSTICE 140 (2017); Beckett, *supra* note 15, at 253-54; Simonson, *supra* note 27, at 1623-24.

II. Project History and Methods

This study explored the complexity of public safety from perspectives of 12 community member roundtable participants collected in February 2019 and analyzed using thematic analysis.[60] This Part begins by offering more detail on the site-specific history that led to the project and the formation of our CBPR team.[61] Subparts B-D describe the research methods used for participant recruitment, data collection, and analysis.

A. Site selection and formation of the research team

1. Site selection

As discussed in the Introduction, this study was part of a larger CBPR project aimed at complementing existing community-organizing capacity with new empirical research skills. Cincinnati, Ohio was a prime location for such work because past struggles here over policing, race, and community safety focused in important part on community engagement with collecting, assessing, and reporting relevant data. Like many urban settings in the United States, Cincinnati has an extensive history of anti-Black oppression and violence that commingles private and public action. That history ranges from implementation of Ohio's pioneering Black Codes, through a series of antebellum riots,[62] to struggles over racial disparities in arrests and police violence that date from the 1960s to the present day.[63] In 2001, in the wake of a series of police killings of Black men, residents again took to the streets to demand change, and in 2002 related class-action litigation led to the Cincinnati Collaborative Agreement (CA) to reform

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60. *See generally* RICHARD E. BOYATZIS, TRANSFORMING QUALITATIVE INFORMATION: THEMATIC ANALYSIS AND CODE DEVELOPMENT, at vi-vii (1998) (outlining "thematic analysis" as a method of encoding qualitative information); GREG GUEST, KATHLEEN M. MACQUEEN & EMILY E. NAMEY, APPLIED THEMATIC ANALYSIS 10-11 (2012) (detailing the process of thematic analysis).

61. For additional analysis of project history and activities, see Ebony L. Ruhland, Lauren Johnson, Janet Moore, Cinnamon Pelly, Simone Bess & Jacinda K. Dariotis, Positionality and Power Dynamics: Academic and Community Partners' Perspectives on Community Based Participatory Research Implementation Challenges 2, 11-19 (unpublished manuscript) (on file with authors).

62. *See* Avery Ozimek, *Exploring Northern Identity Through Historical Analysis of Cincinnati's Antebellum Period*, FREEDOM CTR. J., 2019, at 1, 35-37.

63. *See* Amended Complaint ¶¶ 15-73, *In re* Cincinnati Policing, 209 F.R.D. 395 (S.D. Ohio 2002) (No. C-1-99-317); *Protests and the Pandemic: Recommendations for a More Equitable Cincinnati*, OHIO JUST. & POL'Y CTR. (June 4, 2020), https://perma.cc/AK58-XM79; Fola Akinnibi, *Cincinnati Was a Model for Police Reform. What Happened?*, BLOOMBERG (Sept. 2, 2021, 3:00 AM PDT), https://perma.cc/PB6R-W9QD; *see generally* Index to Appendix to Motion for Preliminary Injunction, *In re* Cincinnati Policing, 209 F.R.D. 395 (S.D. Ohio 2002) (No. C-1-99-317) (presenting declarations that allege disparate treatment of Black residents by the Cincinnati police).

policing.[64]

Community members and organizations played crucial roles throughout this history. CA-related work included the Cincinnati Black United Front's (CBUF) leadership of public protests, an economic boycott of local businesses, and data-gathering to inform both the class-action lawsuit and CA implementation.[65] By 2015, there was progress on core CA priorities of achieving equitable, community-engaged, data-informed, problem-oriented policing. However, leadership changes raised questions about whether that progress could be sustained.[66] During CBUF-led discussions on CA accomplishments and challenges, community members expressed interests in gaining more control over safety-related data and in expanding the focus beyond police reform to broader issues of racial and economic justice. This project responded to those concerns.

2. Formation of the research team

Centering community members in all stages of the research process was a priority for this work.[67] To address community interests in building community-based empirical research capacity, community members were invited to participate in a series of 10 two-hour workshops. Topics included Asset-Based Community Development (ABCD) leadership,[68] research ethics, qualitative data collection and analysis, and quantitative data overview. A total of 19 community

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64. *See In re* Cincinnati Policing, 209 F.R.D. 395, 403-04 (S.D. Ohio 2002); Collaborative Agreement at 1-2, *In re* Cincinnati Policing, 209 F.R.D. 395 (S.D. Ohio 2002) (No. C-1-99-317); CINCINNATI GODDAMN (Wexner Center for the Arts 2015); *see also* Hood, *supra* note 7, at 151; WORDEN & MCLEAN, *supra* note 7, at 189-90; *Wyatt Cenac's Problem Areas: Teacher Problems, Burial Problems, Collaborative Problems*, *supra* note 7.

65. *See* CINCINNATI BLACK UNITED FRONT, CINCINNATI COMMUNITY PERCEPTION SURVEY REPORT SUMMARY 2 (n.d.), https://perma.cc/PW86-XZ7G (describing 2001 collection of 400 statements from Black residents to support CA litigation and 2017 survey on perceptions of CA implementation); *see generally* Index to Appendix to Motion for Preliminary Injunction, *supra* note 63 (presenting declarations from members of the CBUF). CBUF data-gathering was supplemented by court-sanctioned surveys and focus group discussions; however, those processes were deliberately designed to shift the focus from addressing structural race-class disparities to reforming specific police policies and practices. *See* Amber Thorne-Hamilton, The Cincinnati Collaborative Agreement Process: Deliberative Democracy as a Method of Improving Police-Community Relations 99-101 (May 2017) (Ph.D. dissertation, Kent State University) (Ohio Library and Information Network) (arguing that the CA was designed to address "police-community relations, as opposed to engaging the broader and deeper conflict rooted in past relations between the White and Black communities in Cincinnati").

66. *See* Akinnibi, *supra* note 63.

