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Issues In Police Patrol:

A Book of Readings

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*To The
Patrol Task Forces*

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INTRODUCTION

These selected essays have been particularly useful to the Kansas City, Missouri Police Department in patrol planning. They are not put forth as *the* word on patrol, but only as a framework in which police may want to question traditional patrol practices and begin thinking about new alternatives. The Kansas City Department is definitely *not* advocating any specific patrol strategy. At this stage of police study, such advocacy is simply not feasible. A great deal of research and experimentation needs to be done before we have enough information for competent patrol decision-making. In any case, every jurisdiction must set priorities based on its own problems.

Therefore, I hope this book will be accepted in the same spirit in which it was conceived, that is, as a basic "reader," a beginning point, a stimulus for more advanced thought. If read in this spirit, it should be a valuable tool for members of the law enforcement community.

Clarence M. Kelley
Chief of Police
Kansas City, Missouri Police Department
June 1, 1973

Foreword

In October, 1971, the Kansas City, Missouri Police Department initiated a series of task forces to develop more effective and responsive patrol strategies. These task forces differed significantly from any process previously used in a large municipal law enforcement agency. The bulk of their membership were field officers, mostly patrolmen, who maintained regular assignments in patrol throughout the design phase. Within the minimal constraints of meeting prior deployment commitments to the public and of maintaining or improving present levels of service, the task forces were given full authority to design patrol strategies with the assurance from the Chief of Police that those designs would be implemented.

The results of the task force process were most rewarding. Five project designs emerged from four task forces. Each project approached critical but different issues in patrol. Field personnel united with administration in actively supporting the introduction of change. Officers declined appointments to specialized units to remain in patrol and continue work with their task forces. Individual patrolmen, given the responsibility of planning and implementing programs, displayed both significant administrative competence and a deep understanding of the complex issues surrounding patrol. Accompanying this personal growth, was an increased interest in competent evaluation and the generation of knowledge that would serve the interests of the law enforcement field.

The task force process was not without problems. It thrived on the conflict of ideas. In extending participatory management to the lowest level in the department, decision-making power was redistributed within the organization. These factors forced redefinition of the role of middle managers. In addition to the supervision of routine activities, they were required to encourage discussion and facilitate the introduction of change. The pace at which new ideas emerged made it difficult to keep all department personnel informed as to proposed programs and the rationale for their introduction.

After the preliminary identification of problems in their respective

divisions, the task forces confronted the inadequacy of police patrol literature. In the early developmental stages, the task forces and their consultants acknowledged they were unable to adequately answer such basic questions as:

What is patrol?

What is good patrol?

How does one measure the effectiveness of patrol activities?

They rejected the bulk of the literature as naive and irrelevant to the reality of their patrol experience. The state of the literature they found is, perhaps, reflected best in the unpublished comments of bibliographer, Beryl Radin. She noted in an April, 1972 memorandum to the Police Foundation:

"Most of the accepted body of knowledge about patrol falls into two categories: one clusters around the specific and detailed practices by the individual patrolman and the other is concerned with the demands of the top of the police organization to control the activities with which it is officially charged. Both sets of literature assume that the police organization can be likened to a machine. The how-to-do-it, army manual character of the literature on practices of the individual patrolman view the men serving in these jobs as interchangeable parts, programmed to pull a gun at the correct time; to be friendly or harsh when the proper stimuli are given; to say, wear and write the right answer on cue; to walk or to ride, alone or with someone else, in a car, bike, motorcycle, boat or helicopter. While concerned with behavioral questions, the pervading orientation of this literature denies individual differences among the patrolman as well as the complex nature of the society in which policemen are called to serve . . ."

"The other cluster of literature on the patrol function approaches the problem from the vantage point of the top decision-maker and assumes that patrol is a mechanical allocation challenge of getting a patrolman to the scene of a crime in the shortest possible time. With a heavy reliance on computers and other forms of hardware, this orientation simplifies the police mission (conflicting goals cannot be effectively dealt with because the probabilities produced by multi and conflicting variables do not lead to clear-cut action recommendations), reinforces the already pervasive view of the police system as a homogenous, pyramid-like organization and—as does the traditional behavior literature—assumes that patrolmen are interchangeable parts to be dispatched by a machine when needed."

Both of the aforementioned categories of writing insult the intelligence of police field personnel. By not viewing patrol as a complex, multi-level system, the literature ignores significant issues and forces effecting patrol. It ignores the dynamics of the relationship between a police department and its community, the lack of agreement as to the police role, and the inherent conflicts between multiple and conflicting responsibilities. Simi-

larly, it ignores the conflicts between the personal concerns of the individual officer and the demands of the formal and informal structures within the police department. The traditional literature accepts uncritically myths about what police do, what they are capable of doing about certain problems, and how police action is triggered in reality. Questions surrounding the vast discretion of the patrolman are avoided as if they were a non-existent problem.

This book emerged from an effort to identify an adequate text on patrol that could be used for a captain's examination by the Kansas City, Missouri Police Department. It was the general consensus, however, that no single published text adequately covered the critical issues on patrol or, for that matter, provided sufficient background for task force projects that were already underway in the department's patrol division. Literature that had proven useful to the task forces in their research during the preceding year had been drawn from widely divergent sources. This book represents an attempt to compile a portion of that material in a form beneficial, not only to personnel of the Kansas City, Missouri Police Department but also to departments across the nation. The book does not espouse a specific mode or structure of patrol operations. It does, however, advocate an experimental approach to all aspects of present and proposed patrol activities. This advocacy is consistent with the stance assumed by the Kansas City, Missouri Police Department in examining its own effectiveness through its task forces. Such examination is viewed as the professional responsibility of a service delivery agency. The book seeks to outline some of the complex issues in patrol and to treat those issues in greater detail than that which normally follows platitudes describing patrol as the "backbone of the police department." The book will have been successful if it serves to stimulate further questions and thoughts on present and future patrol activities.

Thomas J. Sweeney
William Ellingsworth
Kansas City, Missouri
June, 1973

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I. THE PATROL FUNCTION

Pressures on police agencies to change are likely to increase as mayors and city managers are increasingly pressured by neighborhood residents to provide more effective and responsive public services. While the police provide some of the most critical and controversial services, these civic leaders generally appear uncertain as to how to approach or work with their police agencies. Within police departments, there is an increasing number of officers who sense the social changes going on around them and who are increasingly frustrated by the inertia of their agencies. Rarely do police departments provide a mechanism by which these individuals can affect decisionmaking or play an active role in fostering changes. In some measure, their frustration is increasingly reflected in the militancy of police unions across the nation.

For the past century, problems of the police have been religiously documented with amazing consistency. Nevertheless, very little real progress has been made toward defining or improving the nature of police operations, and with a few notable exceptions, the impetus for change has come from outside the agencies themselves. The performance record of reform efforts can best be described as dismal. They have met with repeated failure primarily for three reasons. First, they failed to recognize the complexity of the police function. Invariably, they sought to optimize single police functions or components without regard for their effects on the entire system. Second, they failed to understand or adequately account for the organizational milieu of the police. They relied frequently on "bad person" explanations for system problems when closer examination would have revealed that the nature of the work, organizational structure, and the political environment were all prime contributors to the problems evidenced. Third, the external origins of change efforts often caused police personnel to resist proposed changes and to see them as irrelevant, misguided or malicious.

Meaningful change in police departments will only come when persons in and out of police agencies fully recognize the complexity and inherent conflict in police responsibilities. The general public frequently entertains false images of the crime-fighter and traffic-enforcer. They have little understanding of the daily police routine. Police personnel as in other emergency response occupations, generally define their "proper" role in terms of periods of excitement and stress. This perception is reflected in statements like that of a former police chief who noted, "Eighty percent of what police do isn't police work." Because this con-

dition persists throughout the United States, one might reasonably ask: Whose work is it, if not the police?

In the first article, Jerome Skolnick examines the conflicts between the goals of social order and the rule of law in a democratic society. He maintains that value conflicts in a democratic society undermine the capacity of the police to respond to the rule of law. Law and order, he notes, are not synonymous terms, and, at times, they may be in direct conflict with one another.

Two excerpts from the American Bar Association's *Standards for the Performance of the Urban Police Function* comprise the next selection. The first focuses on the myriad of police responsibilities and many of the arguments advanced to narrow and simplify the police role. It concludes that such arguments, as presently advanced, are subject to serious question and that the diversity of the police function can be expected to continue. Outlining present police responsibilities, the commentary of the second excerpt focuses on inherent conflicts in the duties with which the police are now charged.

Recognizing the diversity of the police function and the absence of adequate legislative guidelines in many areas, Herman Goldstein, in the third selection, argues that police administrators must articulate adequate policy guidelines to provide the individual officer with more detailed guidance in exercising discretion. The author recognizes the existence of informal standards for the exercise of discretion within police departments. He argues, however, that the vast discretion afforded the individual officer should be acknowledged and that administrative guidelines for the use of that discretion should be publicly articulated.

Democratic Order and the Rule of Law

by Jerome H. Skolnick

For what social purpose do police exist? What values do the police serve in a democratic society? Are the police to be principally an agency of social control, with their chief value the efficient enforcement of the prohibitive norms of substantive criminal law? Or are the police to be an institution falling under the hegemony of the legal system, with a basic commitment to the rule of law, even if this obligation may result in a reduction of social order? How does this dilemma of democratic society hamper the capacity of the police, institutionally and individually, to respond to legal standards of law enforcement?

Such questions have posed a predicament since the introduction of the London metropolitan police in 1829. Charles Reith, in his book *The Police Idea*,¹ describes the hostility of early nineteenth-century England even to the idea of developing a metropolitan police force out of fear that the notorious activities of the pre-Revolutionary French police would be duplicated. He cites a parliamentary report of 1818 which considered the police idea and recommended against the establishment of a police force:

The police of a free country is to be found in rational and humane laws—in an effective and enlightened magistracy—and in the judicious and proper selection of those officers of justice, in whose hands, as conservators of the peace, executive duties are legally placed, but above all, in the moral habits and opinions of the people: and in proportion as these approximate towards a state of perfection, so that people may rest in security; and though their property may occasionally be invaded or their lives endangered by the hands of wicked and desperate individuals, yet the institutions of the country being sound, its laws well adjusted, and justice executed against offenders, no greater safeguard can be obtained without sacrificing all those rights which society was instituted to preserve.²

1. Charles Reith, *The Police Idea: Its History and Evolution in England in the Eighteenth Century and After* (London: Oxford University Press, 1938).

2. *Ibid.*, p. 188.

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From JUSTICE WITHOUT TRIAL: LAW ENFORCEMENT IN DEMOCRATIC SOCIETY. By Jerome H. Skolnick.

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Reith, who is pro-police and pro-Peel, may exaggerate somewhat the degree of opposition to the police. Other authors also interpret the period as one of considerable hostility to a formal institutionalization of police. Mather, for example, points out that historians, like Whigs, are fundamentally antipolice.³ Given such opposition, therefore, before introducing his "Bill for Improving Police in and near the Metropolis" in 1829. Peel laid a formidable ground work. A. A. W. Ramsay describes it as follows:

Peel, with his usual caution, brooded for years over the problem before he undertook to solve it. In 1826 he began to collect evidence for the purpose of comparing crime with population. In 1828 he secured the appointment of a Parliamentary Committee to investigate the subject—the last of four successive Committees in the past twenty-five years, but the first to do valuable work. He had at first intended a measure which should create a police force throughout the kingdom; he ended with a modest scheme, whose operation was confined to London, and at first to a limited number of parishes.⁴

To buttress his argument for the necessity of a police force, Peel based his claims on the need for public order. Citing population statistics from London and Middlesex, he argued that crime was dramatically increasing in this early period of industrial revolution, and increasing at a faster rate than population. In the period of 1821 to 1828, population had increased 15½ per cent, while criminal committals had risen by 41 per cent. Deploring the existence of an army of "trained and hardened criminals" in London and Middlesex, Peel announced that "not less than one person in every three hundred and eighty-three had been convicted for some crime or other in 1828."⁵ without mentioning, although he was fully aware of the fact, that the number of acts considered criminal was so large, and the conditions of the working classes so onerous, that the figures he cited were hardly shocking.

In making this appeal for more efficient controls over crime, Peel was quick to add that he was "confident they would be able to dispense with the necessity of a military force in London for the preservation of the tranquility of the metropolis,"⁶ an assurance he could hardly dispense with considering the strength of his opposition. The early conception of police accountability to the rule of law is a tradition which has continued

3. F. C. Mather, *Public Order in the Age of the Chartists* (Manchester: The University Press, 1959), p. v.

4. A. A. W. Ramsay, *Sir Robert Peel* (New York: Dodd, Mead and Company, 1938), p. 88.

5. *Op. cit.*, p. 250.

6. *Ibid.*

to the present day. Maitland reaffirmed it in 1885 when he wrote in a book entitled *Justice and Police*:

There is a large body of rules defining crimes and the punishment of those who commit them, rights and the remedies of those who are wronged, but there is also a body of rules defining how and by whom, and when and where, rules of the former kind can be put in force. . . . It will little avail us that our law about rights and remedies, crimes and punishments, is as good as may be, if the law of civil and criminal procedure is clumsy and inefficient.⁷

This same tradition of the hegemony of the rule of law is eloquently stated in the 1962 Royal Commission Report in a refutation of the argument that a national police force would lead to the development of a "police state" in Great Britain. The commission argues:

British liberty does not depend, and never has depended, upon any particular form of police organization. It depends upon the supremacy of Parliament and on the rule of law. We do not accept that the criterion of a police state is whether a country's police force is national rather than local—if that were the test, Belgium, Denmark and Sweden should be described as police states. The proper criterion is whether the police are answerable to the law and, ultimately, to a democratically elected Parliament. It is here, in our view, that the distinction is to be found between a free and a totalitarian state. In the countries to which the term police state is applied opprobriously, police power is controlled by the government: but they are so called not because the police are nationally organized, but because the government acknowledges no accountability to a democratically elected parliament, and the citizen cannot rely on the courts to protect him. Thus in such countries the foundations upon which British liberty rests do not exist.⁸

The theory of the police in the United States mirrors the conflict between order and legality found in English conceptions of the police, but characteristically American features add complexity. In reading about the American police, especially through the period of the 1930s, one feels that constitutional issues of legality have been almost too remote to be of immediate concern. Not that American police conformed to the rule of law. Rather, they seemed so far out of line that a writer summarizing a major American study of police practices entitled his book *Our Lawless Police*. The study, completed in 1931 by the National Committee of Law Observance and Enforcement (the Wickersham Commission), found practices so appalling and sadistic as to pose no intellectual issue for

7. F. W. Maitland, *Justice and Police* (London: Macmillan and Company, 1885), pp. 1-2.

8. Royal Commission on the Police Cmnd. 1728. (London: Her Majesty's Stationary Office, 1962), p. 45.

civilized men.⁹ It is one thing to talk quietly to a suspect without his counsel and artfully, perhaps by deceit, persuade him to incriminate himself; it is quite another to hang a suspect out of a window by his heels from a great height, or to beat a confession out of him by putting a telephone book on his head and pounding the book with a blackjack so it does not leave marks. Both techniques may be illegal, but responsible police officials would not publicly support blackjack interrogation. On the other hand, interrogation of suspects without the presence of counsel and even deceptive interrogation are standard "professional" police techniques.¹⁰

For many municipal police forces in the United States, the observer's question is, therefore, not whether police operate under the constraints of due process of law, but whether they operate within bounds of civilized conduct. In the old-fashioned police department, riddled with political appointees and working hand in hand with the rackets, a reformer is not concerned primarily with the niceties of constitutional rights. When the citizenry is facing the arbitrary use of "club, blackjack, and gun,"¹¹ the police reformer's problem is to reduce gross brutality, which seems traditionally to have been associated with corruption. Given this situation, it is not surprising that the solution to the "police problem" in America has been frequently conceived as changing the quality of people, rather than the philosophies of policing. Fosdick wrote in 1920, in a characteristically American passage on police reform:

We are concerned with facts and conditions and not with theories or labels. It is not a matter of democracy, of caste, or birth, or position, or anything else. It is solely a matter of finding the best possible brains to handle a most difficult public task.¹²

Police reform means finding a new source of police, and police control is a matter of having the "right" sort of people in control. "Reform" of police means increasing the efficiency of police personnel. It is rarely

9. National Commission on Law Observance and Enforcement (Washington, D. C.: U.S. Government Printing Office, 1930-1931), Publications, No. 1-14.

10. See Fred E. Inbau and John E. Reid, *Criminal Interrogation and Confessions* (Baltimore: The Williams and Wilkins Company, 1962), pp. 20-115; Charles E. O'Hara, *Fundamentals of Criminal Investigation* (Springfield, Illinois: Charles C. Thomas, 1956), pp. 95-114; and Worth R. Kidd, *Police Interrogation* (New York: R. V. Basuino, 1940), pp. 124-125, pp. 133-186.

11. For a summarization of the Wickersham Commission Report, see Ernest Jerome Hopkins, *Our Lawless Police* (New York: The Viking Press, 1931), index reference to "National Commission on Law Observance and Enforcement."

12. Raymond Fosdick, *American Police Systems* (New York: The Century Company, 1920), p. 221. (Fosdick's italics.)

recognized that the conduct of police may be related in a fundamental way to the character and goals of the institution itself—the duties police are called upon to perform, associated with the assumptions of the system of legal justice—and that it may not be men who are good or bad, so much as the premises and design of the system in which they find themselves. For example, V. A. Leonard, a specialist in police administration, indicates how the conception of punishment as the basis of order invites objectionable side effects:

A system of legal justice based upon the thesis of punishment has exerted a tremendously negative effect on the professionalization of police service. As a corollary the low quality of personnel required to exercise the police power under these conditions was not conducive to good public relations, with the result that a negative public opinion had been created. The withdrawal of public interest and support, together with public apathy and indifference, has further served to retard the advance toward professionalization. No less important has been the fact that a substandard personnel became easy prey for corrupt political figures and others in the community who profit when the risks associated with vice operations are reduced. The highly lucrative enterprises of prostitution, gambling, and narcotics enjoyed a field day during this period of American police history.¹³

Leonard, however, does not raise the basic issue of the meaning of the "professionalization of police service." Clearly such a notion suggests that police must be honest and capable. But is this enough? The question is what the concept of "professionalization" suggests to police in a society committed to the rule of law.