67. *See* Barbara A. Israel, Amy J. Shulz, Edith A. Parker & Adam B. Becker, *Review of Community-Based Research: Assessing Partnership Approaches to Improve Public Health*, 19 ANN. REV. PUB. HEALTH 173, 195 (1998) (recommending community-based approaches to empirical research).

68. *See* JOHN P. KRETZMANN & JOHN L. MCKNIGHT, BUILDING COMMUNITIES FROM THE INSIDE OUT: A PATH TOWARD FINDING AND MOBILIZING A COMMUNITY'S ASSETS 344-54 (1993) (discussing strategies to mobilize communities by shifting the focus from needs and deficits to strengths and assets).

members (henceforth referred to as "community researcher trainees") completed ethics trainings, and 15 completed most of the workshops. Demographic characteristics were obtained from 18 trainees who completed a presurvey.[69]

As part of this work, community researcher trainees collaborated on design and facilitation of roundtable discussions on public safety. A total of six community researcher trainees co-facilitated one of three roundtable discussion groups. Community researcher trainees used these data as they learned about and applied qualitative data coding. One of these trainees continued an in-depth data analysis with the academic partners and is a co-Author of this Article, as is another community member who contributed to project planning, curriculum design, and facilitation of the workshops and roundtable discussions. The academic institution's institutional review board approved this study and community members became part of the research team after completing research ethics training.

B. Participant selection

Community roundtable participants were recruited using purposive (e.g., flyers, word-of-mouth) and venue sampling. A prominent community leader disseminated the flyer through her listserv, mentioned the roundtable during community events, and recruited attendees at a book fair held on the same day and in the same church building as the roundtable discussions. This venue-based sampling strategy was important for ensuring representation by community members, as was holding roundtable discussions in a venue that was familiar to participants and where they could feel safe.

Participation was limited to residents of the greater Cincinnati metropolitan area who were over age 18 and who could read and speak English. Based on community partners' concerns that efforts to collect identifying information could stifle participation, signed consent forms and demographic data beyond the qualification factors were not required. All 12 participants (by facilitator observation, mostly Black, female, and older) provided informed consent (each received a copy of an information sheet that was reviewed with them) and volunteered to participate in the roundtable. Notably, participants described having high levels of community engagement. Some self-identified as past or current leaders of community-based organizations, as members of neighborhood councils, or as participants in other forms of civic engagement.

C. Data collection

Data for this study were collected during a two-hour roundtable event open to the public, held at a local church, and facilitated by community members on the research team. Subparts 1 and 2 explain the rationale for using roundtable discussions and the development of the roundtable protocol. Subpart 3 describes

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69. By self-report, a majority of community researcher trainees were Black and female; 33% were college graduates and 44% had post-baccalaureate degrees.

implementation.

1. Roundtable rationale

Roundtable discussions served as a data collection method rather than surveys and interviews for several reasons.[70] First, roundtables are participatory in nature and provide not only individual perspectives, but information about community and cultural norms. By treating all participant voices as equal, roundtables provide opportunities for participants to share perspectives and to exchange real-time responses to that shared information. Thus, roundtables offer windows into issues, problems, and solutions at levels beyond the individual and, for this project, capture data on personal safety and community norms about public safety that interviews could not. Second, roundtables enable collecting data from many participants in one session. This is particularly important given the limited availability of community researchers to collect data and for hard-to-reach community members to engage as participants. Third, qualitative methods were identified as an area for capacity building by community partners, and roundtables enabled them to practice their facilitation skills. Last, survey methods were considered but not used for two reasons: They would not capture the depth and richness needed to examine the research questions of interest, and such a survey would be considered duplicative of a recent community survey on a related topic.[71]

2. Roundtable protocol

A roundtable discussion protocol was collaboratively developed by community research trainees and academic team members through an iterative process of drafting questions, full team discussions, and revisions, until consensus was reached on a final set of questions and prompts. A total of six questions (two with 4-9 follow-up questions) were included on the final open-ended protocol. Participants were asked about why it was important for them to participate in a discussion about community safety, times in their lives when they felt safe, and designs and priorities for community safety. The following questions were marked as essential and were to be asked if time was running short:

> If you could start from scratch, what would be your design for community safety?
>
> How are you defining "community"?

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70. *See* Sheppard G. Kellam & Doris J. Langevin, *A Framework for Understanding "Evidence" in Prevention Research and Programs*, 4 PREVENTION SCI. 137, 150-51 (2003) (discussing justifications for different research methods and tools, including roundtable discussions).

71. *See* CINCINNATI BLACK UNITED FRONT, *supra* note 65, at 2.

> What are the three most important areas that we have discussed in our group today?
>
> Things that you would like to see included in ongoing discussions?

Questions were open-ended to encourage emergent ideas and to make space for dialogue rather than having overly prescribed questions. The intent was to hear from the participants about what safety means to them and how they think safety can be achieved, and to have the research participants' voices shape the narrative.

3. Implementation

Because community partners emphasized the cultural importance of sharing food in creating a comfortable environment for discussion, a simple buffet was provided to welcome participants to the event. When participants arrived, the study was described to them, and they were provided an informed consent form—known as an information sheet—that they kept for their records. Participants who agreed to be part of the research entered the roundtable discussion room and were randomly assigned to a discussion table. If participants knew each other (e.g., friends, family members), they were assigned to different tables to promote more open discussion across participants. A total of three group discussions were conducted (group sizes: 6, 3, and 3). Group discussions were audio-recorded and transcribed.

Once the roundtable session began, the first 15 minutes were spent overviewing the research project, the information sheet, and discussion group ground rules (e.g., speak one at a time, do not share what is discussed outside of the group). Substantive conversations within each group lasted approximately 60 minutes. Each roundtable was co-facilitated by a team of two community research trainees. Prior to facilitating, these trainees engaged in the workshops discussed above, including research ethics training and two sessions specific to best practices in focus group discussion facilitation and qualitative data collection. During the last 15 minutes of the roundtables, a facilitator from each group summarized major discussion points with the larger group.