With the concern for reform of police practices in America, a growing and responsible debate over the theory of the police in America may be anticipated. There are those police officials and other spokesmen for law enforcement who emphasize the importance of social order. They are not unconcerned about the arbitrary use of police authority, but feel that that answer lies in the continued improvement of internal police administration. By raising the standards for admission to the police force and by making efficiency a goal and personal honesty a requisite, the quality of police work will be raised and police work will become akin to a "science."¹⁴

At the same time, there has always been a considerable body of opin-

13. V. A. Leonard, *Police Organization and Management* (Brooklyn: The Foundation Press, 1951), p. 6.

14. Cf. William H. Parker, *Parker on Police*, ed. O. W. Wilson (Springfield, Illinois: Charles C. Thomas, 1957); O. W. Wilson, *Police Planning* (Springfield, Illinois: Charles C. Thomas, 1962); also see two police journals, *The Police Chief* (pub. Chicago) and *Police* (pub. Springfield, Illinois).

ion, usually outside police circles—among defense attorneys, law professors, and judges—demanding that police adhere strictly to the rules governing the legal system, that they ultimately be accountable to the legal order irrespective of their “practical” needs as law enforcement officials. This position was summarized in the landmark case of *Escobedo v. Illinois*,¹⁵ the United States Supreme Court overturning a conviction when the police refused to honor the request of a suspect to have a lawyer present at his interrogation. Justice Goldberg, for the majority, wrote:

We have . . . learned the . . . lesson of history that no system of criminal justice can, or should, survive if it comes to depend for its continued effectiveness on the citizens' abdication through unawareness of their constitutional rights. No system worth preserving should have to *fear* that if an accused is permitted to consult with a lawyer, he will become aware of, and exercise, these rights. If the exercise of constitutional rights will thwart the effectiveness of a system of law enforcement, then there is something very wrong with that system.¹⁶

The purpose of this study is to show, through empirical investigation of police, how value conflicts of democratic society create conditions undermining the capacity of police to respond to the rule of law. Its chief conclusion (and orienting hypothesis), elaborated in the closing chapter, may be summarized: *The police in democratic society are required to maintain order and to do so under the rule of law. As functionaries charged with maintaining order, they are part of the bureaucracy. The ideology of democratic bureaucracy emphasizes initiative rather than disciplined adherence to rules and regulations. By contrast, the rule of law emphasizes the rights of individual citizens and constraints upon the initiative of legal officials. This tension between the operational consequences of ideas of order, efficiency, and initiative, on the one hand, and legality, on the other, constitutes the principle problem of police as a democratic legal organization.* The work attempts to analyze, through empirical investigation of police, how conceptions associated with order and interpretations regarding legality develop within a professionalized police department, and to study the processes through which these conceptions and interpretations come to be associated with certain patterns and practices of policing.

LAW AND ORDER: THE SOURCE OF THE DILEMMA

If the police could maintain order without regard to legality, their short-run difficulties would be considerably diminished. However, they are

inevitably concerned with interpreting legality because of their use of law as an instrument of order. The criminal law contains a set of rules for the maintenance of social order. This arsenal comprises the *substantive* part of the criminal law. that is, the elements of crime, the principles under which the accused is to be held accountable for alleged crime, the principles justifying the enactment of specific prohibitions, and the crimes themselves. Sociologists usually concentrate here, asking how well this control system operates, analyzing the conditions under which it achieves intended goals, and the circumstances rendering it least efficient.¹⁷

Another part of the criminal law, however, regulates the conduct of state officials charged with processing citizens who are suspected, accused, or found guilty of crime.¹⁸ Involved here are such matters as the law of search, the law of arrest, the elements and degree of proof, the right to counsel, the nature of a lawful accusation of crime, and the fairness of trial. The procedures of the criminal law, therefore, stress protection of individual liberties *within* a system of social order.¹⁹

This dichotomy suggests that the common juxtaposition of “law and order” is an oversimplification. Law is not merely an instrument of order, but may frequently be its adversary.²⁰ There are communities that appear disorderly to some (such as bohemian communities valuing diversity), but which nevertheless maintain a substantial degree of legality. The

17. See, for example: Harry Elmer Barnes and Negley K. Teeters, *New Horizons in Criminology* (New York: Prentice-Hall, 1951); Sheldon Glueck, *Crime and Correction: Selected Papers* (Cambridge: Addison-Wesley Press, 1952); Richard R. Korn and Lloyd W. McCorkle, *Criminology and Penology* (New York: Holt, 1959); Norval Morris, *The Habitual Criminal* (Cambridge: Harvard University Press, 1951); Joseph Slabey Roucek, *Sociology of Crime* (New York: Philosophical Library, 1961); Walter Cade Reckless, *The Crime Problem* (New York: Appleton-Century-Crofts, 1961); and Edwin Hardin Sutherland and Donald R. Cressey, *Principles of Criminology*, 6th ed. (Philadelphia: Lippincott, 1960).

One exception is the text of Paul W. Tappan, which emphasizes criminal procedure in great detail. Tappan, it should be noted, however, was also trained as a lawyer. See *Crime, Justice and Correction* (New York: McGraw-Hill, 1960).

18. Thus, a current leading casebook in criminal law devotes its final sections to problems in the administration of criminal law. See Monrad G. Paulsen and Sanford H. Kadish, *Criminal Law and Its Processes* (Boston: Little, Brown and Company, 1962).

19. See Sol Rubín, Henry Wiehofen, George Edwards, and Simon Rosenzweig, *The Law of Criminal Correction* (St. Paul: West Publishing Co., 1963); Paul W. Tappan, *op. cit.*; and Lester B. Orfield, *Criminal Procedure from Arrest to Appeal* (New York: New York University Press, 1947). An excellent discussion of problems of criminal procedure is found in Abraham S. Goldstein, “The State and the Accused: Balance of Advantage in Criminal Procedure,” *Yale Law Journal*, 69 (June, 1960), 1149-1199.

20. See Alan Barth, *Law Enforcement Versus the Law* (New York: Collier Books, 1963).

15. 378 U.S. 478 (1964).

16. 378 U.S. 478, 490.

contrary may also be found: a situation where order is well maintained, but where the policy and practice of legality is not evident. The totalitarian social system, whether in a nation or an institution, is a situation of order without rule of law. Such a situation is probably best illustrated by martial rule, where military authority may claim and exercise the power of amnesty and detention without warrant. If, in addition, the writ of habeas corpus, the right to inquire into these acts, is suspended, as it typically is under martial rule, the executive can exercise arbitrary powers.²¹ Such a system of social control is efficient, but does not conform to generally held notions about the "rule of law."²²

Although there is no precise definition of the rule of law, or its synonym, the principle of legality, its essential element is the reduction of arbitrariness by officials—for example, constraints on the activities of the police—and of arbitrariness in positive law by the application of "rational principles of civic order."²³ A statement expressive of the rule of law is found in a report on police arrests for "investigations." The authors, who are lawyers, write, "Anglo-American law has a tradition of antipathy to the imprisonment of a citizen at the will of executive officers."²⁴ A more explicit definition of the rule of law in the administration of criminal law has been presented as follows:

The principle of *nulla poena sine lege* imposes formidable restraints upon the definition of criminal conduct. Standards of conduct must meet stringent tests of specificity and clarity, may act only prospectively, and must be strictly construed in favor of the accused. Further, the definition of criminal conduct has largely come to be regarded as a legislative function, thereby precluding the judiciary from devising new crimes. The public-mischief doctrine and the sometimes over-generalized "ends" of criminal conspiracy are usually regarded as anomalous departures from this main stream. The cognate principle of procedural regularity and fairness, in short, due process of law, commands that the legal standard be applied to the individual with scrupulous fairness in order to minimize the chances of convicting the innocent, protect against abuse of official power, and generate an atmosphere of impartial justice. As a consequence, a complex network of procedural requirements embodied variously in constitutional, statutory, or judge-made law is imposed upon the criminal adjudicatory process—public trial, unbiased

21. See Charles Fairman, *The Law of Martial Rule* (Chicago: Callaghan and Company, 1943), especially Chapter 3, "The Nature of Martial Rule," p. 28-49.

22. See Notes 23, 24, and 33, *infra*.

23. Philip Selznick, "Sociology and Natural Law," *Natural Law Forum*, 6 (1961), 95.

24. *Report and Recommendations of the Commissioners' Committee on Police Arrests for Investigation* (District of Columbia, July, 1962), 42.

tribunal, legal representation, open hearing, confrontation, and related concomitants of procedural justice.²⁵

Thus, when law is used as the instrument of social order, it necessarily poses a dilemma. The phrase "law and order" is misleading because it draws attention away from the substantial incompatibilities existing between the two ideas. Order under law suggests procedures different from achievement of "social control" through threat of coercion and summary judgment. Order under law is concerned not merely with the achievement of regularized social activity but with the means used to come by peaceable behavior, certainly with procedure, but also with positive law. It would surely be a violation of the rule of law for a legislature to make epilepsy a crime, even though a public "seizure" typically disturbs order in the community. While most law enforcement officials regard drug addicts as menacing to the community, a law making it a crime to *be* an addict has been declared unconstitutional.²⁶ This example, purposely selected from substantive criminal law, indicates that conceptions of legality apply here as well as in the more traditional realm of criminal procedure. In short, "law" and "order" are frequently found to be in opposition, because law implies rational restraint upon the rules and procedures utilized to achieve order. Order under law, therefore, subordinates the ideal of conformity to the ideal of legality.

CONCEPTIONS AND APPLICATIONS:

THE DILEMMA COMPLICATED

The actual requirement of maintaining social order under the principle of legality places an unceasing burden upon the police as a social institution. Indeed, the police is *the* institution best exemplifying the strain between the two ideas. The 1962 Royal Commission on the Police states the law enforcement dilemma as follows:

25. Sanford H. Kadish, "Legal Norm and Discretion in the Police and Sentencing Processes," *Harvard Law Review*, 75 (1962), 904-905.

26. *United States v. Robinson*, 361 U.S. 220 (1959). Lon Fuller criticizes the grounds of the decision. The court held in this case that the statute violated the Eighth Amendment by imposing a "cruel and unusual punishment" for an "illness." Professor Fuller argues that the statute should have been overturned on grounds that it is both *ex post facto* and vague in *The Morality of Law* (New Haven: Yale University Press, 1964), pp. 105-106. My own position is in between, since I do not conceive of an addict as one who necessarily had the intent of becoming one whom he began using drugs. Therefore, I find the *ex post facto* objection less than compelling. On whatever grounds, however, the case stands as a good example of positive law in violation of the rule of law.

The police systems in England, Scotland and Wales are the products of a series of compromises between conflicting principles or ideas. Consequently, in contrast to other public services such as health and education, the rationale of the police service does not rest upon any single and definite concept of the public good. Thus, it is to the public good that the police should be strong and effective in preserving law and order and preventing crime: but is equally to the public good that police power should be controlled and confined so as not to interfere arbitrarily with personal freedom. The result is compromise. The police should be powerful but not oppressive; they should be efficient but not officious; they should form an impartial force in the body politic, and yet be subject to a degree of control by persons who are not required to be impartial and who are themselves liable to police supervision.²⁷

The law enforcement dilemma, however, is more complex than suggested by the Royal Commission. Not only are the police in a democracy the product of a series of compromises between conflicting principles or ideas, but the ideas themselves are not as clear as they (and we) have so far suggested. If "law and order" is a misleading cliché, then a gross conception of order may be even more misleading. Depending on the institution or community, there may be quite different conceptions of order, some more permissive, others less. A traditional martial conception of order, for example, abhors individual differences. The soldier whose bearing or uniform sets him off from his comrades in arms is an abomination to his commanding officer. Even the slightest deviation, such as wearing gloves on a cold day, is forbidden as an expression of differences in individual feelings. In any given military unit, either all the soldiers wear gloves, or none do. The hands of some soldiers will perspire, others will be numb with cold, but all soldiers *will* act alike.

Other institutions or portions of society are traditionally more yielding. The area surrounding the University of Paris is noted for its emphasis upon individuality. Students, artists, writers may be dressed elegantly or poorly, raffishly or provocatively, the mode being considered an extension of the ego, an expression of personality, or perhaps merely an attempt to experiment with novelty. The idea of order in this setting is surely a more permissive conception than the standard military notion. Our conclusion is that conceptions of order seem to be variable and tend to correspond to the requirements of different communities or institutions.

Conceptions of order also seem to be associated with conceptions of appropriate modes of achieving it. The response of a soldier needs to be quick and unquestioning, since failure to respond instantaneously may result in severe damage to himself and to his comrades-in-arms. The

socialization of the soldier therefore emphasizes unquestioning *obedience*. A trained soldier is a man who responds unthinkingly to command, and the norm of command is *sharp* command. Failure to respond is met with punishment, seemingly severe to those who receive it. Its justification, however, is located not in the precipitating act itself, but in the implications of nonobedience for the combat situation. The basic trainee whose inspected boot has been found to have a relatively low gloss may lose a weekend's liberty not because a less than sparkling boot is intrinsically important, but because it presumably signifies future sloth.

By contrast, an institution expressive of liberal and humanistic values, such as a university, will usually emphasize persuasion through reason as the instrument for the achievement of order. Since its institutional goal is scholarship, it is traditionally tolerant of behavioral and attitudinal variations, stressing contemplation and dialogue over obedience to rules, and persuasion rather than force as the instrument of an order predicated upon diversity. University police, for example, are far more permissive than local urban police forces. Later on, some of the reasons for such a difference are discussed, notably the relative absence of danger within the university community. Here it is enough to state as an hypothesis of the study that varying social conditions—the nature of the criminal law, the presence of danger in the community, the political complexion of the community, the social dissimilarity of the population being policed—all contribute to the conception of order held by the police.

The organizational model of the police also influences their conception of order. To the degree that police are organized on a military model, there is also likely to be generated a martial conception of order. Internal regulations based on martial principles suggest external cognitions based on similar principles. The presence of an explicit hierarchy, with an associated chain of command and a strong sense of obedience, is therefore likely to induce an attachment of social uniformity and routine and a somewhat rigid conception of order. Such a conception of order is probably increasingly at variance with segments of the community where police, perceiving themselves as "workers" who should exercise initiative, are coming to be concentrated. As this process occurs, police are more likely to lean toward the arbitrary invocation of authority to achieve what they perceive to be the aims of substantive criminal law. Along with these effects is an elevation of crime control to a position where it is valued more than the principle of accountability to the rule of law.

Aiding this process is ambiguity about the application of the rule of law. In the abstract, the rule of law embodies rational restraints upon

27. Royal Commission on the Police, *op. cit.*, p. 9.

authority as it defines criminal conduct. There must be specificity, clarity, prospectivity, and strict construction in favor of the accused. There must be procedural regularity and fairness, and so forth. In practice, however, such standards may not be clear. The principle of procedural regularity and fairness commanding that the legal standards be applied so as to "minimize the chances of convicting the innocent, protect against the abuse of official power, and generate an atmosphere of impartial justice"²⁸ is, for example, subject to varying interpretation by the police and the courts. One year illegally seized evidence may be admitted into evidence under a legal system subscribing to the rule of law, and the next year it may not. A confession may be admitted into evidence at one point in time whether or not the suspect was informed of his right to counsel; at a slightly later point in time such a confession is found to violate constitutional protections. Thus, although certain fundamental and relatively changeless principles of the rule of law are specifiable, the practical constraints on official conduct derived from these principles are always in a degree of flux. A legal order is never a fixed body of rules, but, as Fuller suggests, an "enterprise" of governance by rule.

It may also be suggested, as some of the following materials will show, that whenever rules of constraint are ambiguous, they strengthen the very conduct they are intended to restrain. Thus the policeman already committed to a conception of law as an instrument of order rather than as an end in itself is likely to utilize the ambiguity of the rules of restraint as a justification for testing or even violating them. By such a process, the practical ambiguity of the rule of law may serve to undermine its salience as a value. In sum, the actual enterprise of maintaining order by rule of law serves to complicate the conflict of these principles inherent in a democratic society.

THE SECLUSION OF ADMINISTRATION: THE DILEMMA'S SETTING

Perhaps if the administration of criminal law conformed to its popular image, study of the police would be less important. Popularly, even though the police are an object of much romanticized attention, the trial is perceived as the *culmination* of the process of administering criminal law.²⁹ Trials are dramatic spectacles, and folklore surrounding prominent criminal trial attorneys has had a profound impact on the general public. In fact,

the typical method of conviction is by the accused's plea of guilty, with no trial required. In the federal courts, the guilty plea receives the heaviest use, 86 per cent in the fiscal years 1960 through 1963, while in the state courts, the use of the plea trials by 5 to 10 per cent.³⁰ (The county under study in this report was about average, with 82 per cent of convictions obtained by plea of guilty in 1961.) Mostly, therefore, the system of administering criminal justice in the United States is a system of justice *without trial*.³¹

The plea of guilty is often seen by criminal law personnel as a means of coping with the problem of limited court facilities. In partial justification for a heavier sentence on the one of five defendants who refused to plead guilty, a federal judge opined: ". . . if in one year, 248 judges are to deal with 35,517 defendants, the district courts must encourage pleas of guilty. One way to encourage pleas of guilty is to establish or announce a policy that, in the ordinary case, leniency will not be granted to a defendant who stands trial."³² Not only is the plea of guilty recognized as playing an integral role in the criminal process, it is also evident that the necessity for frequent invocation of the plea is a key institutional factor in shaping the position of the defendant vis-à-vis the State.

The statistical pattern of guilty pleas and the reasons for this pattern are interesting themselves, but not so interesting as their implication that routine decision-making in the administration of criminal justice is hidden from public view. When a plea of guilty is entered, encounters between prosecutor and defense attorney, defense attorney and client, prosecutor and policeman, policeman and suspect, are never brought to public attention, and in the nature of the situation cannot be. The case is often "tried" in an informal setting, perhaps over a cup of coffee or in the corridor behind the courtroom.

30. United States, Administrative Office of United States Courts, Annual Report of the Director, 1963, p. 132.

31. Some important work on the plea of guilty has been conducted by Donald J. Newman. See his "Pleading Guilty for Considerations: A Study of Bargain Justice," in Norman Johnston, Leonard Savitz, and Marvin E. Wolfgang (eds.), *The Sociology of Punishment and Correction* (New York: John Wiley and Sons, Inc., 1962), pp. 24-32; and his *The Decision as to Guilt or Innocence* (Chicago: American Bar Foundation, 1962). An able review of the subject is to be found in a paper prepared by Dominick R. Vetri, "Note: Guilty Plea Bargaining: Compromises by Prosecutors to Secure Guilty Pleas," *University of Pennsylvania Law Review*, 112 (April 1964), 865-895. Also, some interesting materials on the guilty plea are to be found in Arnold S. Trebach, *The Rationing of Justice: Constitutional Rights and the Criminal Process* (New Brunswick: Rutgers University Press, 1964).

32. *United States v. Wiley*, 184 F. Supp. 679 (N.D. Ill., 1960). See also, Vetri, *ibid.*

28. Kadish, *op. cit.*

29. Thus, a recent television program called "Arrest and Trial" implied by its title that the latter inevitably follows upon the former. The tendency to make the implication is understandable.

The frequency and seclusion of the plea of guilty raise far-reaching questions in legal theory: (1) To the extent that courts seek to control the behavior of police in such areas as searches and seizures, eavesdropping, and confessions, does the frequent invocation of the plea of guilty serve to shield from public view the patterned occurrence of violations of criminal law by police? (2) At every other level of the system are there systematic practices which rarely or never come to light because the guilty plea "covers up" whatever took place before it occurred? (3) What factors influence agreement to a plea of guilty, and what is the relationship of these factors to what would be countenanced in the formal system of appellate decisions? (4) Finally, how does heavy dependence on the plea of guilty affect the accomplishment of the goals of the legal system.³³

Police work constitutes the most secluded part of an already secluded system and therefore offers the greatest opportunity for arbitrary behavior. As invokers of the criminal law, the police frequently act in practice as its chief interpreter. Thus, they are necessarily called upon to test the limits of their legal authority. In so doing, they also define the operative legality of the system of administering criminal law. That is, if the criminal law is especially salient to a population which has more or less recurrent interactions with the police, it is the police who define the system of order to this population. This work of interpretation, this "notice-giving" function of police, is a crucial consideration in assessing the degree to which legality penetrates a system of criminal justice.

Whenever a system of justice takes on an *insular* character, a question is raised as to the degree of *justice* such a system is capable of generating. Lon L. Fuller, a legal philosopher, has suggested the broadest significance of the seclusion of criminal law administration when he discusses the affinity between legality and justice. He asserts that both share a common quality, since they act by known rule. Fuller discusses the significance of public scrutiny as follows:

The internal morality of the law demands that there be rules, that they be made known, and that they be observed in practice by those charged with their administration. These demands may seem ethically neutral so far as the external aims of law are concerned. Yet, just as law is a precondition for good law, so acting by known rule is a precondition for any meaningful appraisal of the justice of law. "A lawless unlimited power" expressing itself

33. Donald J. Newman points out that the effect of informal conviction methods ("bargain justice") on selection for probation is to make placement on probation dependent on the skill of the defendant or his lawyer rather than on factors thought to have relevance for rehabilitation through probationary treatment. See his "Pleading Guilty for Considerations . . ." *op. cit.*

widely in unpredictable and patternless interventions in human affairs could be said to be unjust only in the sense that it does not act by known rule. *It would be hard to call it unjust in any more specific sense until one discovered what hidden principle, if any, guided its interventions.* It is the virtue of a legal order conscientiously constructed and administered that it exposes to public scrutiny the rules by which it acts.³⁴

The system of justice without trial is not a system of "unpredictable and patternless interventions." Rather, it is one which operates against a background of known rules, but which also, especially in the instance of the police, develops a set of informal norms or "hidden principles" in response to the formal rules. These, in turn, are influential in determining how the formal rules actually operate.

LAW AS AN ENTERPRISE

That law is an enterprise summons us to its empirical study. It reminds us that highly general propositions about law may be either circular or premature. Consider the following propositions: the economic structure of the society affects law; the power structure affects law; public opinion affects law; the Protestant ethic affects law; and so on. All such statements are but a beginning, as is a statement that law is "integrative," or that law affects the economy. Whether law is seen as an independent or dependent variable, the important work is the specification of those processes intervening between the two. Thus, from the perspective of law as an enterprise, what needs to be specified is how economy affects law, politics affects law, and the kind of legal order enhancing types of social integration. The development of a sociology of law depends upon detailed analysis of the social foundations of legality and of empirical elaborations of processes through which relations among variables result in determinate outcomes.³⁵

34. Fuller, *op. cit.*, pp. 157-158. (Italics added.)

35. Although the subjects of this research are primarily policemen, and police mirror the conflict between legality and order, the theoretical concern is with the phenomenon of law and its enforcement, rather than with the police as an occupational category. It is, therefore, to be interpreted as a study in the sociology of law, rather than as one concerned with issues found in the sociology of work. The fundamental concern of the sociology of work is with the division of labor in society and how the nature and conditions of work affect society and are affected by it. The sociologist of work is, for example, interested in such issues as the sources of recruitment into an occupation, the conditions under which occupations rise and fall or achieve a status in society and how working conditions influence men's feelings regarding the meaningfulness of labor. These important concerns may be more or less related to the issues of the sociology of law. In studying law enforcement, for example, the question of the social status of police work is significant to the extent that it affects the policeman's working manner. Analysis of the latter is the distinctive concern of the legal sociologist.

It may be instructive to draw an analogy to the sociology of bureaucracy, where scholars have taken a similar view. They have not tried to spell out the "functions" of bureaucracy in society, but rather have concentrated on case studies investigating problems associated with certain forms of organized cooperation. Neither have they primarily attempted to be managerial experts who would improve the efficiency of this system. They have been concerned, to be sure, with the effects of different forms of organized cooperation on the satisfactions of human existence; but as scholars, they have sought first of all to understand the conditions under which these forms result in varying outcomes. Their approach has been to consider what Crozier has termed "the bureaucratic phenomenon."³⁶

Crozier sees this as the indispensable "exploratory" phase of scientific development, a phase which elaborates the problem by the generation of descriptive hypotheses. Such hypotheses serve only as examples, to be sure, and are valid only for the case at hand. Crozier adds, however, that, limited as such examples may seem initially, they are capable of yielding more information about the functioning of social systems of the same order, and even of larger systems, than studies insisting upon a "premature rigor." He concludes:

To resolve upon a clinical approach may seem regressive after certain earlier ambitions of the social sciences. However, this seems to us indispensable for all those problems which touch upon the sociology of institutions and the sociology of action. There are no shortcuts possible. General statistical relations, which can be perceived at the opinion level, are fragmentary and undifferentiated; they can testify to accomplished changes, but not to the process of change, nor to the laws of action, nor even to the general direction of the evolution. Only models of functioning at an operational level can help us progress. This is what a clinical approach can offer us.³⁷

Crozier's examination of French bureaucracy also indicated to him that understanding the dynamics of bureaucracy is not possible unless its operation is examined within the setting of a culture. Although there are similarities, under close empirical examination the dynamics of bureaucracy in France and in Germany are distinguishable. Crozier asserts that the "study of the bureaucratic phenomenon permits a new breakthrough

36. Michel Crozier, *The Bureaucratic Phenomenon* (Chicago: University of Chicago Press, 1964).

37. *Ibid.*, pp. 4-5.

at this more 'operational' level."³⁸ Similarly, Blau found that certain features of the bureaucratic model were not equally applicable in different cultures. He argues that in the Germany of Max Weber strict hierarchical control may have constituted the most efficient method of management, but that in an American culture valuing social equality "permitting junior officials considerable discretion in discharging their responsibilities may be a more efficient system of administration."³⁹ Such findings, and others as well,⁴⁰ suggest that the operation of social organizations will always reflect the cultural, political, social, and economic contexts in which they are located. The important task is to *specify* the roles of culture and ideology in determining the conduct of men and their social organizations.

LAW ENFORCEMENT IN DEMOCRATIC SOCIETY

The police in this study are considered as a class of authorities facing the problem of managing divergent expectations of conduct. Democracy's ideological conflict between the norms governing the work of maintaining order and the principle of accountability to the rule of law provides the justification for various demands upon the policeman. He may be expected to be rule enforcer, father, friend, social servant, moralist, streetfighter, marksman, and officer of the law. The problem of organizing and defining such demands furnishes the basis for the institutional analysis of police. The problem itself suggests the situational difficulties affecting the policeman's capacity to be a responsible law enforcement official who enforces order under the rule of law.

The dilemma of the police is further complicated. It is possible in practice for applications of the rule of law as well as conceptions of order to vary. Standards for applying the rule of law are developed by the courts in the setting of specific police practices. Standards governing search and seizure practices, for example, are usually developed in narcotics cases, while standards of the legality of procedures for obtaining confessions typically arise in cases where there is an element of assault. Similarly, conceptions of order are subject to varying interpretations and tend to

38. *Ibid.*, p. 8.

39. Peter Blau, *The Dynamics of Bureaucracy* (Chicago: University of Chicago Press, 1955), pp. 202-203.

40. Reinhard Bendix, *Work and Authority in Industry* (New York: Harper and Row, 1963); Burton R. Clark, *The Open Door College* (New York: McGraw-Hill, 1960); Alvin Gouldner, *Patterns of Industrial Bureaucracy* (Glencoe, Ill.: The Free Press, 1954); and Philip Selznick, *TVA and the Grass Roots* (Berkeley: University of California Press, 1949).

influence and be influenced by conditions prevailing in police work. General statements about the police conception of order and its sources can be made but it is also possible to show how the generalized conception is modified by the perceived requirements of various police assignments. When the informer system is discussed, for example, it becomes clear that the meaning of criminal conduct is differently evaluated depending on how the perceived criminality fits in with procedures characteristically used to enforce specific categories of the law.

The division of labor within the police department (burglary, vice control, traffic control, patrol) supplies a methodological framework for observing and comparing the assumptions and outcomes of police practices in democratic society. Policing specialties generate distinctive patterns for the invocation and enforcement of the law of crimes: who first sees a criminal act, how it is reported, how apprehension takes place. In gathering participant-observational data, then, the division of police labor set the background for the working hypothesis of the study: *the characteristic pattern of enforcement, with its special arrangements for gathering information, processing offenders, and evaluating the competence of personnel, all under rule of law, determines operational law enforcement.* The idea of operational law enforcement should suggest both the attitudes and behavior of policemen responding to judicial rulings, and interpersonal relations with the accused, the prosecutor, defense attorney, judge, and whenever applicable, with the general public.

Underlying this working question is a more general and fundamental issue growing out of the concept of law enforcement. This issue is the meaning and purpose of law in democratic society. The idea of law enforcement in such a society, taken seriously, suggests that legally constituted institutions such as the police exist not only to preserve order, but to serve the rule of law as an end in itself. On the other hand, the circumstances of the occupational environment, with its associated requirements that the police maintain order, might develop a very different conception of law in police, a conception without articulation or explicit philosophical justification, but existing nevertheless. Such a conception might perceive law not primarily as an instrument for guaranteeing individual freedom, but, as in the Soviet Union, an instrument of education, as a father is a teacher of children. Harold Berman describes the paternalistic character of Soviet legality and its consequences as follows:

Soviet law cannot be understood unless it is recognized that the whole Soviet society is itself conceived to be a single great family, a gigantic school, patriarch, a labor union, a business enterprise. The state stands at its head,

as the parent, the teacher, the priest, the chairman, the director. As the state, it acts officially through the legal system, but its purpose in so acting is to make its citizens into obedient children, good students, ardent believers, hard workers, successful managers.

This, indeed, is the essential characteristic of the law of a total state.

We have seen that legal consequences follow from this conception of the role of law. Court procedure is informal and speedy: the judge protects the litigants against consequences of their ignorance, and clarifies to them the nature of their rights and duties; there is elaborate pre-trial procedure directed toward uncovering the whole history of the situation. The rule: "Let the punishment fit the crime" is supplemented (though not supplanted) by the rule: "Let the punishment fit the man."⁴¹

The conception of law as a teacher is closely connected with the idea that law is primarily an instrument for achieving social order. Thus, the Soviet regime (and the Chinese Communist as well) adopted a secret police almost immediately on coming into existence. The Soviet secret police, the Cheka, was given broad powers, although it was not until 1924 that even a document was published explaining its existence and purposes. Under this statutory authorization, the main task of the secret police was to act as the investigative and punitive arm of the dictatorship, hunting out and liquidating "counterrevolutionary . . . attempts and actions throughout Russia, no matter what their origin."⁴² The Cheka was answerable only to the top leadership of the Party and government, although experience was to demonstrate that whatever actions the Cheka considered necessary to defend the dictatorship (of the proletariat), including arrest, imprisonment, and even execution, would be approved by the Party leadership, notwithstanding any formal or legal limitations on its power.

As a system based upon law as the instrument for imposing a "necessary" social order, the Cheka became the object of wide-ranging criticism, not only among its opponents, but within the ranks of the Party itself. Its own *Weekly* acknowledged these complaints, noting that "reports are coming in from all sides that not only unworthy but outright criminal individuals are trying to penetrate the . . . Chekas."⁴³ But in reply to such criticisms, Lenin defended the secret police on grounds that the arbitrary use of authority was permissible in the cause of achieving a society ordered on proletarian principles. He said to a conference of

41. Harold J. Berman, *Justice in the U.S.S.R.* (New York: Random House, 1963), p. 366.

42. *Pravda*, Dec. 18, 1927, p. 2, quoted in Simon Wolin and Robert M. Slusser (eds.), *The Soviet Secret Police* (New York: Frederick A. Praeger, 1957), p. 4.

43. *Yezbenedel'nik* [Cheka Weekly], No. 2, September 29, 1918, p. 11, quoted in Wolin and Slusser (eds.), *op. cit.*, p. 6.

Cheka representatives in November, 1918 that despite the presence of "strange elements" in its ranks, the Cheka was "putting into practice the dictatorship of the proletariat, and in this respect its role is invaluable: there is no other path to the freeing of the masses than the suppression of the exploiters by force. The Cheka is engaged in this, and in this consists its service to the proletariat."⁴⁴

The meaning of law in a society is ultimately dependent upon its political and social philosophy. When law is viewed primarily as an instrument of education or as an instrument of order, rather than as a goal in itself, the society no longer conceives of punishment as a last resort, to be used only reluctantly. Lipson describes Soviet law as the instrument of state morality as follows:

Coercion to virtue is esteemed not only for virtue's sake but also as a means of reducing the incidence of lawbreaking. The number of violations of public order is swollen by the difficulties of the society and by the broadly inclusive notion of what *amounts* to a violation. The more precarious the equilibrium of the state, the greater the perceived danger of subversion: the narrower the line, the harder it is not to deviate from it. Even short of disorder, subversion, and deviation, the failure to do one's part in raising the wealth of the state is an offence against the presuppositions of the leaders and thus against the laws of the realm. If *homo oeconomicus* is not yet respectable enough to be allowed on the stage, let his lines be given to *homo juridicus*: Soviet morality permits the government to threaten pain in order to push the citizen to many acts to which it cannot yet pull him by hope of reward.⁴⁵

It is not only that the law of a total state has as its essential condition that the society conceive of itself as a single great family. Single great families where the question of values is open to discussion are imaginable. There needs to be also a conception of the inevitability of events, a sense of place in the interpretation of the grand sweep of history, a logical connection, and, ultimately, a belief in the righteousness of killing for the sake of logic. This sort of certainty as to what is right, and the willingness to adopt the most extreme punitive measures in defense of it, is the essence of the conception of law in a total state. Father knows all in such a family, and he may, if he thinks it necessary, rule by the rod. This conception of law necessarily contemplates minimal restraint on authority.

By contrast, a democratic society envisions constraint upon those who are granted the right to invoke the processes of punishment in the name

44. V. I. Lenin, *Sochineniya* [Works] (Moscow-Leningrad, 1926-1932, 2nd ed.), 23, pp. 273-274, quoted in Wolin and Slusser (eds.), *op. cit.*, p. 6.

45. Leon Lipson, "Host and Pests: The Fight against Parasites," *Problems of Communism*, 14, 2 (March-April, 1965), 72-73.

of the law. They must draw their rules clearly, state them prospectively. The rules themselves must be rational, not whimsically constructed, and carried out with procedural regularity and fairness. Most important of all, rule is from below, not above. Authorities are servants of the people, not a "vanguard" of elites instructing the masses. The overriding value is consent of the governed. From it derives the principle of the accountability of authority, accountability primarily to courts of law and ultimately to a democratically constituted legislature based upon universal suffrage.

It is interesting that while Lenin justified the excesses of the Cheka on ideological grounds, namely, that they were necessary to establish the sort of social order envisioned by the conception of the dictatorship of the proletariat, a more sociological analysis of the excesses was made by a high-ranking Chekist, Martin Latsis, who saw the occupational environment as creating the conditions for Chekist brutality. Latsis asserted that "work in the Cheka, conducted in an atmosphere of physical coercion, attracts corrupt and outright criminal elements which, profiting from their position as Cheka agents, blackmail and extort, filling their own pockets. . . . However honest a man is, however crystal-clear his heart, work in the Cheka, which is carried on with almost unlimited rights and under conditions greatly affecting the nervous system, begins to tell. Few escape the effect of the conditions under which they work."⁴⁶

The Soviet secret police may be taken as an example of law enforcement which, while having administrative accountability, is without serious dilemmas regarding the rule of law.⁴⁷ The philosophy of the society does not see legality as an end in itself but as the instrument for the achievement of a political order in which law will ultimately disappear. The theory is that "legal rules will undergo a qualitative transformation into non-judicial moral standards. This in turn will lead to a concomitant expansion of the sphere of behavioral norms and habits identified . . . as 'rules of socialist community life.'"⁴⁸ What happens during the period

46. M. Ya. Latsis, *Chrezvychainye komissii po bor'be s kontrrevolyutsiyei* [The Extraordinary Commissions for Combating Counterrevolution] (Moscow, 1921), p. 11, quoted in Wolin and Slusser (eds.), *op. cit.*, p. 6.