D. Data analysis

In all data analysis, and particularly with qualitative data analysis, the researcher serves as part of the "instrument." It is important to acknowledge the identities each researcher brings to this work because their positionality shapes the ways data are analyzed.[72] Although the Author team is all-female, we nevertheless represent multiple identities and backgrounds. Two Authors are African

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72. Danielle Jacobson & Nida Mustafa, *Social Identity Map: A Reflexivity Tool for Practicing Explicit Positionality in Critical Qualitative Research*, INT'L J. QUALITATIVE METHODS,

American community members whose respective backgrounds in community development and education span corporate, nonprofit, and other institutional sectors. The remaining Authors include a biracial law student, a Black social scientist, a white social scientist, and a white law professor. By combining community and academic knowledge, and interdisciplinary perspectives from criminal law and procedure, public health, prevention science, and criminal justice, we intended to strengthen data analysis with a multifocal analytical lens that could expose and remedy privilege and power disparities within the team while also checking assumptions about method, theory, and the lived experiences of study participants.

Thematic analysis[73] was used to analyze these qualitative data. An iterative process was used to develop a codebook, code transcripts, and develop themes. Six coders—academic and community partners—were responsible for reviewing transcripts, developing mutually agreed upon codes, subcodes, and definitions that make up a codebook, coding transcripts, and developing themes through discussion of coding results across transcripts. Codes consist of a word or short phrase to indicate statement meaning in a larger transcript. A codebook is developed with definitions for these short codes to ensure that all coders are using the same meaning when assigning a code to a statement. Transcripts may have many codes and subcodes, some that are interrelated. Therefore, after coding occurs and is finalized, discussion is used to develop themes that encompass multiple codes across transcripts. Ultimately, a few themes should emerge from these codes.

For this study, one Author provided an example of how two paragraphs could be analyzed using codes and subcodes, and developed a brief codebook with definitions. After this overview of the process, each transcript was reviewed by two independent coders—one academic and one community partner—to ensure that multiple perspectives informed initial codes. Then, these codes were discussed within and then across coder pairs. Any "disagreements" were reconciled and overlapping codes or subcodes were condensed until consensus was reached for 37 subcodes under six major coded topic areas. This iterative coding process involving review, category generation, reflection and discussion, and refinement is a best practice in qualitative coding.[74] Ultimately four themes emerged from these codes. For instance, "factors promoting safety" was a code related to many subcodes (honesty, diversity, living wage, education, opportunities for community events). This code and related subcodes contributed to Theme One (discussed below).

Jan.-Dec. 2019, at 1, 1-2.

73. *See* BOYATZIS, *supra* note 60, at vi-vii; GUEST, MACQUEEN & NAMEY, *supra* note 60, at 10-11.

74. *See* JOHN W. CRESWELL, QUALITATIVE INQUIRY & RESEARCH DESIGN: CHOOSING AMONG FIVE APPROACHES 150-55 (2d ed. 2007) (discussing best practices in qualitative research); John W. Creswell & Dana L. Miller, *Determining Validity in Qualitative Inquiry*, 39 THEORY INTO PRAC. 124, 126-29 (2000) (describing multiphase, iterative methodology for qualitative research).

Based on the subcodes and codes, four Authors independently drafted themes. The full team discussed these themes and agreed that they were grounded in and reflective of the data. Narratives were drafted for each theme and reviewed by other team members until a final draft of each theme was agreed upon.

III. Results

The reported findings focus on themes that addressed the research questions, and the quotations highlighted below are representative of each theme. Part III.A presents the first two themes, which address Research Question One: What is safety? Theme One captures participant descriptions of safety and factors that promote safety. Theme Two identifies barriers to creating safety. Part III.B presents the third and fourth themes, which relate to Research Question Two: What are ways to make safety accessible to all? Theme Three describes the roles and responsibilities that participants identified as necessary to create safety. Theme Four focuses on tensions over whether and how police contribute to safety.

A. Research question one: What is safety?

1. Theme one: Safety was defined as multidimensional, but predominantly as being free from harm or the threat of harm and as closely linked to communities with caring, supportive relationships.

Safety was defined by the participants in its simplest form as being free from harm or the threat of harm. Participants also described safety as multidimensional, encompassing personal, environmental, and community spheres that must conjoin to create safety. As one participant put it,

> When I hear safety, I think of several different levels. First, I think there's safety in the home; being safe from violence within your home and then it just goes out from there. You have on your street, in your neighborhood, in your community, and the safety of being able to go from one place to the next without fear of harm or danger or crime happening to you. So, that's bodily safety. Then, I think there's safety as it relates to mental safety—and I might even say safety of the soul—in that people are caring for you and not necessarily using verbiage or behavior that would have a negative impact on your mind or your inner well-being.

Participants listed a broad range of factors that affect safety, ranging from regulatory and infrastructure matters, such as animal control, lighting, sidewalk maintenance, and traffic control, to systemic issues of poverty and crime. In the words of one participant,

> Safety is being able to walk down the street without being scared that you're going to run into a pit bull. . . . Another thing is there's so much going on like drug deals . . . it's a lot of guns and it's a lot of traffic and it's a lot of poverty. It's always like that when you have a lot of poverty . . . .

Even in physically unsafe environments, however, community members reported experiencing a sense of safety through strong, caring, and supportive relationships with family, friends, and neighbors. Participants emphasized that such relationships prevented isolation and gave them someone to turn to if needed. Discussions of these relationships often brought up feelings of nostalgia. Participants remembered how neighbors used to know each other, look out for one another, and keep each other accountable, so much so that, as one participant noted, "When I was growing up, if I did something wrong, my mother knew before I ever hit home." Another participant mapped the broader network of such relationships. She described herself as a "community-baby," and said, "[E]verybody was invested in me being well." This investment extended "[f]rom the school community to the church community" and beyond—even to the local bar, where a relative who was a bouncer encouraged patrons to reward this participant with cash for achieving excellent grades.