47. In the United States, by contrast, the Federal Bureau of Investigation, corresponding roughly to the Cheka as a "national" law enforcement agency, is greatly concerned about responsibilities to obey the rule of law. Most restrictions on police have originated on the federal level, and the states usually have had to be brought into conformity with the more stringent constraints upon authority imposed upon federal law enforcement bodies.

48. Albert Boiter, "Comradely Justice: How Durable Is It?" *Problems of Communism*, 14, 2 (March-April, 1965), 90.

of transformation is, however, open to some question. Latsis' observation that unconstrained authority corrupts suggests the consequence. His conclusion is by no means new, but a sociologist wishes for the opportunity to study the process by which even the honest and well-meaning policeman in a totalitarian society may become corrupted. From the point of view of the social scientist, not only the outcome is important, but also the analytic exploration among variables in the system accounting for the outcome. The nature of a totalitarian society, however precludes such investigation.

One of the virtues of a society with democratic values is the obligation police themselves may feel for self-analysis and improvement, including even a willingness to have themselves examined on the job by a potentially critical professor. In return, they are entitled to factual accuracy and tenable interpretation in the description and analysis of their work. The emphasis upon the work of police should in this study not be understood as an investigation such as the police themselves might conduct. The purpose is not to reveal that the police violate rules and regulations. That much is assumed. The interest here is analytic description, the understanding of conditions under which rules may be violated with greater or lesser intensity. There is an emphasis on the "action perspective" and on the meaning of his work to the policeman himself, especially as it is derived from and reflects back upon societal ideas regarding worker autonomy, the need for order, and the rule of law. Such an emphasis should provide the basis for conclusions on how the working environment of police influences law enforcement, that is, the capacity of police to respond and contribute to the rule of law as a master ideal of governance. Such conclusions should hopefully contribute to the development of a theory of law enforcement in democratic society, and to the role of police within such a system.

Standards for the Performance of the Urban Police Function

by *The American Bar Association*

GENERAL PRINCIPLES

Introductory Note

The need for improvement in the quality of policing in our society has long been apparent. Study after study has documented—with almost monotonous regularity—the gross deficiencies to be found in the caliber and performance of police agencies. In recent years, police administrators themselves have been among the most vociferous in calling attention to the need for upgrading the quality of police services and police personnel.¹

Positive change, to the extent that it has occurred, has been largely in response to sporadic demands for "reforming" the police. "Reform" has meant different things at different times in the history of policing. The first major efforts at improving police operations focused upon upgrading the caliber of personnel hired as police officers. Reform, in the early days,

1. Among the leading studies of the police in the last half century are R. FOSDICK, *AMERICAN POLICE SYSTEMS* (1920); L. FULD, *POLICE ADMINISTRATION—A CRITICAL STUDY OF POLICE ORGANIZATIONS IN THE UNITED STATES AND ABROAD* (1910); NATIONAL COMMISSION ON LAW OBSERVANCE AND ENFORCEMENT, *REPORT ON POLICE*, NO. 14 (1931); and B. SMITH, *POLICE SYSTEMS IN THE UNITED STATES* (2d rev. ed. 1960). Most recently, the President's Commission on Law Enforcement and Administration of Justice completed its comprehensive review of the problem of crime and the provisions presently made for coping with it. PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, *THE CHALLENGE OF CRIME IN A FREE SOCIETY* (1967) (hereinafter referred to as *Challenge of Crime*). See also PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, *TASK FORCE REPORT: THE POLICE* (1967) (hereinafter referred to as *Task Force Report: The Police*). Much of the *Challenge of Crime* focused upon the police, with an emphasis upon needed improvements. Many of the problems which the Commission addressed are recognizable in somewhat different form in some of the earliest examinations of police operations.

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also called for isolating the police from partisan politics, giving police administrators tenure, and eliminating corrupt practices. During the 1930s and 1940s, emphasis in programs aimed at improving the police was upon the development of training, the adoption of mechanical aids, and the greater use of scientific methods for the investigation of crimes. In the 1950s and 1960s, emphasis was given to the centralization of police operations and to the increased use of technology—especially communications and the motor vehicle. And, in the current decade, the most commonly advocated changes are those that call for college education for police personnel; use of the computer for police work, and the development of new techniques for improving relationships between the police and the community. Together, on a cumulative basis, these various proposals have come to be widely accepted as the established elements in any program aimed at improving police services.

There is, today, an increased sense of urgency regarding the need for improving both the caliber and the performance of the police. The unprecedented demands being made upon the police have served to point up the complexity and importance of the police function. They have also served to make more visible the inadequacies that have resulted from years of neglect. There appears to be widespread agreement that if the problems for which the police are held primarily responsible are to be dealt with more effectively, police agencies must be improved. But there is much less certainty as to the form such improvements should take.

Doubt as to the value of past efforts at improvement has arisen primarily as a result of the difficulties that have been experienced in coping with current-day crises by even those departments that have consistently been in the forefront in effecting change. Some of the specific proposals for change are being increasingly subject to question. Thus, for example, the appropriateness of organizational arrangements designed to insulate the police from political influence is now being challenged in the light of the demonstrated need for greater responsiveness on the part of the police to the needs of the community. Purposeful efforts to assure a degree of detachment, on the part of individual police officers, from the community they police (e.g., prohibitions against police officers working in the neighborhoods in which they reside) are being abandoned in some jurisdictions in preference for a policy that encourages officers to reside in the neighborhoods in which they work. The view that almost all patrolmen should be assigned to squad cars is now being modified by the increased assignment of police officers to foot patrol. And the strong

movement to a highly centralized form of control over police operations—especially in the larger cities—is being reversed by the establishment of storefront offices and by various other forms of decentralization intended in part to meet the kinds of complaints that give rise to demands from citizen groups for neighborhood control over the police.

These developments offer substantial support for the observation that some of the older “nonprofessionalized” police agencies that have been bypassed by the several waves of “reform” have been more effective in coping with the problems that police are currently experiencing than have those agencies that have consistently adopted all proposals advocated for the improvement of police operations.² Given the common lag between proposals for change and their implementation, the police field is experiencing the rather awkward situation today of having some police agencies aspiring to effect changes that are being substantially modified or abandoned by those agencies that have already adopted them.

The fact that so much of the effort to improve police operations appears to have been misdirected does not negate the importance of addressing such fundamental areas as police personnel, training, and management. Rather, what this realization suggests is that such efforts have been limited in their value because they have not gone far enough. They have been too narrowly conceived. They have in some instances been based upon questionable assumptions. And they have been developed without adequate regard for the overall nature and complexity of the police function.

In recognition of these shortcomings, this study departs significantly from what has become the traditional pattern for addressing the need for improvements in the police field. Primary emphasis has been placed upon examining the overall role of the police in an effort to clarify and, in some instances, hopefully to reach conclusions regarding some of the basic underlying issues that must be confronted as a prerequisite to effecting meaningful and lasting improvements in police agencies and in their operations. This study treats the more traditional areas of concern as well, but only to the extent that conclusions reached with regard to the more basic issues have direct implications for the form that programs in such areas should take.

Complexity of police task.

(a) Since police, as an agency of the criminal justice system, have a major responsibility for dealing with serious crime, efforts

2. See J. Wilson, *The Police and Their Problems: A Theory*, 12 *PUB. POLICY* 189 (1963).

should continually be made to improve the capacity of police to discharge this responsibility effectively. It should also be recognized, however, that police effectiveness in dealing with crime is often largely dependent upon the effectiveness of other agencies both within and outside the criminal justice system.

(b) To achieve optimum police effectiveness, the police should be recognized as having complex and multiple tasks to perform in addition to identifying and apprehending persons committing serious criminal offenses. Such other police tasks include protection of certain rights such as to speak and to assemble, participation either directly or in conjunction with other public and social agencies in the prevention of criminal and delinquent behavior, maintenance of order and control of pedestrian and vehicular traffic, resolution of conflict, and assistance to citizens in need of help such as the person who is mentally ill, the chronic alcoholic, or the drug addict.

(c) Recommendations made in these standards are based on the view that this diversity of responsibilities is likely to continue and, more importantly, that police authority and skills are needed to handle appropriately a wide variety of community problems.

Commentary

It is hardly necessary to restate the dimensions of the problem of serious crime in America or its impact upon the lives of our citizens. This has been documented in an effective and frightening way by the Report of the President's Commission on Law Enforcement and Administration of Justice in 1967, and the scope of the problem is restated annually by the Federal Bureau of Investigation in its Uniform Crime Reports. These reports indicate not only that crimes in most categories are increasing at a disturbing rate, but also that clearance rates (the rates indicating the percentage of crimes which have been "solved" by an arrest of the alleged offender) remain low for most types of offenses.

It is obvious that the police as an agency of the criminal justice system have a major and central responsibility for dealing with serious crime. Concentrated efforts must be made, therefore, to identify and implement new approaches to improve the police response to serious crime. This may involve, among other things, developing new types of specialized preventive and investigative personnel; utilizing more scientific methods for allocating personnel and reducing the time for responding to calls for

service; and improving crime laboratory and other supporting services for investigative personnel.³

It must be noted, however, that even with dramatic improvements in police resources, there are severe limitations on what the police alone can do about many types of serious crimes.⁴ There are serious weaknesses in thinking about crime as essentially a "police problem."

Although . . . it is understandable that major-city crime is thought of and dealt with essentially as a police problem, this narrowness of perspective cannot be afforded. Perception of crime as a police problem results in a failure to act to improve other components of the criminal justice system, such as the courts, prosecution and defense, correctional and youth service agencies and programs; other agencies that can and should become involved in working with potential offenders and offenders; and the community itself. In addition, this perception results in a failure to understand the system as a single process, composed of necessarily interdependent, although not effectively interrelated, elements—a process that flows from the community—where the causes of criminal behavior, criminal events, and the resources needed to respond to crime lie—through the police, the courts and correctional agencies, back once again to the community with the return of the offender.⁵

Thus, although it is most important to develop ways to improve the police capability to deal with serious crime, it is equally important to note that the police constitute only one part of a total system that must be improved if serious crime is to be contended with more effectively.

Further, in thinking about needed comprehensive improvement in police effectiveness, it must be recognized that the police do far more than identify and apprehend persons committing serious criminal offenses. Past efforts to improve police operations have usually been based upon the widely held notion that the primary responsibility of the police is that of combating crime and that most of their work is directed toward this end. A number of recent studies challenge this stereotype and point up the importance of recognizing the broader role of the police.

The President's Commission on Law Enforcement and Administration

3. See generally recommendations made in TASK FORCE REPORT: THE POLICE, *supra* note 1; and PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE, TASK FORCE REPORT: SCIENCE AND TECHNOLOGY (1967).

4. See, e.g., J. WILSON, VARIETIES OF POLICE BEHAVIOR 295 (1968) (hereinafter referred to as *Varieties of Police Behavior*).

5. Krantz & Kramer, *The Urban Crisis and Crime*, 50 B.U. L. REV. 343, 347 (1970) (hereinafter referred to as *The Urban Crisis and Crime*).

of Justice, which conducted the most comprehensive study of the police that has been undertaken in recent years, reported that police department records "rarely reveal what proportion of working time policemen spend on what activities."⁶ But in acknowledging the wide array of duties for which the police are responsible, the Commission made the following observation:

A great majority of the situations in which policemen intervene are not, or are not interpreted by the police to be, criminal situations in the sense that they call for arrest with its possible consequences of prosecution, trial, and punishment. This is not to say that the police intervene in these situations mistakenly. Many of them are clear public nuisances that the community wants stopped: Radios blaring or dogs barking at 3 o'clock in the morning, more or less convivial groups obstructing sidewalks, or youths throwing snowballs at passing motorists.

Many situations involve people who need help whether they want it or not: Helpless drunks out in freezing weather, runaway boys who refuse to go home, tourists in search of exciting night life in a dangerous neighborhood. Many of them involve conduct that, while unlawful, cannot be prevented or deterred to any great degree by means now at the disposal of the criminal justice system: Using narcotics, prostitution, gambling, alcoholism. Many situations, whether or not they involve unlawful conduct, may be threatening: A sidewalk orator exercising the right of free speech in the midst of a hostile crowd, a midnight street corner gathering of youths whose intentions are questionable, an offer by a belligerent drunk to lick any man in the house.

All of these situations could involve the violation of some ordinance or statute. All of them could lead to a serious breach of public order, or for that matter to a serious crime. Much of police work is seeing to it they do not lead to this extreme. This means becoming involved in the most intimate personal way with the lives and problems of citizens of all kinds.⁷

Since publication of the Crime Commission's reports, there have been several efforts to develop more detailed data descriptive of the police function. In exploring the role of a patrolman, Professor James Q. Wilson undertook to analyze citizen calls transmitted to police cars by the Syracuse Police Department for a period of one week. He reported:

About one fifth required the officer to gather information ("get a report") about an alleged crime for which no suspect was thought still to be on the scene. The patrolman's function in this case is mainly clerical—he asks routine questions, inspects the premises, and fills out a form. About a third of the calls were for services that could as easily be provided—and in many cities are—by a different government agency or by a private firm. Only about one

6. CHALLENGE OF CRIME, *supra* note 1, at 98.

7. CHALLENGE OF CRIME 91.

tenth of the calls afforded, even potentially, an opportunity to perform a narrow law enforcement function by stopping a burglary in progress, catching a prowler, making an arrest of a suspect being held by another party, or investigating a suspicious car or an open window. In fact, very few of *these* will result in arrests—there will be no prowler, except in a woman's imagination, the open window will signify an owner's oversight rather than a thief's entry, the "suspicious" car will be occupied by a respectable citizen, and the burglar, if any, will be gone. Almost a third of all calls—and the vast majority of all nonservice calls—concern allegations of disorder arising out of disputes, public and private, serious and trivial.⁸

Somewhat similar findings were reported by several other studies. A survey of the Kansas City Department in 1966 revealed that patrol officers devoted only 32 per cent of their time to criminal matters.⁹ An analysis of calls received by the Chicago Police Department in a twenty-four-hour period from a section of the city containing approximately one twelfth of the city's population revealed that, of the 394 calls received, 16 per cent consisted of reports of crimes in progress or crimes that had already occurred; 44 per cent consisted of reports of incidents that could have involved a criminal action (*e.g.*, a disturbance or an intoxicated man), but which experience has indicated most frequently require no more than a warning, informally resolving conflict, or the providing of some form of assistance; and 40 per cent consisted of requests for various forms of service and for information.¹⁰

In their studies of the police as a "support agent," Elaine Cumming, Ian Cumming, and Laura Edell found that more than one half of the calls made to the police appear to involve requests for help in personal and interpersonal matters unrelated to crime.¹¹ Raymond Parnas, exploring police handling of domestic disturbances, found that:

The everyday police response to the minor family conflict probably exceeds the total number of murders, aggravated batteries, and all other serious crimes. For example, the Chicago Police Department publishes a Patrol Division Operations Report, not available to the public, one subcategory of which is "disturbances." Disturbances includes minor family conflict (domestic disturbances), teen disturbances, party noise, and the like. The report for the 11th Police Period, Oct. 13, 1966 to Nov. 9, 1966, shows a total of 134,869 calls for police service in the city of Chicago. Of this total of 134,869 calls,

8. VARIETIES OF POLICE BEHAVIOR 19.

9. TASK FORCE REPORT: THE POLICE, *supra* note 1, at 121.

10. H. Goldstein, *Police Response to Urban Crisis*, 28 PUB. ADMIN. REV. 417, 418 (1968).

11. Cumming, Cumming, & Edell, *Policeman as Philosopher, Guide and Friend*, 12 SOC. PROBLEMS 276, 278-285 (1965).

17% are classified as "Criminal Incidents." This category includes crimes as serious as murder and as minor as bicycle theft. The remaining 83% includes 12,544 traffic accident calls, 2,009 vehicle recovery calls, and 96,826 "Misc. Non-criminal" incidents. Hence, "Misc. Non-criminal" includes about 80% of all calls for police service during the period. One third of "Misc. Non-criminal" incident calls are "disturbances." Thus the non-criminal category of all kinds of reported disturbances exceeds all reported criminal incidents by almost 40%.¹²

From these studies and similar studies conducted in recent years, one commentator, Professor Gordon Misner, has observed that enough data have been collected to show clearly that "uniformed policemen in large urban areas typically spend less than 3 per cent of their working time dealing with crime or other enforcement duties." Professor Misner concludes that the uniformed policeman is engaged for the most part in work which should properly be classified as "public service."¹³

Helpful as the various analyses of calls for police assistance have been in shedding light on the nature of police activities, it is important to recognize their inadequacies. Requests for police assistance must be categorized on the basis of information provided in a telephone call. Assignment of a police officer to contact the party from whom the call is received often results in the discovery of additional information that significantly changes the nature of the request for assistance as originally received. The absence of detailed information at the time a call is received requires that the initial categorization be in rather general terms. The resulting tabulations, therefore, lack the detailed kind of breakdown that would be more helpful for analyzing police activities. The most serious limitation on the data is the fact that such tabulations, in their entirety, do not begin to represent a comprehensive picture of the nature of all police operations, since matters about which the public typically calls the police account for but a portion of all police activity. Much of what the police do is self-initiated.¹⁴

In the light of these limitations on the data that have been developed

12. Parnas, *The Police Response to the Domestic Disturbance*, 1967 WIS. L. REV. 914 n.2.

13. Misner, *Enforcement: Illusion of Security*, 208 THE NATION 488 (1969).

14. Some effort has been made to study self-initiated police activities. See, e.g., D. BLACK & A. REISS, PATTERNS OF BEHAVIOR IN POLICE AND CITIZEN TRANSACTIONS, Field Surveys III: Studies in Crime and Law Enforcement in Major Metropolitan Areas, Vol. 2 (A Report of a Research Study Submitted to the President's Commission on Law Enforcement and Administration of Justice, 1967); and Webster, *Police Task and Time Study*, 61 J. CRIM. L., C. & P. S. 94 (1970).

up to this point, it is not possible to reach any precise conclusions regarding the nature of police services currently being provided. But, inadequate as they are, the data are sufficient to dispel the myth that police spend most of their time on crime-related matters. The above-cited studies and others make it clear that police also have responsibility for other complex tasks of municipal government which include protection of certain rights such as to speak and to assemble, participation either directly or in conjunction with public or private agencies in the prevention of criminal or delinquent behavior, maintenance of order and the control of pedestrian and vehicular traffic, resolution of conflict, and assistance to citizens in need of help such as the person who is mentally ill or the chronic alcoholic.

To continue to think about the police in terms of crime control only, therefore, ignores the problems and needs surrounding most of what the police do. This was noted quite clearly in a recent study made of Detroit and other major departments by Thomas E. Bercal:

[R]esearch [has] indicated that only 166,000 (16%) of all calls were "crime" related. As these data indicate, to study the police in the context of a paramilitary organization primarily concerned with the control and prevention of crime focuses attention on but a small portion of police work. Such an orientation has encouraged police to make major policy decisions on the weight of crime statistics and to overlook, and thereby fail to take sufficiently into account, the vast majority of its activities. Conversely, emphasis on the "crime problem" and "social unrest" have hidden the majority of police work from the public's eye.¹⁵

Thus, attention must be given to the fact that any discussion of police improvements requires recognition that a substantial percentage of police time involves dealing with "abrasive conflicts that can be, and generally are, settled by a combination of counseling and exhortation,"¹⁶ and dealing with "challenge for changes" in our society.¹⁷

The limited effectiveness of many of the improvements commonly advocated for police agencies is in large measure attributable to the failure on the part of both the police and the community to recognize the diverse nature of the functions performed by police personnel.

Recognition of the true nature of the police function, while a major

15. Bercal, *Calls for Police Assistance*, 13 AM. BEHAVIORAL SCIENTIST 681, 682-683 (1970).

16. Livermore, *Policing*, 55 MINN. L. REV. 649, 683 (1971).

17. Murphy, *The Role of the Police in Our Modern Society*, 26 THE RECORD OF THE ASS'N OF THE BAR OF THE CITY OF NEW YORK 292, 295 (April, 1971).

first step, does not by itself provide easy answers by which changes in police operations can be made more effective. Rather, confronting the true nature of police work forces an increased awareness of the incredibly complex nature of the police role—and makes all the more apparent the reasons why commonly-advocated proposals for improving the police have frequently not produced the results predicted for them.

Many of the individuals and official bodies that have studied and commented upon the police in recent years have acknowledged, in varying ways, the extent to which problems in the police field are traceable to the wide array of functions for which the police are held responsible. A number of the studies have gone on to suggest that the police be divested of certain functions on the assumption that there is no real question as to the primary role of the police; others, more modestly, have simply urged that the police function be more clearly defined. There is generally implied, in all such comments, the view that it ought to be possible—and it would certainly be desirable—to arrive at a more limited police role that could then be applied uniformly to the police field throughout the country. But reflection suggests that it is neither possible nor desirable to significantly narrow the police role and, furthermore, suggests that the implied hope that it can be done in itself reflects a gross oversimplification of the nature of police work.

It is significant that, while the hope has been expressed for some kind of standard definition that would serve to narrow the police function, the only *specific* proposals that have been advanced relate to matters that are obviously peripheral to even the broadest concept of the police task. Thus, it has often been suggested that the police be relieved of such responsibilities as that involved in the collection of parking meter revenue and the repair of parking meters, in the licensing of dogs, and in the taking of a local census. The President's Commission on Law Enforcement and Administration of Justice came to no conclusion with regard to basic issues relating to the police function, but did urge that communities take a hard look at such police assignments as running the dog pound, tax collection, licensing, jail duty, and chauffeur duty.¹⁸ And in supporting greater police involvement in community service-type activities, the National Advisory Commission on Civil Disorders joined with the Crime Commission's caveat that police should not become involved in service tasks which involve neither "policing nor community help."¹⁹ Such proposals may serve some useful purpose, but they do not contribute

significantly toward clarifying the police role.

Another approach to defining the police function has been through the advocacy of descriptive phrases intended to suggest relative emphasis and priority. Thus, at various times in the past and more frequently in recent years, it has been urged that the police view themselves primarily committed to "law enforcement," "crime prevention," "maintaining the peace," "maintaining order," or simply to providing "public service." The obvious difficulty with such terms is that they are much too broad to be helpful in an effort that requires, as a preliminary to setting priorities and emphasis, a taking apart of the mass of activity that currently occupies the police.

A third approach to defining the police function—somewhat negative in form—has consisted of various proposals for divesting the police of what are now substantial segments of their typical workload. Thus it has been suggested, for example, that the police be relieved of all responsibilities relating to traffic control; that the handling of intoxicated persons be transferred to some other governmental agency; that civil disorders be handled, as a matter of routine, by the National Guard; and that many of the miscellaneous emergency services that the police are called upon to perform be performed, instead, by other departments of municipal government or by private agencies.

The most common proposals for narrowing the police function contain a number of assumptions that, on examination, are subject to serious question.

(1) *An unwarranted judgment as to what should be the primary residual function of the police.* There is the implication in each of the above proposals that a narrowing of the police function will make it possible for the police to concentrate more directly on matters related to crime. Yet events in recent years have made it clear that those aspects of the police function that relate to minimizing the likelihood of disorder, for example, are equal in their importance to the police function in identifying and prosecuting wrongdoers. Moreover, there are a number of indications that the public wants the police to do much more than combat crime. They want the police to deal with all kinds of problems that endanger citizens—problems constituting an immediate threat or merely creating fears. The possibility that one's home may be burglarized may not be as threatening as the fear of being hit by a car, bit by a rabid animal, or harassed by a hostile crowd. If there is to be a narrowing of the police function, is it correct to assume that the "crime-fighting" role of the police is paramount and should be the activity around which the police are structured?

18. CHALLENGE OF CRIME, *supra* note 1, at 98.

19. REPORT, NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 167 (1968).

(2) *An assumption regarding the potential effectiveness of the police.* Implicit in the effort to make more time available for matters relating to crime is the assumption that there are proven ways by which the police can prevent and control crime. The President's Commission on Law Enforcement and Administration of Justice agreed with what many in the police field have long suspected—that there is great uncertainty as to the value of currently-employed techniques in deterring crimes and in apprehending those who commit them.²⁰ Given the limited impact that it appears the police can have upon crime, it has been persuasively argued that, as a matter of national policy, the country errs in looking to the police for relief from the crime problem.²¹ Would a more realistic assessment of the potential of the police to fulfill some of the functions commonly expected of them have any significant bearing upon a more rational definition of the police role?

(3) *An assumption that police activities as they now exist are in fact separable.* There are a number of practical problems in separating out substantial segments of police activity. Were a social agency, for example, to undertake to perform some of the functions now being handled by the police, it would be necessary for the agency to make a substantial staff available around the clock if the agency is to approximate the built-in, city-wide capacity of most police forces to handle such requests currently—putting aside, for the moment, the manner in which they are handled. Moreover, there is no easy way to determine, in advance of responding to a call for assistance, whether the principal need is for one trained as a social worker or for one having the authority and training of a police officer. A telephone report of a minor family argument may, on response, require that a police officer intervene in a physical struggle—often involving a knife or other weapon. The unique characteristics that are currently combined in the job of a police officer—twenty-four-hour availability, a capacity to handle potentially-dangerous situations, investigative skill, and the possession of general police authority—are not easily duplicated in others to whom portions of the police function might be assigned. This factor accounts, in part, for the continued assignment of police officers to work alongside other newly-hired personnel responsible for implementing the experimental programs aimed at diverting chronic alcoholics from the criminal system.²²

(4) *An assumption that it is both desirable and feasible to reduce the conflict that arises by virtue of the police having to act in both a helping and a punitive role.* Implied in some of the proposals is the assumption that a police officer can function more effectively as a control agent if he is not required, at the same time, to serve in a helping role; and, similarly, that he can be more effective as a "helper" if he is not required to be identified with punitive and coercive forces. Yet, as was previously pointed out, there are a number of indications that effectiveness in either role is at least to some degree dependent upon functioning in the other. A police officer, in other words, may be a more effective "helper" because he has control responsibilities; and he may be more effective as a control agent because he is also identified as a "helper." Thus it could be argued that efforts to eliminate some of the most obvious sources of conflict might be dysfunctional.

(5) *An assumption that private or other governmental agencies can perform some of the existing police functions more effectively than can the police.* The purpose in advocating that certain functions be transferred from the police in some instances is not only to reduce the magnitude and diversity of police responsibilities, but also to improve the quality of the service rendered. Thus it has been assumed by some that it would be preferable to have health personnel deal with alcoholics and narcotic addicts, social workers deal with juveniles, and military personnel cope with widespread rioting of the kind that has occurred in recent years. Inevitably, however, it would follow that adequate numbers of such personnel would have to be made available and that they be provided with the resources and training necessary to carry out their new responsibilities. Is there any reason to believe that the quality of the service subsequently rendered by these agencies would be superior to that which could be rendered by the police if they were similarly staffed, trained, and equipped? Would the problems involved in structuring new systems to regulate and control the exercise of needed authority be a factor in arguing in behalf of retaining such functions with the police who are already subject to such a system—ineffective as it may sometimes appear to be?

Given these considerations, it becomes obvious that, with limited exceptions, the wide diversity of current police responsibilities is likely to continue. The police must be recognized, therefore, as having an extremely complex function that will not be simplified in the future. Rather, it appears inevitable that the function will become increasingly more difficult. This recognition is essential in understanding the types of recommendations which are made within these standards. Even if

20. CHALLENGE OF CRIME, *supra* note 1, at 95-96.

21. J. Wilson, *Crime and Law Enforcement*, in *AGENDA FOR THE NATION* 179 (K. Gordon ed. 1968).

22. See, e.g., Vera Institute of Justice, *THE MANHATTAN BOWERY PROJECT* 5 (1970).

other agencies and personnel with more appropriate skills were available to deal with certain social or health problems, would police officers still not be required to assist such personnel when potentially dangerous situations arose?

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Major current responsibilities of police.

In assessing appropriate objectives and priorities for police service, local communities should initially recognize that most police agencies are currently given responsibility, by design or default:

- (i) to identify criminal offenders and criminal activity and, where appropriate, to apprehend offenders and participate in subsequent court proceedings;
- (ii) to reduce the opportunities for the commission of some crimes through preventive patrol and other measures;
- (iii) to aid individuals who are in danger of physical harm;
- (iv) to protect constitutional guarantees;
- (v) to facilitate the movement of people and vehicles;
- (vi) to assist those who cannot care for themselves;
- (vii) to resolve conflict;
- (viii) to identify problems that are potentially serious law enforcement or governmental problems;
- (ix) to create and maintain a feeling of security in the community;
- (x) to promote and preserve civil order; and
- (xi) to provide other services on an emergency basis.

Commentary

In examining each of the objectives toward which the police work, an effort is made here to identify the specific nature of the activities in which the police engage and to establish the basis, if any, for police involvement.

(i) *To identify criminal offenders and criminal activity and, where appropriate, to apprehend offenders and participate in subsequent court proceedings.* As has been noted previously, the most traditional goal of the police—constituting what many would argue is their primary contribution to community order—is the control of conduct that is legislatively prohibited. For the most part, this consists of identifying those thought to be guilty of having committed a criminal offense and subsequently proceeding against them. The investigative process typically involves the gathering of information from victims and witnesses, the collection

and analysis of physical evidence, and the relating of the results of these and other inquiries to one or more individuals identified as likely to have committed the offense.

Police activity in this area takes three forms. The bulk of what police do is aimed at identifying offenders in response to reports received by the police indicating that a crime has been committed. (The extent to which crime is reported to the police varies a great deal from one community to another, depending upon a wide range of factors. Indications are that the actual amount of crime is several times that reported.)²³ The police response to a report of a crime will vary a great deal from one community to another, and also within a single community. In large cities, where the volume of criminal activity is high, police may be selective in determining whether or not to investigate a reported crime. This is especially true with regard to minor offenses—in particular those for which there is very little likelihood that the police will be able to establish the identity of the offender.

Secondly, there are those aspects of police work that are aimed at identifying offenses in the process of their being committed. Thus, while police patrol activities are primarily intended to dissuade persons from committing crimes, they are also intended to discover crimes in progress. Officers on patrol—especially in the larger cities—may have occasion to come upon individuals stealing a vehicle, staging a robbery, or breaking into a home or a commercial establishment. In addition, police officers pursuing some other police goal, such as in aiding a drunk or in facilitating the movement of traffic, may have occasion to discover the presence of a concealed weapon or of burglary tools. The extent to which the police identify criminal acts subject to their view depends almost entirely upon the amount and intensity of police patrol.

Finally, there is a whole range of criminal activity which, unlike a single isolated incident such as a homicide, a rape, or a robbery, can continue for long periods of time without surfacing. This is true, for example, with regard to most forms of organized crime, fraudulent business practices, and thefts perpetrated by professional criminals. The lack of disclosure, in such instances, is attributable either to the fact that the victim is not aware he is being victimized or has not yet learned of his losses; or to the fact that the offense is of a consensual nature—there being no victim. While it is commonly assumed that the police have an obligation to take the initiative in attempting to ferret out all

23. See CHALLENGE OF CRIME, *supra* note 1, at 20-22.

criminal activity, they do so in practice on a highly selective basis. Thus, as to certain types of crime, they may make no effort. They may investigate other forms of criminal activity only upon complaint. And, as to still others, they may go so far as to establish a special unit to probe, test, and otherwise seek to uncover evidence of wrongdoing. Illustrative of the latter are units assigned to the investigation of gambling, narcotics, prostitution, confidence games, pickpocketing, shop-lifting, and professional burglaries. It is apparent that the decision on the part of the police as to whether to investigate a specific form of criminal activity is an extremely important administrative decision that has not received careful attention in the past.

Most statutory provisions relating to the police role in controlling crime speak of their responsibility to "enforce the law." They do not address themselves, in any detail, to the role of the police in investigating reports of criminal activity and in ferreting out criminal activity. Thus, while the police are commonly mandated to enforce the law, there is some ambiguity as to their responsibility for investigating that which is reported to them and for seeking out evidence of criminal activity.

(ii) *To reduce the opportunities for the commission of some crimes through preventive patrol and other measures.* From the very beginnings of the police service in England, emphasis was placed upon the role of the police in preventing crime. Sir Charles Rowan, the first commissioner of the Metropolitan Police, in speaking of prevention, said: "To this great end every effort of the Police is to be directed. The security of person and property, the preservation of the public tranquility and all the other objects of a Police Establishment will thus be better effected than by the *detection and punishment* of the offender after he has succeeded in committing the crime . . ." ²⁴ Police administrators in this country continue to characterize prevention as their primary goal. Assigning highest priority to preventive activities has a strong appeal in that it lends a positive note to what the police do, drawing public attention away from the somewhat negative image of the police as being exclusively oriented toward the catching and punishing of wrongdoers, and it reflects a degree of enlightenment in that it commits police to the more efficient concept of preventing trouble before it occurs.

The primary method that the police depend on for preventing crime implements the very elementary concept that a person contemplating a

criminal act will not commit it if he can be convinced that he will be identified or apprehended in the process. As a result, most police efforts have been directed at making their presence felt to the maximum degree through unpredictable, conspicuous patrol—seeking thereby to create an impression of police omnipresence. In the course of their patrol activities, police identify and correct conditions, such as open premises, that increase the opportunity for criminal activity and also check out suspicious circumstances and persons.²⁵

There is a widespread feeling among police administrators that what the police do in their patrol activities constitutes the most important and most potentially-effective response that police can make to the crime problem. Police administrators are constantly seeking to devote more of their resources to patrol. But, at the same time, there is a growing awareness that relatively little is known regarding the value of police patrol as a deterrent to crime.

The President's Commission on Law Enforcement and Administration of Justice noted that resources and talent for proper research have not been devoted in any great extent to discovering and analyzing the relationship between police patrol and deterrence and that there have been few scientifically controlled experiments concerning deterrent effects of various patrol techniques.²⁶ It is clear, however, that whatever impact patrol activity has is limited to certain types of crimes that occur on the streets. A patrolling police officer, for example, is not likely to deter crimes of the kind that most commonly occur in private premises, nor is he likely to interfere with the carefully-planned offenses of the professional criminal. It has never been doubted that the presence of a police officer at a given spot will deter the commission of a crime in the immediate area within view of the officer. But it is obviously not economically feasible to consider such a plan for policing; nor is it likely that citizens would desire to have a police presence in the numbers that would be required for such coverage. There have been a number of dramatic highly-publicized experiments in which areas have been blanketed with police officers, but these have proved little more than the obvious—that the presence of a police officer will deter crimes in the immediate area subject to his view.

All of these considerations force recognition of the limited capacity of the police to perform in a preventive role and—more basically—force

24. C. ROWAN, HANDBOOK OF GENERAL INSTRUCTIONS, quoted in C. REITH, A NEW STUDY OF POLICE HISTORY 222 (1956).

25. For a description of patrol activities as taught to the police, see G. O'CONNOR AND C. VANDERBOSCH, THE PATROL OPERATION (1967).

26. CHALLENGE OF CRIME at 96.

a renewed awareness that, while the police may reduce the opportunity for the commission of a crime, their efforts do not begin to affect the deep-rooted causes of crime. Yet, despite this limited capacity, the public continues to expect the police to prevent all crime and the police tend to continue to commit themselves to the same goal. This is most clearly reflected in the practice of using crime statistics as a measure of police effectiveness—the police being held accountable for increases in reported crime and being credited when a reduction occurs. Holding the police responsible in this manner for achieving a goal that is so obviously impossible of achievement has a terribly disruptive influence upon rational plans for improving police service. It is for this reason that police activities aimed at preventing crime have, for purposes of this study, been categorized under the more modest and more accurate label of contributing toward reducing the opportunities for the commission of a crime.