Other participants said that simply being known as a member of a particular social group—whether a specific family, friendship, or neighborhood—offered a form of safety. When together, there was strength in numbers, but even when the larger group was not present there was a sense of safety because "people knew that that was your tribe." Participants also described how close community relationships enhanced neighborhood stability and supported collective action to promote safety. Simple examples included shared behaviors, such as watching for friends to arrive, staying together during outings, and making sure they got safely into their houses when dropping them off. Other examples involved technologies like listservs that made communication between neighbors, and thus looking out for each other, easier. Regardless of the methods used, participants described neighbors helping neighbors as essential to building safer communities: "Neighbors have to speak up for each other and advocate for each other. I think just helping to build those relationships where they can trust each other is a first step to then having safety in a community."

2. Theme two: There are many structural barriers to safety, with poverty and racism being particularly robust

To understand how community members define safety, it is also important to understand barriers that impede safety. As indicated by the comment about pit bulls and poverty, when asked what safety meant to them, participants often described what safety was not. Thus, while strong community relationships were a key aspect to feeling safe, the lack of such relationships led participants to feel that they were unsafe. Many of the barriers to safety that participants described

involved macro-level, structural factors rather than micro-level, individual factors. Participants frequently traced the absence of strong social connections and resulting isolation, vulnerability, and lack of safety to structural factors of poverty and racism.

Participants agreed that safety was compromised by poverty and its cascading outcomes (i.e., fewer and low-quality educational opportunities, food scarcity, un/underemployment, unstable housing, and inadequate medical care). Participants viewed poverty as harming everyone, either directly or indirectly. They described three sets of causal relationships through which poverty undermines safety. First, they viewed poverty as a direct cause of crime. As one participant explained,

> When you have poverty, that's a lot of people not eating. So, that makes them thieves. . . . [T]hey have guns as teenagers to get what they want instead of getting education and they're shooting people and they're selling drugs. All of this is going on in the hood.

Second, participants described how poverty creates housing instability, which leads to transient neighborhoods with high resident turnover. This instability prevents neighbors from getting to know each other and establishing long-lasting relationships, which in turn increases distrust, isolation, and vulnerability. A participant summarized the process as follows:

> Families feel so isolated and part of the reason why certain things are allowed to go on is because people don't know each other. When you are isolated, you are in more danger of something happening to you because no one knows what's going on in your life and no one is there to provide that protection.

The third causal connection that participants made between poverty and lack of safety involved the criminalization of poverty, for example, the targeting of behaviors linked with homelessness for policing and prosecution. Distinguishing levels of risk and harm in this context, one participant said, "There are just a lot of laws that criminalize people when it's a crime because they're poor, not because it's an actual crime." Another explained that criminalizing poverty stigmatized people and eroded trust "creat[ing] a situation and an environment where people don't talk to their next-door neighbors" and are "afraid of their next-door neighbors in a lot of cases."

Participants also saw poverty as connected with racism and sexism in undermining safety. As one participant said,

> Racism and sexism and disparity in pay is ridiculous. And in the way you don't pay women you pay men, for the same jobs and they largely are the people that are taking care of the kids, we're not talking about fifties, sixties, like dealing with staying home, you know, has a whole

> other income, they're doing that and raising a family, so if you want to stabilize neighborhoods, and turn down the turnover you've got to pay people and people aren't willing to pay people.

Others focused specifically on racism. One doubted that genuine safety could be achieved "until we get down and understand where racism start[ed]." The participant continued, "How do you erase it . . . . Because it was created, it wasn't born, it was created, for who? For who?" Another also insisted on the need to address racism as part of the broader context within which police violence occurs:

> Change has to be made, we've got Trump in office and change is being made, but we're going backwards. What other people that you know is going backwards in America!? Tell me another race in America that's going backwards. We are the only one. And why is that? There's a reason why. And it ain't just the police.

Several participants offered suggestions for promoting greater safety in their neighborhoods by breaking down structural barriers of poverty and racism. For example, to reduce resident turnover, they argued for policies to increase long-term rentals and home ownership. They also emphasized the need for mixed-income housing to reduce concentrated poverty. Theme Three expands upon these and other participant views on the multiple pathways, roles, and responsibilities that are involved in creating safety.

B. Research question two: How can safety be made accessible to all?

1. Theme three: Creating safety involves roles and responsibilities that require coordination and accountability across many levels—individual, family, neighborhood, business, nonprofit agencies, and government.

This theme focuses on the second research question regarding how people achieve safety. Participants viewed creating personal and community safety as a complex task requiring coordination and accountability across diverse roles and responsibilities. As discussed below, participants focused on individual roles and responsibilities, as well as collective efforts involving neighborhood organizations, businesses, nonprofit agencies, and government.

i. Personal and neighborhood responsibility for safety

Most of the participants described safety as a matter of personal responsibility. One expressed this view vividly, comparing the ability to speak out with a defensive weapon. This participant described locating safety "within myself." The participant continued, "I don't think it's external, I think it's internal. My

carrying concealed is probably my mouth." Others also emphasized the importance of individuals speaking up as a way to create safety, connecting that responsibility to behaviors like being observant, staying informed and engaged, bringing attention to factors that undermine safety, and modeling good citizenship, character, and values.

Several participants described how they personally exercised vigilance, especially when neighborhood turnover undermined relationships and led to a lack of trust in new residents:

> I had to be more responsible about locking the doors, don't try to come home late at night, driving your car real late, you've been out to dinner or something. I couldn't do that anymore, okay. I can do it, but I've got to have somebody watching, and then when I get inside I'm going to watch that they get away in their car.

Participants who focused on personal responsibility often connected it to unresponsive police: "Individuals are responsible for keeping each of your family and your house safe. . . . [I]t has gotten to the point where if you can't get the police to do that, then you have to protect yourself. That's why there are so many that own guns." Others offered more detail on how they used surveillance techniques. One explained, "I'm not snooping on neighbors, but I'm observant. I'm trying to do my part." Another used technology to keep an electronic eye on things, praising those "doorbell buttons with the cameras in them" and the ability to share the resulting video evidence with neighbors to identify thieves. Yet another participant described similar vigilance involving the neighborhood listserv. After discussions were posted about a local man's behavior and dress, a neighbor saw the man "looking weird at some child" and reported him to police for voyeurism.

ii. "Concentric circles" of relationship: Community councils, agencies, and businesses

At the same time that participants described using surveillance-style tactics to promote safety, there was also widespread agreement on the centrality of close, supportive relationships to what one participant described as "concentric circles" of responsibility for building safety. Specifically, these circles connect individuals and families with neighborhood organizations, agencies, and businesses. In fleshing out the concept of concentric circles, one participant proposed overcoming social isolation via "a door-to-door campaign" to build relationships and social networks. Others identified resources within existing social networks, such as local community councils, as effective avenues for creating safety and holding all stakeholders accountable for doing their part. Still, others emphasized that the relationship was a two-way street and that community councils needed to do a better job of outreach. One participant insisted that people know the problems in their own neighborhoods and have "got almost all of the answers." The

participant explained that local residents "just need some resources" to fix broken streetlights, dangerous crosswalks, vacant housing, and overgrown lots.

In addition to community councils, participants also described working with nonprofit agencies to create safety. Often this involved developing relationships through activities and classes for all age groups. One described this work as "building social capital for our families," and emphasized the need to teach skills in conflict resolution and restorative justice practices, particularly among youth. Praising the transformative potential of such efforts, this participant explained how restorative justice describes existing, taken-for-granted community practices of healing and preventing harm that should be recognized and encouraged:

> Restorative justice looks at how we restore the relationship where criminal justice more so looks at the harm that's done to society. . . . Kids do things and the store owner comes in and says, "Hey, what you do that for?" They don't call the police. They handle it and they restore the child and build a relationship rather than call the police and [then] the child has to go to jail, sit there for a night or whatever the case may be. So, I think those kinds of smaller ways happen naturally in many ways but in certain communities, it's just caught on more than in others. Like, we're taking on policing without even thinking about it.

Although participants saw agencies as resources for developing social capital and teaching new safety-promoting skills, they also said that agencies need to exercise more direct responsibility for creating safety. A recurring concern involved agencies that cluster in specific neighborhoods and serve clients with mental health or other treatment needs, but fail to provide adequate oversight for the clients after hours. Responses to these concerns were complex, and illustrated diverse, overlapping roles and responsibilities for creating safety. One participant worked with a neighborhood coalition to "stop a building that they were putting in for drug addicts and people that's coming out of jail." Another stressed that agencies need to work closely with local community councils, but others described the difficulty of convening stakeholders when multiple agencies, businesses, and neighborhoods need to be at the table. In yet another instance, neighbors accused agency clients of committing crimes and attracting drug dealers who clustered around a local business. Working with the business and the local community council, residents reached a solution: the business agreed to play classical music because dealers "don't like selling drugs to Mozart." Another participant questioned this approach, suggesting that broadcasting jazz instead might get people interested in their own culture and give them a "hope or dream or a different perspective" instead of driving them away.

iii. Eliminating systemic barriers through government policies

As noted previously, participants believed structural factors such as poverty

and racism undermine safety. They further recognized that co-creating safety requires dismantling those structural barriers, which requires collective action and policy change. Several called for policy changes to address the criminalization of poverty. Many shared the view that creating safe, stable neighborhoods requires paying people a living wage and eliminating race- and gender-based pay disparities. Additional remedies included improved housing standards and enforcement procedures, as well as policies to promote affordable, mixed-income housing that include pathways to home ownership.

Addressing gentrification was also important to ensuring safety. As noted in Theme Two, participants viewed poverty and housing instability as a major factor that impedes safety because transience disrupts the trusting relationships that promote safety. Participants described gentrification as another driver of such community instability. They proposed tax relief that would allow residents who are "the backbone" of their communities to stay in their homes when gentrification drives up property values.

Participants also stressed the need to remain informed about the large-scale changes caused by housing turnover and development, and about the government policies that support those changes. These policies were wide-ranging and involved a variety of institutional players. For example, one participant described how a local hospital created instability, increased concentrated poverty, and undermined community safety. The hospital had gradually expanded ownership of nearby housing stock, evicted residents, cleared the land for expansion, and compounded a local housing shortage for low-income people.[75] Another participant pointed out that highway construction caused similar problems: "[P]eople didn't know, 'Are they going to take my home?' If you don't know if they're going to take your home, you don't keep improving your home . . . ."

Participants emphasized that these impacts were felt disproportionately in low-income and Black neighborhoods. Several expressed doubts about dismantling the structural foundations of these problems. One drew on history, citing the rise and demise of the federal Comprehensive Employment and Training Act, which funded city pay and benefits for community members creating job training, employment, and arts programs. Although some local institutions such as a food bank survived and thrived, this participant warned that such programming was unlikely to return despite it being "[p]retty much . . . the only way that the government can be helpful in terms of moving us from the current [situation, in which] the only way you can make a living is a handgun or selling opiates to the neighbors." This participant concluded, "[T]hat's the economic development program of our time."