If the goal of the police in the preventive area is more narrowly defined, it is easier to see how the police can in realistic fashion make significant efforts toward reaching it. For example, Edward Davis, the Chief of the Los Angeles Police Department, recently attempted to place the preventive role of the police in clearer perspective in describing professional police principles:

Now the police themselves cannot prevent crime. . . . However, the police play a major role as the catalytic agent in society to assist the process of "feeding back" to the rest of society information on what is happening in terms of crime and disorder. No one else can perform this function but the police. No one else is in contact with crime and disorder in its totality. No one else has the machinery or perception or access to the basic facts as do the police.

The police cannot prevent the development of criminality in any individual. However, through a feedback process, information on crime can be passed to social institutions which may hopefully generate programs to prevent criminality of individuals in the future.²⁷

Illustrative of other types of programs which police have undertaken with increasing frequency in recent years are those designed to educate the public on ways in which the public can, through simple measures, reduce the likelihood of their homes being burglarized, their cars being stolen, or their persons being robbed. Advice has been spread through the use of brochures, billboards, and consultations with those who have been the victims of crime. Police administrators, as a group, have gone further. They have, for example, prevailed upon car manufacturers to construct an ignition mechanism that makes theft more difficult. There is

27. Davis, *Professional Police Principles*, 35 FED. PROB. 29 (March, 1971).

reason to believe that considerably more progress could be made in reducing the opportunities for crime by making greater use of the knowledge of experienced police personnel in the planning of urban renewal areas, new public housing, and new schools, parks, and recreational facilities.²⁸

(iii) *To aid individuals who are in danger of physical harm.* The role of the police in coming to the aid of a person subjected to a criminal attack is an objective of police operations quite apart from their role in identifying and possibly apprehending the offender. Thus, for example, in considering the importance of speed on the part of the police in responding to reports of serious criminal activity, it is possible to weigh separately its value for purposes of identifying and apprehending the person alleged to have committed an offense and its value in providing assistance and protection to a victim being held, for example, at knife point.

But police concern for protecting people from physical harm commonly extends beyond simply those incidents in which the threatened harm is the result of a criminal attack. Thus, in carrying out the common statutory and charter mandate to protect persons, police see themselves, for example, as having an obligation to roust individuals from a burning building, to rescue a person who is drowning, and to come to the aid of a person attacked by a dog. As the President's Crime Commission observed, "it is natural to interpret the police role of 'protection' as meaning protection not only against crime but against other hazards, accidents or even discomforts of life."²⁹

The priority to be attached to this goal in competition with other goals that the police are committed to achieving has been the subject of great interest in the past several years because of the injuries and deaths that have occurred in connection with major disorders. Until recently, the issue arose most commonly in those situations in which the police resorted to the use of deadly force or engaged in a highspeed chase. Both situations illustrate the need for providing the police with a clearer policy decision on the extent to which their obligation to minimize the likelihood of physical harm should be the overriding concern when it conflicts with their efforts to suppress riots, to identify criminal activity, or to resolve conflict.

In the above situations, the conflict between objectives occurs in the handling of a single incident. But the problem of priorities arises in a broader context as well—where the competition is not between different objectives in a single incident, but for allocation of a proportion of total

28. CHALLENGE OF CRIME at 98.

29. CHALLENGE OF CRIME at 97.

police resources. How much police manpower should be devoted to protecting specific individuals in the community who feel endangered? What responsibility, if any, does a police agency have, for example, to protect a small merchant or a taxi-driver from repeated robberies? What responsibility is there for protecting a citizen who, as a result of his private business affairs, indicates that he has been threatened with physical harm—or the wife who lives in fear of being attacked by her estranged spouse? In the most recent case in which the responsibility of the police under such circumstances was litigated, the New York Court of Appeals held, in a tort action, that a municipality, although obligated to provide police protection to the public, was not liable for its failure to provide police protection for an individual.³⁰ But it is apparent that a finding that there is no tort liability does not provide an adequate basis for the police to make the kind of decisions that they are called upon to make in responding to reports that a life has been threatened. Community expectations in this area of police activity are much broader than this narrow interpretation of police liability.

(iv) *To protect constitutional guarantees.* Because so much of the attention in policing has been focused upon the processing of alleged offenders, there is a tendency on the part of police personnel to view the Constitution primarily in negative terms as the source of numerous limitations and controls upon their authority and their actions. Events of the past several years, however, have made it clear that the police cannot afford to limit their concern for constitutional guarantees to the various safeguards in the processing of alleged offenders. Police have become increasingly involved in protecting the right of citizens to live where they choose to live, to attend school where they are entitled to do so, to assemble, to demonstrate, and to speak out freely. The need for responding to these situations has created an awareness that the police have a much broader and, in many respects, a much more affirmative role in taking positive action to protect the constitutional rights of all citizens.

Policemen, as public officers, take an oath committing themselves to

30. *Riss v. City of New York*, 22 N.Y.2d 579, 240 N.E.2d 860, 293 N.Y.S.2d 897 (1968). A city may, however, be liable under special circumstances such as those in which the police undertake responsibilities to particular persons (*Schuster v. City of New York*, 5 N.Y.2d 75, 154 N.E.2d 534, 180 N.Y.S.2d 265 (1958)) or those in which the city is undertaking a proprietary or special function such as the operation of a rapid transit line, a hospital, or a housing project (*Bass v. City of New York*, 61 Misc.2d 465, 305 N.Y.S.2d 801 (Sup. Ct. 1969)).

uphold the Constitution of the United States and the Constitution and laws of the state in which they are employed. What this means in practice—and particularly in the controversial area of free speech and assembly—is not always easy to determine. For example, it is clear that the police may not deprive people of their rights to free speech or assembly by the arbitrary denial of parade and rally permits nor by the unreasonable refusal to make areas available for the exercise of such rights. It is not so clear to what extent the police are obligated to protect speakers and marchers from interference from private persons. The constitutional right of free speech is the right to be free from restriction of that right by state action. It is possible that in a given situation the failure of the police to do anything at all to protect an unpopular speaker would constitute state action denying the exercise of such rights.

Nor is it always clear how the police should resolve the conflict between their duty to protect free speech and their responsibility to maintain the peace and to protect the public's right to free access.

Decisions by the courts that there ordinarily cannot be a prior restraint (as by denying a permit to speak) make it the on-the-spot decision of the police officer whether to maintain order or to protect free speech when emergencies arise.

A speaker with a permit may go beyond bounds and incite violence, or a mob may undertake to break up an authorized and properly conducted meeting. In either case, the policeman on the spot must make the judgment as to what measures will most likely avoid violent disorders.³¹

Some would argue that the conflict should be resolved by balancing the importance of the interests involved with the proviso that the police may not substitute "uncontrolled official suppression of the speaker . . . for the duty to maintain order."³² Another argument is that priority over other interests must be given to the constitutional right of free speech. According to the late Justice Black, who espoused this position, this would mean that, in practice, the threat of individuals to assault a speaker does not justify suppression of the speech when there are "obvious alternative methods of preserving public order." "If, in the name of preserving order, [the police] ever can interfere with a lawful public speaker, they first must make all reasonable efforts to protect him."³³

Yet the specific nature of the police authority in such cases is rarely

31. *Kunz v. New York*, 340 U.S. 290, 313 (1951) (Jackson, J., dissenting).

32. *Niemetko v. Maryland*, 340 U.S. 268, 288-289 (1951) (Frankfurter, J., concurring).

33. *Feiner v. New York*, 340 U.S. 315, 326 (1951) (Black, J., dissenting).

spelled out. Although some states³⁴ define the intentional breaking up of a lawful meeting as a misdemeanor, in most states the only bases for making arrests are the disorderly conduct and trespass statutes.³⁵

Interference with the police and other public officials when they are exercising their duty to protect constitutional rights is actionable in the federal courts. Thus, in *Brewer v. Hoxie School District No.46*,³⁶ the court enjoined the defendants from interfering with the exercise of the school board's duty to operate its schools on a desegregated basis. The school board members had taken oaths to "support the Constitution of the United States." As a consequence, the court held:

[The members of the school board] are under a duty to obey the Constitution. . . . They are bound by oath or affirmation to support it and are mindful of their obligation. It follows as a necessary corollary that they have a federal right to be free from direct and deliberate interference with the performance of the constitutionally imposed duty.³⁷

Unfortunately, this case leaves unanswered many questions, as do the earlier cases discussed. Do the police have the authority to use force, including arrest, where necessary to protect constitutional rights quite apart from the question of whether the arrested person's conduct is criminal? What kind of interference should speakers be protected against? Physical attacks certainly, but what about mere heckling? It is evident that there is a need to spell out the authority and responsibility of the police more clearly so that the current uncertainty is eliminated.

(v) *To facilitate the movement of people and vehicles.* Life throughout this country—and especially in urban areas—is heavily dependent upon the free movement of people and vehicles. The police, over the years, have assumed a major share of the responsibility for achieving and maintaining the high degree of order that is necessary to make the free movement of people and vehicles possible. The typical police agency

34. See, e.g., CAL. PENAL CODE § 403 (1970): "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting, not unlawful in its character . . . is guilty of a misdemeanor."

35. There currently is pending in the United States Senate a bill that would make it unlawful to interfere in any way with any person's exercise of his constitutional rights of religion, speech, press, assembly, or petition and that would provide for appropriate relief through civil actions under federal jurisdiction. See S.3976, 91st Cong., 2d Sess. (June 16, 1970). For a critical analysis of this proposed legislation, see Report on the First Amendment Freedoms Act, 26 THE RECORD OF THE ASS'N OF THE BAR OF THE CITY OF NEW YORK 312 (April 1970).

36. 238 F.2d 91 (8th Cir. 1956).

37. *Id.* at 99.

enforces all traffic regulations; investigates traffic accidents; directs traffic in congested areas; guides children across busy streets; enforces parking restrictions; promotes traffic safety; controls crowds; and prevents the blockage of sidewalks, streets, and other public ways. Exact figures are unavailable, but all indications are that a substantial proportion of all police resources are devoted to these activities.³⁸

Most firmly established is the police role in regulating vehicular traffic. State statutes are very detailed and specific in setting down the rules of the road. And they are usually explicit in making it the duty of police officers to enforce the rules and to direct traffic within their respective jurisdictions. The authority of the officer is commonly supported by a specific statutory provision in the traffic code that makes it a violation to refuse to comply with his lawful orders, signals, or directions.

Implied in the objective of facilitating the movement of people is a concern for their safety. This concern accounts for the fact that most police agencies go substantially beyond their legislative responsibilities in the traffic field—engaging in extensive efforts to prevent accidents by by conducting driver training programs, by teaching traffic safety in the schools, and by issuing advice and warnings to drivers and pedestrians against whom they have no intention of bringing charges.

Another aspect of police activity aimed at facilitating the movement of people is that involved in the control of crowds. The actions of police officers at large events, such as athletic contests, parades, and performances of various kinds, are commonly recognized to be in the interests of all of those present, and as a result, police instructions and requests are not likely to be challenged. A different situation arises, of course, if a conflict develops between segments of a large crowd or if a group of people block the use of a thoroughfare to others or deny them access to a structure or facility. The responsibility of the police in such situations shifts from that of facilitating the movement of people to the suppressing of a disorder. (See subparagraph (x) of this section.)

(vi) *To assist those who cannot care for themselves.* Much of policing consists of providing care and assistance to those who cannot care for themselves because of their age, their state of health, or the influences which they come under—the young and the old, the physically disabled, the mentally ill and retarded, those who are intoxicated by alcohol, and those who are addicted to drugs.

38. Some percentage breakdowns which support this view can be found in Bercal, *Calls for Police Assistance*, 13 AM. BEHAVIORAL SCIENTIST 681 (1970).

As to some of the categories of individuals who cannot care for themselves (*e.g.*, the drunk, the narcotic addict, the mentally ill person who attempts to commit suicide), police involvement may come about because the behavior is commonly defined as constituting a criminal offense. There has been a great deal of interest, scholarly debate, and litigation in recent years over the propriety of dealing with such behavior problems by means of the criminal justice system.³⁹

Among the major values commonly cited by those advocating the removal of the criminal sanction from such forms of behavior is the claim that the change would take the police out of the business of having to relate to such individuals. But this reflects an erroneous belief—widely held—that the police function consists only of enforcing the criminal law. Police are involved—and are likely to continue to be involved—with individuals of the type identified above quite apart from whether the activity in which the individuals are engaged is defined as criminal. It seems inevitable—absent other provisions—that the public will continue to look toward government and especially toward the police to aid the drunk who is in danger of freezing to death if left unattended; the narcotic addict who engages in bizarre behavior in a public gathering; or a person poised atop a bridge, threatening to jump.

Separating police responsibilities from decisions regarding the use of the criminal sanction, however, does not mean that the outcome of the current debate will have no implications for the police. To the contrary, the implications will be far reaching, for, as is indicated below, the only current legal basis for much of what the police do in aiding individuals who cannot care for themselves is derived from their authority to enforce the criminal law. Eliminating the criminal sanctions would make more apparent the need for establishing a clearer base for police functioning in this area. More specifically, assuming the need for some form of governmental intervention, it would require augmenting the single means

39. See, *e.g.*, H. PACKER, *THE LIMITS OF THE CRIMINAL SANCTION* (1968); *Robinson v. California*, 370 U.S. 660 (1962); *Easter v. District of Columbia*, 361 F.2d 50 (D.C. Cir. 1966); *Powell v. Texas*, 392 U.S. 514 (1968). For a classic treatment of the problem from the police standpoint, now somewhat dated, see A. VOLLMER, *THE POLICE AND MODERN SOCIETY* (1936). More recently, broader questions have been raised regarding not only the appropriateness of the criminal sanction, but, more basically, the appropriateness of any form of governmental effort to protect an individual from himself. See, *e.g.*, Weiss & Wizner, *Pot, Prayer, Politics and Privacy: The Right to Cut Your Own Throat in Your Own Way*, 54 IOWA L. REV. 709 (1969); and Slovenko, *The Psychiatric Patient, Liberty, and the Law*, 13 KAN. L. REV. 59, 62 (1964).

currently available to the police for providing assistance, *i.e.*, arrest, detention, and criminal prosecution.

(vii) *To resolve conflict.* A number of recent studies have pointed out what has long been obvious to patrolmen—that much of what they do involves resolving conflicts.⁴⁰ Among the specific types of conflict commonly confronted by the police are those involving husband and wife; neighbors; landlords and tenants; and businessmen and their customers.

The tendency on the part of the police has generally been to view such conflicts as being of a petty nature and as constituting a nuisance to the police. Indeed, in many jurisdictions, requests for police assistance in resolving minor conflicts are commonly referred to as “nuisance calls.” More recently, there has been a tendency to view police activities in this area as falling under the umbrella of maintaining order or, by virtue of the fact that the incidents commonly involve situations that have the potential for escalating into assaultive conduct, to view police efforts to cope with them as constituting an effective means by which the police can help prevent crime. The volume of police work in this area and the problems in developing an adequate police response suggest that there is merit in considering the police role in resolving conflict as a distinctive goal.

More recently, attention has been drawn to the unique opportunities that the police have to contribute to the order of the community by resolving intergroup conflict. In an effort to minimize outbreaks of violence, many police departments—especially in the larger cities—have undertaken to maintain continual contact with militant groups and with parties in conflict with each other—with the objective of resolving clashes before they involve physical confrontations. Thus, police personnel assigned as liaison officers or as “human relations” officers have, for example, taken the initiative in bringing neighborhood residents and school officials together; have arranged for meetings between black-dominated unions and white-dominated union management; and have worked out peace treaties between rival gangs. At least one community (Dayton, Ohio) has decided to advance its work in this area through the formation of a broadly-conceived program of involvement on the part of the police with

40. See, in particular, Cumming, Cumming, & Edell, *Policeman as Philosopher, Guide and Friend*, 12 SOC. PROBLEMS 276 (1965); Parnas, *The Police Response to the Domestic Disturbance*, 1967 WIS. L. REV. 914; NATIONAL INSTITUTE OF LAW ENFORCEMENT AND CRIMINAL JUSTICE, *TRAINING POLICE AS SPECIALISTS IN FAMILY CRISIS INTERVENTION* (1970).

the community and through the fielding of a "community conflict management team."

As a matter of law or public policy, there is very little basis for police doing anything with regard to a conflict that comes to their attention other than make a determination as to whether a law has been violated and to effect an arrest if such is the case. In practice, the police order people to be quiet, order them to separate, threaten criminal prosecution, and, in a variety of other ways, exhort feuding parties to settle their differences without resorting to violence. Persuasive arguments have been made for greater involvement on the part of the police in responding to the need for mediation in interpersonal and intergroup disputes. There is a very positive ring to such proposals, characterized as they are by an effort to provide assistance to those in need of help. The nature of the role urged upon the police, however, is a very fragile one, involving as it does intervention by one clothed with rather awesome powers, and raises a number of potential problems that should receive careful attention.

(viii) *To identify problems that are potentially serious law enforcement or governmental problems.* By virtue of the fact that police are the "foot soldiers" of municipal government, they have occasion to see various indications of failures in the provision of municipal government services and to identify problems in need of attention. It is not uncommon to find that a state legislature or a city council has made the reporting of such conditions a responsibility of the police. Thus, the Nebraska Legislature, for example, has provided:

It shall be the duty of policemen to make a daily report to the chief of police of . . . any lamps that may be broken or out of repair . . . any defect in any sidewalk, street, alley . . . ice, dangerous obstructions . . . disagreeable odors . . .⁴¹

Police literature also recognizes this activity. O. W. Wilson, for example notes:

The patrolman is the ultimate in the decentralization of municipal service. . . . Services which the police may perform for other departments include searching for and eliminating fire and health hazards, such as accumulations of trash, weed-covered lots, garbage unsanitarily housed, foodstuffs unhygienically displayed for sale; discovering and reporting street lights not burning and broken water mains; checking on building permits and occupation licenses; observing and reporting safety hazards for which other departments have some responsibility, such as defective sidewalks and streets.⁴²

The disorders of the past several years have resulted in new importance being attached to the role of the police in identifying problems

41. NEB. REV. STAT. § 14-607 (1962).

42. O. W. WILSON, POLICE ADMINISTRATION 229 (2d ed. 1963).

plaguering the community. In an effort to reduce the dissatisfaction with governmental services that has been a major factor contributing toward the outbreaks of violence, the police in many cities have undertaken to channel complaints to appropriate governmental agencies. In St. Louis and Baltimore, for example, police man "storefront" offices to facilitate receipt and follow-up of such complaints. In some communities, the police have gone beyond the channeling function—actually taking the initiative in ferreting out situations that require attention and identifying policies and practices of other governmental agencies which are in need of correction. Thus, some police departments have pressed other municipal agencies to extend the operational hours of swimming pools on hot nights, to provide more adequate playground facilities, and to turn on fire hydrants for recreational purposes.

In still a further extension of this role, it has been urged that police administrators, given their knowledge of the problems of the community, undertake a more active role in support of legislation and other means for relieving some of the major underlying problems that give rise to matters of concern to the police, such as poverty and discrimination.⁴³

(ix) *To create and maintain a feeling of security in the community.* There is a purpose in much of what the police do in making their presence felt in the community that is quite apart from its value in deterring behavior defined as criminal. While rarely articulated, it seems obvious that police have assumed the responsibility for creating a sense of security in the community—for helping to create an atmosphere that makes it possible for people, exercising reasonable care and precaution, to carry on their ordinary, daily activities with the expectation that they will not be endangered, interfered with, or subjected to criminal attack.

A number of recent studies have indicated that the fear of crime is as much of a problem as crime itself.⁴⁴ This being the case, it can be argued that, while the deterrent value of police patrol activities may be questionable, a police presence in the community in itself has a positive value as a means of giving citizens the minimal feeling of security and safety that is necessary if they are to enjoy freedom of movement.

Admittedly, there is an illusory quality in this form of security, in that the actual potential of the police to guarantee the safety of residents—their persons and their property—is far less than is suggested by the

43. TASK FORCE REPORT: THE POLICE, *supra* note 1, at 163.

44. See CHALLENGE OF CRIME, *supra* note 1, at 50; and McIntyre, *Public Attitudes Toward Crime and Law Enforcement*, 374 ANNALS 34(1967).

presence of police personnel. But few doubt the value in generating the illusion.

The distinction drawn here between police efforts to reduce the opportunity for criminal actions and police efforts aimed at creating a feeling of security is of importance in determining the allocation of police personnel and in deciding upon police operating policies. The most cursory analysis of the current assignment of police officers in some of our largest cities will indicate that their assignment rarely contributes toward the reduction of crime—although this is the avowed purpose in having them spend their time in the way in which they do. This does not mean that their time is wasted. But it does mean that if the objective in such assignments is more realistically defined as contributing toward the creation of a feeling of security in the community, the priorities in police activity can be better evaluated.

(x) *To promote and preserve civil order.* The wave of large-scale civil disorders that has occurred in the past several years has made the control of rioting one of the paramount concerns of the police. Originally a large-city problem, the spread of confrontation and violence from the ghettos of the large cities to smaller communities and to college campuses has led to the involvement, if only under the provisions of mutual-aid pacts, of police officers from even the most rural of jurisdictions. The use of military personnel to aid the police, once viewed as a measure of last resort, has become widely accepted.

While the duties of the police in the handling of a civil disturbance continue to be viewed as extraordinary, they are in fact, from the historical standpoint, among their most firmly established responsibilities. The modern police force, in the sense of a single organization of salaried personnel having city-wide jurisdiction and full-time responsibility for the general enforcement of the law, came into being largely in response to the need for controlling major disorders. The informal arrangements for policing by the citizenry that were in effect in England prior to 1820 having been found inadequate for coping with large-scale conflicts, increased reliance was placed upon the militia. Reactions to the repressive tactics employed by the military in turn led to proposals for the establishment of a full-time police force that would be committed to a restrained use of both authority and force and that would see its prime function as forestalling both crime and riots. Somewhat the same sequence of events occurred in this country. The Charlestown Convent burning, the attack on William Garrison, the Broad Street riots in Boston, the three-month-long native American riots of 1844, the Negro riots in Philadelphia,

and large-scale rioting in New York brought home to municipal officials the ineffectiveness of their own peace-keeping forces and the disadvantages in utilizing military force in putting down disorders.⁴⁵

There is generally no lack of clarity in the statutory basis for police actions in civil disorders. Typical is the Wisconsin provision that makes it the duty of all sheriffs and their undersheriffs to "quiet and suppress all affrays, routs, riots, unlawful assemblies and insurrections."⁴⁶ The Wisconsin statute defining unlawful assemblies also incorporates a provision that makes explicit the duty of all police officers to "suppress unlawful assemblies."⁴⁷ Approximately half of the states require the police to disperse an unlawful assembly; all states authorize them to do so.

(xi) *To provide other services on an emergency basis.* Every society has need for some source to which people can turn in dire emergencies when persons to whom they might otherwise turn are unavailable. It is the police who have come to fill this need—and it can be argued that filling the need constitutes a significant contribution toward the maintenance of community order.

Police become involved in administering first aid, in locating emergency shelter, in extinguishing minor fires, and in catching rabid animals because they are the only employees of municipal government who are on the streets twenty-four hours a day, seven days a week, capable of responding quickly to a range of calls for assistance. In larger jurisdictions, where the volume of such incidents warrants them, alternative arrangements are sometimes made whereby other governmental agencies or private organizations fill these needs. For the police to respond to requests of this kind—in large volume and on a routine basis over a long period of time—can become burdensome. It nevertheless must be recognized that there is a basic instinct in all able-bodied men to want to be helpful when an emergency presents itself—and police are no exception. Various arrangements may come into being by which the volume of emergency services provided by the police is reduced, but it is unlikely that the police will remain aloof from situations where they

45. For a comprehensive picture of the development of early police forces in this country, see S. D. Bacon, *The Early Development of American Municipal Police* (unpublished Ph.D. thesis, Yale Univ. 1939); R. LANE, *POLICING THE CITY—BOSTON 1822-1885* (1967); J. RICHARDSON, *THE NEW YORK POLICE: COLONIAL TIMES TO 1901* (1970).

46. WIS. STATS. § 59.24 (1) (1969).

47. WIS. STATS. § 947.06 (1) (1969).

can be helpful and and it is equally unlikely that the police will be relieved of their standing as the agency one turns to as a last resort.

Need for local objectives and priorities.

While the scope and objectives of the exercise of the government's police power are properly determined in the first instance by state and local legislative bodies within the limits fixed by the Constitution and by court decisions, it should be recognized there is considerable latitude remaining with local government to develop an overall direction for police services. Within these limits, each local jurisdiction should decide upon objectives and priorities. Decisions regarding police resources, police personnel needs, police organization, and relations with other government agencies should then be made in a way which will best achieve the objectives and priorities of the particular locality.

Police Policy Formulation: A Proposal for Improving Police Performance

by *Herman Goldstein*

The police function in this country is much more varied and much more complex than is generally recognized. This is particularly true today in the congested areas of large urban centers where the demand for police services is especially great and where the police are confronted with an increasing variety of difficult situations, many of which stem from dissatisfaction with the economic and social conditions existing in such areas. As law enforcement has become more difficult, it has, for the same reasons, taken on new importance as a function of local government.

Contributing to the major current concern regarding law enforcement is the growing awareness of the fact that the police are simply not equipped to respond adequately to the increasing demands being made upon them. This should not come as a surprise to anyone. Law enforcement agencies, over the years, have never been provided with the kind of resources, personnel, education, and leadership which their responsibilities have required.¹ Substantial progress has been made in recent years, especially when compared with the rate of improvement in the past, but such progress has occurred in an uneven manner and its effect has frequently been diminished by backsliding. Within this period, standards and goals have been significantly increased, but they remain modest when related to the magnitude and complexity of existing problems.

Recent improvements have centered upon providing the police with better equipment, more personnel, higher compensation, increased training, and improved management techniques. All of these measures are badly needed and each contributes to raising police efficiency. But it is becom-

1. Among the most significant works spanning the past half century that document the absence of adequate resources in law enforcement is Bruce Smith, *Police Systems in the United States* (2nd rev. ed.; New York: Harper, 1960).

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ing increasingly apparent that operating efficiency alone is not enough.

Future progress toward fulfilling the law enforcement function is likely to depend primarily upon the degree to which the police and others effectively respond to the numerous problems involved in employing our legal system to deal with the infinite variety of behavioral situations which confront the police. Many of these situations are obviously beyond the control of the police. Their improvement depends upon the correction of existing social and economic conditions, increased effort on the part of community welfare agencies, and changes in the law, in court procedures, and in the functioning and orientation of correctional agencies. Nevertheless, there remain many problems that are within the capacity of the police themselves to resolve.

The issues that are involved in those aspects of the law enforcement problem with which the police themselves can deal are much more difficult to resolve than those that are raised in the attempt to increase operating efficiency. They relate, for the most part, to the highly sensitive and delicate function of exercising police authority. Their solution, difficult as it may be, is essential if the police are to achieve a system of law enforcement that is not only efficient, but also fair and effective. The degree to which the police succeed in meeting these latter objectives will determine, in the long run, the strength of the law enforcement function in our democratic society.

The Existing Policy Vacuum

The Nature of the Police Function

The most acute problems confronting the police do not receive the kind of attention that they deserve from persons outside police agencies because of a common lack of understanding of the true nature of the police task. Police officers are daily engaged in handling a wide variety of complex situations, but the nature of such situations is rarely communicated to those outside the police establishment. If the police were to analyze their workload in a systematic manner and to make public the results of their findings, it is likely that several of the most widespread notions regarding the police function would be dispelled.

One common assumption is that the police are primarily engaged in activities relating to the prevention of serious crime and the apprehension and prosecution of criminals. Actually, only a small percentage of the time which an average police officer spends on duty is directly related to the handling of serious offenses. This is especially true in small jurisdic-

tions where few crimes occur. But it is equally true in the most congested areas of our large cities where high crime rates are experienced; for, even in such areas, a police officer, during a typical tour of duty, is occupied with a variety of tasks that are unrelated to the crime problem: assisting the aged and the mentally ill; locating missing persons; providing emergency medical services; mediating disputes between husbands and wives, landlords and tenants, or merchants and their customers; caring for neglected children; providing information about various governmental services and processes; regulating traffic; investigating accidents; and protecting the rights of individuals to live where they want to live and say what they want to say.²

Another popular misconception is that the police are a ministerial agency, having no discretion in the exercise of their authority. While this view is occasionally reinforced by a court decision,³ there is a growing body of literature that cites the degree to which the police are, in fact, required to exercise discretion—such as in deciding which laws to enforce, in selecting from among available techniques for investigating crime, in deciding whom to arrest, and in determining how to process a criminal offender.⁴ Broad and often-times ambiguous statutes defining their powers and the limited resources made available to them are the major factors among several that require the police to assume such a discretionary role.

A third widespread notion regarding the police function is that the

2. While it is rare for police agencies to articulate this range of functions, it is even rarer for them to respond directly to such functions in a structured manner. For an interesting example of the latter, see Winston-Salem, N. C., Police Department, "A New Approach to Crime Prevention and Community Service" (mimeo., 1966).

3. See, e.g., *Bargain City U.S.A., Inc. v. Dilworth*, 407 Pa. 129, 179 A. 2d 439 (1960); *State v. Lombardi*, 8 Wis. 2d 421, 99, N.W. 2d 829 (1959).

4. See, e.g., Michael Banton, *The Policeman in the Community* (New York: Basic Books, 1964), pp. 131-146; Wayne R. LaFave, *Arrest: The Decision to Take a Suspect into Custody* (Boston: Little, Brown, 1965), pp. 61-161, 490-527; J. H. Skolnick, *Justice Without Trial* (New York: Wiley, 1966), pp. 71-88; M. G. Abernathy, "Police Discretion and Equal Protection," *South Carolina Law Quarterly*, 14 (1962), p. 472; C. Breitel, "Controls in Criminal Law Enforcement," *University of Chicago Law Review*, 27 (1960), p. 427; H. Goldstein, "Police Discretion: The Ideal Versus the Real," *Public Administration Review*, 23 (1963), p. 140; J. Goldstein, "Police Discretion Not to Invoke the Criminal Process: Low Visibility Decisions in the Administration of Justice," *Yale Law Journal*, 69 (1960), p. 543; S. H. Kadish, "Legal Norm and Discretion in the Police and Sentencing Processes," *Harvard Law Review*, 75 (1962), p. 904; Wayne R. LaFave, "The Police and Nonenforcement of the Law," *Wisconsin Law Review* (1962), part I, p. 104, part II, p. 179; Frank J. Remington, "The Role of Police in a Democratic Society," *Journal of Criminal Law, Criminology and Police Science*, 56 (1965), p. 361; F. Remington and V. Rosenblum, "The Criminal Law and the Legislative Process," *University of Illinois Law Forum* (1960), p. 481.

primary authority available to and used by the police is that of invoking the criminal process—that is, arresting a person for the purpose of prosecuting him for having committed a crime. However, for every time that a police officer arrests a person, he also disposes of scores of incidents by employing a lesser form of authority, such as ordering people to “move on,” turning children over to their parents, or separating combatants. Furthermore, when an officer does decide to make an arrest, it is not always with the intention of prosecuting the individual; rather it may be for the much more limited purpose of safeguarding the arrestee or controlling a given type of criminal activity, such as prostitution or gambling.⁵

Finally, it is widely believed that, in the investigation of criminal activity and especially in the identification of offenders, police officers depend primarily upon physical evidence that is subject to scientific analysis. Admittedly, collection and analysis of physical evidence does constitute an important facet of police work; in some cases, it holds the key to identification and is the factor upon which the value of all other evidence depends. But, in the vast majority of cases, the analysis of physical evidence, to the extent that there is any, is merely supportive of evidence acquired through some other means. Despite the major and often fascinating advances that have been made in the scientific detection of crime, primary dependence is still placed upon the work of detectives who, once a crime has been committed, set out in search of motives and bits and pieces of information from victims, witnesses, and various other persons who might have some knowledge that will contribute to the identification of the perpetrator of the crime. It is often a rather tedious and undramatic process that depends, for its success, upon the resourcefulness and perseverance of the investigating officers. Involved in the typical investigative effort are such important practices as the questioning of individuals, the search of private premises, the use of informants, and, in some cases, the employment of a variety of “undercover” techniques to acquire first-hand knowledge of criminal activity.

Absence of Adequate Guidelines

One of the consequences of recognizing the true nature of police activities is that one realizes there are vast areas of the police function which, in the absence of adequate legislative guidelines, are left to the discretion of individual officers. Moreover, even when existing laws are clearly applicable, the police are often required to select from among

5. Wayne F. LaFave, *Arrest: The Decision to Take a Suspect into Custody* (Boston: Little, Brown, 1965), pp. 437-489.

the various alternative forms of action which exist within the outer limits of the authority prescribed by such laws.

There have been some isolated efforts on the part of the police to fill this gap by providing more detailed guidance for the day-to-day work of their personnel. Such efforts have related primarily to traffic enforcement techniques and the handling of juvenile offenders.⁶ The overall picture, however, reflects a reluctance on the part of police administrators to establish policies to fill the existing void. This reluctance is in sharp contrast to the strong tradition within police agencies for promulgating a variety of standard operating procedures to govern the internal management of the police force. The difference in attitude appears to be attributable largely to the real doubts possessed by the police as to the propriety of their assuming a policy-making role that so closely parallels the legislative function.⁷

Confronted each day by frequently recurring situations for which no guidance is provided, the individual officer either develops his own informal criteria for disposing of matters which come to his attention—a kind of pattern of improvisation—or employs informal criteria which have, over a period of years, developed within the agency of which he is a part. While such criteria are neither articulated nor officially recognized, they tend to take on some of the characteristics of officially promulgated policies. Functioning in this manner and employing their own imagination and resourcefulness, individual police officers often succeed to an amazing degree in muddling their way through: disputes are resolved; dangerous persons are disarmed; people not in control of their capacities are protected; and many individuals are spared what, under some circumstances, would appear to be the undue harshness of the criminal process. Unfortunately, the results are often less satisfactory, primarily because the criteria that are employed emerge largely in response to a variety of

6. In the area of traffic enforcement, a number of jurisdictions have developed “tolerance policies” which establish the point above the speed limit at which officers are to warn a motorist or issue a summons to him. Some also provide criteria for making similar decisions with regard to other types of motor vehicle violations. Such policies are most frequently promulgated by state police organizations, and they demonstrate that a need is felt for providing guidelines for the isolated officer who cannot frequently consult with his supervisor or fellow officers. They also reflect a desire on the part of administrators to achieve uniformity in the overall operations of the agency. For a discussion of policies relating to the handling of juveniles, see text accompanying notes 18-19 of this article.

7. For a more detailed discussion of this point, see President’s Commission on Law Enforcement and Administration of Justice, *Task Force Report: The Police* (Washington, D. C.: U. S. Government Printing Office, 1967), Chapter 2.

pressures to which the police are exposed and are therefore not carefully developed. For example, the high volume of work which an officer must handle dictates a desire to take shortcuts in the processing of minor incidents. The personal convenience of an officer—in making a court appearance, completing reports, or working beyond a scheduled tour of duty—become important determinants of how a case is handled. The desire to solve crime becomes a dominant consideration.⁸ And such indefensible criteria as the status of characteristics of the complainant, the victim, or the offender may often be among the most seriously weighed factors, since an officer, left to function on his own, understandably tends to respond to a given situation on the basis of his personal norms regarding individual or group behavior.

Continuation of current practices, which can perhaps best be characterized as a process of "drift," is clearly not in the interest of effective law enforcement. The potential for arbitrariness inherent in an uncontrolled exercise of discretion is clearly inconsistent with the objective of fairness that constitutes so basic an element in the exercise of any form of governmental power. Nor are current practices desirable from the police standpoint; in the absence of guidelines, police officials are continually vulnerable to criticism for the manner in which an officer chooses to exercise his discretion. They are "damned if they do and damned if they don't." Police administrators, moreover are without an effective means for controlling the behavior of individual officers. Thus, since effective restraints are lacking, incidents tend to arise that prompt legislatures and courts to step in and take actions which often have repercussions—in the form of curtailment of police powers—far beyond the specific situation that initially served to arouse their interests.