Other participants acknowledged past policy failures but pushed back with strategies for driving change through collective action. A dialogue between two participants is illustrative. One argued for "[g]oing to the people." The participant explained, "We have to go to them first because there's a lot of distrust

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75. *See* Nick Swartsell, *Council Votes to Approve Children's Hospital's $550 Million Expansion in Avondale*, CITYBEAT (Aug. 9, 2017, 11:21 AM), https://perma.cc/R4DW-C2B7.

especially with programs because poor people get a new program every five years." The other agreed: "Right, people get bored and walk away." Ultimately, many participants agreed that productive change would be faster and more sustainable if pursued at the community level, in part because using traditional channels to promote new policies "takes too damn long." One participant explained, "[I]f you . . . work it at the neighborhood level, you can get something to happen a hell of a lot sooner."

2. Theme four: There was ambivalence and tension about the role of police in promoting safety.

Participants expressed ambivalence and tension over whether and how police promote safety. Several expressed appreciation for police, viewed them as a necessary part of a safe community, and sympathized with the dangers they face. Others advocated for greater police-community engagement to build trust and make policing more effective:

> [A] lot of work happens just in routine conversations. We know the guy, we see him on the street. When the communication with the police department is entirely in that institutional setting, we call and they dispatch a car, that doesn't get you anywhere.

Participants also emphasized the need to go beyond regular conversations with police by staying informed about policies that govern police conduct and ensuring that those policies are enforced: "The community is part of the solution, with relationships and being engaged and communicating, but the accountability comes with holding the police accountable with those policies and practices that are in place."

Still, other participants described police as the problem, not the solution: "More police don't make me feel more safe. They make me feel less safe. They make me anxious and a lot of times they're the perpetrator of the violence and the harassment and the terrorizing in my community." Others described a tension that exists when community members do not trust each other or the police, making safety unattainable. Multiple sources of distrust between community and police were mentioned. Participants described "a real disconnect between communities and police departments," and noted that the lack of relationships and poor relationships with the police were due to the structural barriers of poverty, neighborhood instability, and racism described in Theme Two and Theme Three.

Participants also stated that strong and positive relationships among community members minimized the need for police. Conversely, distrust among community members led to increased reliance on police, and more police presence and involvement in community matters. At the same time, participants described complicated police-community relationships in which residents did not wholly trust police to resolve disputes responsibly and safely. Participants expressed that police are sometimes needed to address circumstances in their communities

while simultaneously expressing distrust and fear toward police.

Some of that distrust and fear related to disappointed expectations that police would act in ways to keep communities safe. Examples of such disappointment included police failures to respond at all, or inadequate police responses, when protection was needed. Unresponsiveness included slow reactions to 911 calls and ignoring crime tips. Participants saw police inaction as reflecting apathy toward low-income and Black communities and biased expectations that such communities should just have to "put up with" crime. Participants also described taking matters into their own hands when they felt that they could not rely on police to respond. For example, community members started their own surveillance activities in a local crime "hot spot" and "actually identified some of the criminals" with photos, names, and license plate numbers.

Another source of distrust and fear toward police was disparate treatment, seen as patterns of under-policing and over-policing based on race and class. Describing how the two phenomena appeared simultaneously within one community (with police responding disproportionately, either too little or too severely), a participant noted that drug dealing continued unchecked on one side of the neighborhood while "on the other side, we have kids getting in trouble and have done nothing more than any of us might of done when we were young and they're being punished unreasonably." Participants also said that lower-income, minority communities often experience over-policing and more drastic punishment for small infractions that would either be ignored in more affluent communities or would be dealt with in ways that more closely resembled restorative justice. Again, participants connected these problems to the presence or absence of strong community relationships:

> [T]here are a lot of the same crimes going on in other places, but they don't necessarily call the police on each other. It doesn't escalate to that level. . . . Because we're not together as a community, it causes us to rely on the government to take care of us because we're not taking care of each other.

While participants agreed that disparate treatment by police undermined safety, as was the case in Theme Three, tension emerged around whether collective action could promote safety when police were not trusted to do so, when they failed to act, or when they acted violently against community members. While some participants described ways that they effectively took policing into their own hands, others expressed eagerness to make and enforce policy: "I think it's important for citizens to stay involved in their community and have a voice and be at the center of leading the work for their own community." Another felt that communities taking power into their own hands was exactly what was needed to drive sustainable change: "I feel like poor people are programmed too much. I think that you don't need to be programmed, you need to be empowered."

Still other participants expressed doubt about whether collective action

could drive meaningful change given the deep roots of underlying systemic barriers to safety like poverty and racism. Discussing the role of racism and the difficulty of mounting effective collective action, one participant called out everyone in the room: "We keep fooling ourselves . . . . [W]e don't have enough people to play a baseball game, and look how many people are in the city." Another struck a similar tone, urging fellow participants to read history and learn from past, failed efforts:

> [L]ook at the 1968 Kerner Commission report dealing with the race riots. . . . [T]hey came up with recommendations for the police department, for the city of Los Angeles, and for the community. It's all written, all you have to do is read, and you'll see 50 years later ain't nothing been done. So we get the BS all the time, people come, make money off of us, and leave us in the same condition that we in . . . and we're willing to let them do that. Something ain't right about that y'all.

IV. DISCUSSION

The purpose of this participatory research study was to explore how residents of predominantly Black communities define safety and strategies for making safety accessible to all. Drawing on Bell's legal estrangement theory, we hypothesized that open-ended engagement on the meaning of safety among participants from the Cincinnati, Ohio metropolitan area would yield diverse perspectives, but that a predominantly transformative, penal abolitionist approach would link safety with equitable, thriving, multi-layered social relationships, while reliance on punishment-oriented interventions would play a smaller role. Our qualitative thematic results shed new light on the research questions, offer support for findings from prior studies, and highlight opportunities for further inquiry via interdisciplinary and transdisciplinary participatory research.

Three new insights into the meaning and accessibility of safety stand out. First, participants often found it easier to describe what safety is not instead of what safety is. Second, the data reveal a relatively high level of what Bell describes as *consumption* of policing and policing-style interventions that often involve surveillance activities and technologies. Third, the data reveal significant tension over whether and how safety can be achieved and made equally accessible to everyone. On one hand, many participants emphasized exercising personal responsibility and building stronger social relationships as strategies for creating safety. Others doubted that such strategies could dismantle structural barriers to safety such as poverty and racism. Taken together, these three insights reveal a complexity (even within an exploratory study involving a small, relatively homogenous participant sample) that warrants further research to understand relationships between legal estrangement, civic engagement, and possibilities for transformational change of criminal legal systems.

When asked to describe safety, participants emphasized freedom from harm and the threat of harm, and connected that freedom with environmental factors

(clean streets, adequate street lighting, well-maintained properties), as well as networks of strong, supportive, trusting social relationships. We note that perceptions of safety do not necessarily correlate with actual safety (for example, nostalgia may influence perceptions),[76] and may even lead to a false sense of security.[77] Nevertheless, participant emphases on environmental factors and strong social relationships tend to corroborate prior studies that addressed the meaning of safety but did so tangentially to other research questions or goals.[78] Participants' emphasis on social relationships also tends to support our hypothesis that open-ended inquiry into the meaning of safety would yield a more transformative, abolitionist description of community assets and of ways that building up those assets could reduce the need for punitive interventions.

Yet despite our open-ended approach, participants often quickly pivoted from what safety is to what safety is not. Those "unsafety" factors (drug dealers, violent crime, social isolation, "schmuck" landlords) resonate with data from prior studies.[79] The pivot from what safety is to what it is not may be due to limited prior opportunities to engage in focused thinking and discussion on the meaning of safety versus what may be more frequent reflection and conversation about factors that undermine safety. That limitation may be especially salient in race-class-subjected communities where state violence is so ingrained that generations of Black families have had to have "the Talk" with their children about how to survive encounters with police and other authority figures.[80]

The second surprising aspect of the data was an unexpectedly strong emphasis on consumption of policing and policing-style surveillance and investigation. Research indicates that when communities engage in policing-style interventions, impacts can be both positive (e.g., a greater sense of neighborhood cohesion and efficacy) and negative (heightened fear, suspicion, and reinforcement of prejudice).[81] Overall, our data tend to corroborate findings involving positive impacts. Examples include satisfaction with cooperation among individuals, community councils, and business owners around a tactic cited in criminological crime prevention research: playing classical music to deter people from congregating around the business.[82]

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76. *See* Jennifer Helgren, *A "Very Innocent Time": Oral History Narratives, Nostalgia and Girls' Safety in the 1950s and 1960s*, 42 ORAL HIST. REV. 50, 51-52 (2015).

77. *See, e.g.*, Georjeanna Wilson-Doenges, *An Exploration of Sense of Community and Fear of Crime in Gated Communities*, 32 ENV'T. & BEHAV. 597, 607-08 (2000).

78. *See* Hausman et al., *supra* note 9, at 258; Hausman et al., *supra* note 35, at E26 tbl.1; Korotchenko & Anderson, *supra* note 33, at 22.

79. *See, e.g.*, Korotchenko & Anderson, *supra* note 33, at 18-19.

80. *See* Madison Armstrong & Jennifer Carlson, *Speaking of Trauma: The Race Talk, the Gun Violence Talk, and the Racialization of Gun Trauma*, PALGRAVE COMMC'NS, 2019, at 1, 6. As a member of this project's community advisory board put the problem, "safety is risky."

81. *See* Anaïk Purenne & Grégoire Palierse, *Towards Cities of Informers? Community-Based Surveillance in France and Canada*, 15 SURVEILLANCE & SOC'Y 79, 79-80, 90 (2017).

82. Lily E. Hirsch, *Weaponizing Classical Music: Crime Prevention and Symbolic Power in the Age of Repetition*, 19 J. POPULAR MUSIC STUD. 342, 345-46 (2007) (reviewing

Two qualifications are in order. First, some of this consumption reflected a tension between over-policing and under-policing in Black communities that is well documented in the literature, and which Bell describes as an aspect of legal estrangement.[83] Thus, participants described unwarranted harassment and arrests of local residents (especially young adults and juveniles), which is indicative of what Bell calls *subjugation* to the operation of criminal legal systems. At the same time, participants described their own police-style tactics as an attempt to fill a gap when police did not respond to crime, responded slowly, or ignored community efforts to partner with police (for example, sharing tips about criminal conduct). Notably, that gap-filling seemed to involve a higher level of agency than Bell attributes to consumption, as it required direct and often coordinated community use of surveillance and information-sharing tactics.

A second qualification about positive impacts from consumption of policing and police-style tactics involves negative impacts that may be implicated in the data. For example, one participant questioned both the utility and the cultural implications of using music as a crime prevention tactic. Another example involves the local man whose behavior and dress sparked community suspicion, surveillance, and the man's arrest for voyeurism. The participant who described the incident framed it as a successful collective production of community safety. However, the incident may also have involved the type of unwarranted fear, prejudice, and punitive intervention that research on community-led surveillance cautions against.[84] This potentially negative implication is especially noteworthy because the voyeurism incident involved one of many participant endorsements for surveillance technologies such as listservs and doorbell cameras. Although research has begun to examine how white residents use these technologies to maintain self-segregated spaces,[85] this study offers the first known report of their embrace by residents of predominantly Black communities.

The third new insight into the meaning of safety emerges from tension between two general approaches to creating safety. That tension became evident when recommendations focused on personal responsibility and relationship-building were called into question by participants who focused on both the necessity of, and unlikelihood of securing, support from community residents, agencies, businesses, and government to dismantle structural barriers of racism and poverty. Participants who emphasized personal responsibility and relationships focused on building social capital, investing in children and youth, and using restorative justice to prevent and heal harm (or, as one participant notably described it, "policing without even thinking about it"). The structuralist critique, in contrast, emphasized the deep historical, cultural, and institutional roots of racism and poverty. Participants expressing this critique focused on the need for

studies on classical music being utilized to deter crime).

83. Bell, *Dismantling Legal Estrangement*, *supra* note 37, at 2057, 2113-26; *see also* Prowse, Weaver & Meares, *supra* note 40, at 1449.

84. *See* Purenne & Paliersi, *supra* note 81, at 90.

85. *See* Rahim Kurwa, *Building the Digitally Gated Community: The Case of Nextdoor*, 17 SURVEILLANCE & SOC'Y 111, 112 (2019).

a living wage, stable housing, quality education, and health care. They also called out factors that made such improvements unlikely: difficulties in sustaining social movements ("[W]e don't have enough people to play a baseball game . . . ."); rightward policy shifts ("[T]he only way you can make a living is a handgun or selling opiates to the neighbors . . . . [T]hat's the economic development program of our time."); and a history of prior failed interventions ("[W]e get the BS all the time, people come, make money off of us, and leave us in the same condition that we in . . . .").

Despite the tension between these two approaches, it appeared that each was viewed by proponents as a path toward transformation. As Purenne and Palierse observe, the tension generated by this type of discussion and reflection may be a prerequisite for the "democratization of public action" in creating safety.[86] However, the same authors caution that additional factors, such as expertise in community organizing, community development, and criminology, are needed to support mobilization and push institutions to "think outside the box."[87] The three primary insights from this participatory research project (the pivot toward barriers to safety, unexpected enthusiasm for policing-style tactics, and tension over viable avenues for change) raise questions about whether, when, how, and why communities themselves think outside the crime-and-punishment box in defining and pursuing safety. If the crime-and-punishment box exerts what Silbey describes as hegemonic power, what are the implications for Bell's modalities of engagement with criminal legal systems and for the possibilities of transformation? As discussed below, these and other questions raised by this study highlight opportunities for further research.

V. LIMITATIONS AND IMPLICATIONS FOR FUTURE RESEARCH

Our study is not without limitations. Several involve sampling and merit Bell's caution against generalizations about "the indeterminate but oft-invoked 'community.'"[88] First, this study has a small sample size. This is common for qualitative studies. Given that this is the first study of its kind in this setting and with this population, the findings contribute to our understanding of how public safety is perceived and potential solutions in this urban setting. Second, participants were mostly older Black adults. Many had significant prior experience engaging with or leading community organizations. The site location (a major local Black church) and the decision to coordinate recruitment with an annual Black book fair at that location likely tipped participation toward that demographic and away from younger adults, those in lower income brackets, and people with more fragile social networks. Despite this limitation, the sample captures a snapshot of perspectives at a specific moment in time. The data reflect then-dominant concerns about gentrification, housing stability, and a spate of pedestrian fatalities

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86. Purenne & Palierse, *supra* note 81, at 90-91.
87. *Id.* at 91.
88. *See* Bell, *supra* note 31, at 197.

related to poor lighting, traffic control, and sidewalk maintenance.[89] Future research should expand sample size and socioeconomic demographics, vary site settings, and incorporate longitudinal analysis to identify similarities and differences in perspectives across the many diverse Black communities in the United States and beyond.

Another potential limitation is the groupthink that can arise in roundtable and focus group discussions.[90] However, to remedy this we conducted multiple roundtables. Further, we were interested in norms and not individual experiences, which is a strength of group discussion formats. Finally, despite the small sample size, relatively homogenous participant demographics, and limited time for discussion, the data revealed significant points of divergence and disagreement over what safety means and how to achieve it.

We also note that while Bell's modalities of subjugation, consumption, and transformation appeared in the data, resistance was largely absent. Participants did cite historical examples of resistance to racism, the dangers of such resistance, and the difficulties of mobilizing it. No one discussed active resistance through intentional noncompliance with laws. The absence of resistance in the discussions may reflect a tilt toward conservatism within the participant sample. Cincinnati's distinctive history of active community engagement with police reform through the CA may also have influenced participant perceptions and responses, for example, by destigmatizing consumption and reducing the felt need for active resistance. Again, expanding sample size, socioeconomic demographics, site settings, and time frames for data collection and analysis would open windows into these potential influences.

However, the absence of resistance as an articulated modality may also indicate awareness of the danger and stigma attached to resistance. As noted in the Results Section, for many participants it was not possible to talk about safety in their predominantly Black neighborhoods without addressing how historical and contemporary law enforcement (and the criminal legal systems of which policing is a critical part) have disproportionately killed, abused, and oppressed Black people. Future studies on the discussion of safety in Black communities should include questions that more directly tap perspectives on the role of resistance in creating safety.

CONCLUSION

Despite limitations, this interdisciplinary participatory research study uncovered how safety is defined and achieved from participants' perspectives. These findings contribute to the limited literature on what safety means to residents of

89. *See* Swartsell, *supra* note 75; Hannah K. Sparling, *Cars Keep Hitting People. And It's Only Getting Worse*, CINCINNATI ENQUIRER (Jan. 8, 2019, 10:24 PM ET), https://perma.cc/BE6B-DR6V.

90. *See* Colin MacDougall & Frances Baum, *The Devil's Advocate: A Strategy to Avoid Groupthink and Stimulate Discussion in Focus Groups*, 7 QUALITATIVE HEALTH RSCH. 532, 533-34 (1997).

predominantly Black neighborhoods. Community members on the research team engaged participants with research questions that aimed to stretch minds outside the crime-punishment box by exploring the meaning of safety and ways to make it equally accessible to all. We hope that our study will encourage new interdisciplinary and transdisciplinary participatory research partnerships to tackle and resolve this wicked, deadly problem.