There is an obvious need for some procedure by which an individual police officer can be provided with more detailed guidance to help him decide upon the action he ought to take in dealing with the wide range of situations which he confronts and in exercising the broad authority with which he is invested. Viewed in somewhat different terms the challenge is to devise procedures which will result in police officers employing norms acceptable to society, rather than their personal norms, in their exercise of discretion.

Alternative Solutions

There is no single way in which the existing policy vacuum can be filled,

8. This factor is explored in some detail in Jerome H. Skolnick, *Justice Without Trial: Law Enforcement in a Democratic Society* (New York: Wiley, 1966), pp. 164-181.

nor is it likely or desirable that it be filled in its entirety.⁹ But the width of the existing gap—especially as one views the functioning of the police in our large urban centers—affords ample opportunity for reducing its size.

The police are accustomed to looking toward the legislature and the courts for their guidance. There has, in recent years, been a special focus upon the latter since the appellate courts have undertaken to establish, with increasing specificity, the rules of constitutional, procedural due process.¹⁰ Such judicial activity, especially that of the Supreme Court, has been viewed by one commentator as action of "desperation," taken because of default on the part of others to fill the existing vacuum.¹¹ It has been argued that the Court, in taking on this rule-making function, has assumed an uncomfortable role which it is not equipped to fulfill and which constitutes, at best, an awkward and somewhat ineffective process for hammering out detailed rules of criminal procedure.¹² Among the major liabilities which are cited with respect to this approach are the breadth and especially the rigidity of the Court's holdings. In addition, in evaluating the courts as a source of guidance, it must be recognized that many of the most important and perplexing problems encountered by the police never become the subject of court proceedings.

Traditionally, both federal and state legislatures have restricted themselves to providing the police with a minimum set of broadly stated guidelines covering the major elements in criminal procedure.¹³ They are often cited as the logical branch of government to remedy the need for additional guidelines since they have the capacity to explore problems on their own initiative, to gather facts, to elicit public opinion, and to act in a manner which is subject to later adjustment.¹⁴ The recent proposal

9. Banton observes that the only long-term solution to the problem of police discretion is for the police and the public to share the same norms of propriety. Michael Banton, *The Policeman in the Community* (New York: Basic Books, 1964), p. 146.

10. The most recent and most specific rules are found in *Miranda v. Arizona*, 384 U.S. 436 (1966).

11. H. L. Packer, "Policing the Police: Nine Men Are Not Enough," *New Republic* (Sept. 4, 1965), p. 19.

12. *Ibid.*, p. 18. See also A. Friendly, "The Bill of Rights as a Code of Criminal Procedure," *California Law Review*, 53 (1965), p. 929; H. L. Packer, "Who Can Police the Police?" *The New York Review of Books* (Sept. 8, 1966), p. 10.

13. See Wayne R. LaFave, "Improving Police Performance Through the Exclusionary Rule—Part II: Defining the Norms and Training the Police," *Missouri Law Review*, 30 (1965), pp. 566, 568-579; F. Remington and V. Rosenblum, "The Criminal Law and the Legislative Process," *University of Illinois Law Forum* (1960), p. 481.

14. See H. L. Packer, "Policing the Police: Nine Men Are Not Enough," *New Republic*, Sept. 4, 1965, pp. 20-21.

of the American Law Institute, embodied in its Model Code of Pre-Arrest Procedure, represented an effort to move in this direction, incorporating, as it did, detailed legislative guidelines for police activity during the period from investigation and arrest to the time the suspect is presented in court.¹⁵ In at least one major area covered by the Model Code, however, the opportunity for careful legislative consideration has since been significantly restricted by the Supreme Court's action in

Miranda v. Arizona.

Even if legislatures become active in spelling out guidelines for the police, it must be recognized that there are now, and presumably always will be, many areas—particularly as one gets closer to the day-to-day problems encountered by the police—in which it is neither feasible nor desirable for the legislature to prescribe specific police practices. Variations in the size of police jurisdictions within a state, changing social conditions, and variations in the nature of the police function, among other factors, require that there be room for administrative flexibility. It seems apparent that the infinite variety of complex situations which confront the police today makes it essential that the most detailed and specific policies for handling them be formulated at the level closest to that at which they arise.

In light of the above considerations, it seems reasonable that, within legislative boundaries that may in some areas be more detailed than those which now exist, the police themselves be given the responsibility for formulating policies which will serve as guidelines in their effort to achieve effectiveness and fairness in their day-to-day operations, and that there be an explicit recognition by the legislatures of the necessity and desirability of the police operating as an administrative policy-making agency of government. Obviously, such police-made policies would be subject to challenge if they were not consistent with the general legislative purpose or with such legislative criteria as are provided to guide and control the exercise of administrative discretion. Subject to appropriate review and control, the exercise of administrative discretion in this manner is likely to be more protective of basic rights than the routine, uncritical application by police of laws which are often necessarily vague or over-generalized in their language.

15. American Law Institute, "A Model Code of Pre-Arrest Procedure" (Tent. Draft No. 1, 1966).

The Value in Recognizing the Police as an Administrative Agency Having Important Policy-Making Responsibilities

Police participation in the development of policies to fill the existing vacuum and to cope with rapidly changing social and behavioral conditions would be a valuable contribution to the operation of police agencies, to the professionalization of the police, and to the overall functioning of the criminal justice system. Some of the specific advantages are set forth in detail below.

The Maintenance of Administrative Flexibility

The police have always had a great deal of flexibility in their operations, but this has been primarily as a result of legislative default rather than of deliberate, overt legislative choice. The traditional legislative response with respect to difficult issues like the control of gambling activities or the stopping and questioning of suspects has been either to deal with them by means of an overly generalized statute, as is true with respect to gambling activities, or not to deal with them at all, which has been true, at least until recently, with respect to stopping and questioning suspects. The practical consequence has been to leave police with broad flexibility, but the delegation of responsibility has been implicit at best and police have not taken it as a mandate to develop and articulate proper enforcement policies. The action of appellate courts in setting down increasingly specific rules to govern police conduct is partly a result of this failure. This trend toward judge-made rules is inspired in large part by a prevalent assumption that police are unwilling or unable to develop proper policies and to conform their practices to such policies. The police, by assuming responsibility for the development of appropriate administrative policies, will have the opportunity to reverse the trend and, as a consequence, to preserve the flexibility which they need if they are to meet adequately the wide range of problems which they confront under constantly changing conditions.

A Sound Basis for the Exercise of Discretion

The formulation of administrative policies affords the police an opportunity to establish sound grounds for the exercise of their discretion. Careful analysis of existing practices, which is a necessary step in the formulation of policies, should result in the exposure and rejection of those considerations which, according to standards of fairness and effectiveness, are inappropriate. Development of defensible criteria would, in addition, afford an opportunity to incorporate into police decision-making considerations that are based upon existing knowledge regarding

the various forms of behavior with which the police are concerned. In the long run, the exercise of discretion in accordance with defensible criteria would create greater confidence in the police establishment. More immediately, it would lead to a reduction in the number of arbitrary actions taken by individual officers, thereby substantially reducing the tensions which such actions create—particularly in areas in which minority groups are affected.

Acknowledgment of the "Risk Factor" Involved in Policing

Numerous factors contribute to the defensive posture commonly assumed by the police. Among them is an awareness on their part that members of the public will often question their exercise of discretion in a case in which subsequent developments focus attention upon an officer's decision. For example, a police officer may locate one underage youth in a group of young people engaged in a drinking party. The fact that the youth is only one month under age may prompt the officer to release him with a warning. However, if the youth subsequently becomes involved in a serious accident, the fact that he was released earlier in the evening will often result in the officer's being castigated by his superior, because the officer has no publicly-acknowledged right to exercise discretion although all agree that it is both necessary and desirable that he do so.

Given the wide range of responsibilities that the police have, they cannot be held to a system of decision-making which involves no risk-taking—any more than could psychiatrists in deciding whether to release a person who has attempted suicide or parole board members in voting upon the release of an inmate. The formulation of policy and its articulation to the public would, over a period of time, begin to educate the public to recognize that the police must not only exercise discretion, but must also assume a risk in doing so. Prior statements of policy which "put the community on notice" with regard to police functioning in various areas would afford some relief from the current dilemma in which, in the absence of such policy formulations, the police are subject to both ridicule for not exercising discretion and condemnation for making discretionary judgments when they do not work out.

A Means for Utilizing Police Expertise

Many actions which the police officer takes are based upon the knowledge and experience he has accumulated in his years of service. In concluding that a crime is being committed, an officer may reach a judgment quite different from that which would be reached by an inexperienced layman or even an experienced trial judge, since the officer may have,

for example, the ability to recognize the smell of narcotics or the sound of a press used in printing illegal numbers or policy tickets. There has, however, been little effort made to capitalize upon police experience. In order to do so, the police would necessarily have to attempt to assess its reliability; they would have to distinguish accurate inferences (such as, the sound is that of a gambler's printing press) from inaccurate or improper ones (such as Negroes are immoral). It would also be necessary for the police to systematize their experience so that it can be effectively communicated to new officers through training programs and to others, like judges, when the propriety of police action is challenged. To the extent that operating criteria reflect police experience, the police are afforded a vehicle in the policy-making process for articulating their expertise.

More Effective Administrative Control Over Police Behavior

While the actions of an individual officer may appear on the surface to be improper, there is often no basis on which his superior can take disciplinary action against him, since his conduct violates neither the law nor any existing departmental policies. In such a situation, the police administrator is caught in a conflict between his desire to be responsive to a citizen who has reason to complain about a policeman's behavior and his fear concerning the reaction of his force to seemingly arbitrary discipline where there is no clear breach of a preannounced standard of proper conduct.

The reluctance to characterize an officer's conduct as unwise is increased when the administrator feels that to do so will result in either the officer or the municipality being sued for damages. Consideration of this possibility may force the administrator into the position of defending a given action as legal, and thus seemingly "proper," even though it reflected poor judgment on the part of the officer. To minimize the likelihood of similar situations arising in the future, the administrator may urge his subordinates to use "common sense," but such a request is of little value unless he is prepared to spell out precisely what is meant by "common sense."

The promulgation of policies to which police officers are required by regulation to adhere would provide a basis for disciplining those who violate such policies. But, more important, it would serve in a positive way to inform members of a force what is expected of them. Progress in elevating the quality of law enforcement is much more likely to be realized if one views clear and defensible standards as a basis for eliciting

a proper response from police officers, rather than considering such standards primarily as the basis for the taking of disciplinary actions against police officers.

The Improvement of Recruit and In-Service Training Programs

Recruit training in police agencies is frequently inadequate because the instruction bears little relationship to what is expected of the officer when he goes to work in the field. In the absence of guidelines that relate to an analysis of police experience, the instructor usually is left with only the formal definition of police authority to communicate to the trainee, and this is often transmitted to the student merely by reading statutory definitions to him. Students are taught that all laws are to be fully enforced. The exercise of police authority is similarly taught in doctrinaire fashion. With this kind of formal training, the new officer finds, upon his assignment to the field, that he has to acquire from the more experienced officers with whom he is initially assigned a knowledge of all the patterns of accommodations and modifications. As he becomes aware of the impracticality and lack of realism of much of what he learned as a student, he unfortunately begins to question the validity of all aspects of his formal training.

Obviously, there is a need for training more directly related to the important problems which the officer will face in the field—training which will not only instruct him on the limits of his formal authority, but also inform him of the department's judgment as to what is the most desirable administrative practice to follow in exercising his authority. Carefully developed administrative policies would serve this important function.

A Basis for the Professionalization of the Police

It is now commonplace to refer to practically any effort that is aimed at improving law enforcement as a contribution to the professionalization of the police. Thus, improved training, application of the computer to police work, adoption of a code of ethics, and increased salaries have all, at one time or another, been cited as contributing to police professionalization.

Certainly, there is much that police do today that would not, under any definition of the term, be viewed as constituting professional work. Directing traffic at a street intersection or enforcing parking restrictions requires stamina, but little knowledge. In sharp contrast to these functions, however, are the responsibilities of a patrolman assigned to police a congested area in which numerous crimes occur; he is called upon to make highly sophisticated judgments having a major impact upon the

lives of the individuals involved. Such judgments are not mechanical in nature, but rather are every bit as complicated and difficult to make as are the decisions made by any of the behavioral scientists, and in many instances they are more difficult because they must be made under the pressure of the immediate circumstances.

Development of criteria for dealing with such complex social and behavioral problems will require extensive research, the systematizing of experience and knowledge, and continual testing of the validity of the assumptions and findings upon which the criteria are based. The formulation of such criteria will also require adherence to values relating to the role of the police and law enforcement in a democratic society that are more basic than those values which are involved in a consideration of technical operating efficiency. The making of judgments based upon criteria that are formulated pursuant to extensive experience, research, and experimentation together with a commitment to values that reflect a sense of responsibility to society constitute important elements in the development of a true profession.

A Method for Involving the Police in the Improvement of the System of Which They Are a Part

Decisions relating to the enforcement function have traditionally been made for the police by persons outside the police establishment. The police have typically not even been consulted when changes have been contemplated in the substantive or procedural criminal law, despite the fact they clearly have more experience than anyone else in dealing with some of the basic issues. Failure to involve the police in most revision projects is probably due to the fact that police personnel are not considered qualified to deal with the complicated questions involved. But, if it is true that police lack the necessary skill to participate in such efforts, this lack of ability is in large measure attributable to the fact that in the past they have not been involved in the making of important decisions.

There is, today, a strong commitment to the involvement of disadvantaged groups, like the poor and the young, in decisions about their roles in society. This commitment is based on the belief that they will respond most affirmatively if they have a feeling of participation in such decisions. The same need is apparent with respect to the police, for, in this sense at least, they also are a disadvantaged group. Law enforcement personnel are more likely to want to conform and are more likely to develop an ability to conform if they are made a part of the process for making important decisions affecting their function.

Illustrations of Areas of Police Functioning Which Are Subject to Policy Formulation

Practically every aspect of police functioning gives rise to important and sensitive issues of a kind which can and should be dealt with through the careful and systematic development of policies by a law enforcement agency. The following are merely illustrative of the types of functions that are in need of attention, the difficult issues to which they give rise, and the importance of facing up to them.

The Decision Whether To Invoke the Criminal Process

Whether a criminal prosecution is initiated against an individual depends, in most instances, upon police judgment. Theoretically, this judgment is based upon the statutory definition of the crime, although it is abundantly clear that there are many situations in which a violation has in fact occurred and is known to the police, but in which there is no effort by the police to make an arrest. Among the facts accounting for this discretionary decision not to invoke the criminal process are the volume of violations of a similar nature, the limited resources of the police, the overgeneralization of legislature enactments defining criminal conduct, and the various local pressures reflecting community values and attitudes.

The social gambling situation affords a good example of the dilemma which the police face. In most jurisdictions, all forms of gambling are illegal. Yet it is apparent that legislatures neither intend nor expect that such statutes be fully enforced. The consequence is that local police are left with the responsibility for developing an enforcement policy for their particular community. The policy of a department may, for example, be clear, albeit unwritten, that games of chance at church carnivals will be permitted because of their charitable nature.¹⁶ However, in the same community, the police response to gambling in a private home may vary with the circumstances of the individual case. Whether the police take enforcement action may depend on the answers they obtain to several key questions: is there a complainant and, if so, is he adversely affected by the gambling activity; is the gambling the prime purpose for the group's getting together or is it incidental to some other activity or pastime; is the activity organized; do the participants know each other; were they steered to the location for purposes of engaging in gambling or is the assemblage a get-together of old friends; what is the amount of money

16. For an interesting case study growing out of an unarticulated policy of nonenforcement against bingo in churches and synagogues, see J. Logue and E. Bock, "The Demotion of Deputy Chief Goldbeig" (Inter-University Case Program No. 78, 1963).

involved; and is there a profit separate from winnings being realized by the individual hosting the activity or by any one of the individuals present. The existence of any one of these factors will not necessarily result in an arrest, but the police usually will take action when there is an insistent complainant or when a combination of factors suggests that the gambling activity is commercial in nature. The difficulty is that the employment of such criteria by individual officers may lead to disparity in practice and, even where practice is consistent, may involve basic policy questions which are not raised and thus not considered or resolved. Complaints may originate from neighbors who are disturbed by the noise or from wives who are either concerned over the monetary losses of their spouses or resent their absence from home. Should a police agency allow itself to be "used" under such conditions? Does the fact that enforcement takes place only when there is an insistent complainant constitute a desirable pattern of action?

The tests used in practice to determine whether the game is "commercial" rather than "social" also raise important policy questions which have not been resolved. Social gambling in a slum area assumes a different form than does social gambling in a middle-class neighborhood: a number of men commonly get together in a private apartment, placing comparatively small bets on a dice game. Such activity is endemic to such an area. When the police investigate such games they typically find that the participants cannot identify each other. The gambling is therefore viewed as not being "social" and thus is considered properly subject to enforcement. Yet, considering the pattern of life in such an area, is there any reason to characterize this behavior as more reprehensible than that engaged in by a group of men involved in a poker game for some financial stakes at a local country club? Pursuant to present practices, the participants in the dice game will generally be arrested, searched, transported to a lockup, detained overnight, and brought before a judge the following morning. The net effect of such actions for the police seems obvious: relationships with the residents of the area, which typically are already very strained, are further aggravated.

The police action with regard to the dice game in the slum area is often in response to complaints from neighbors who are disturbed by the game. It may also be a response to the general police concern, based on prior experiences, that dice games in such areas frequently end in fights, which in turn sometimes result in homicides. Intervention by the police therefore is viewed as serving a crime prevention function. But neither the attitude of the community nor the relationship of the dice game to

more serious crime is studied and evaluated. As a consequence, the current police practice gives the appearance of being the product of improper class or racial discrimination.

The police treatment of aggravated assaults raises issues of a different character. This type of offense comes to police attention more routinely because it frequently occurs in public, the victim or witnesses seek out the police, there is a desire for police intervention before more harm is done, or simply because the victim desires police assistance in acquiring medical aid. Even though the perpetrator is known to the victim in a high percentage of these cases, however, there frequently is no arrest or, if an arrest is made, it may be followed by release without prosecution. This is especially true in the slum areas of large urban centers and is due primarily to an unwillingness on the part of the victim to cooperate in a prosecution.

If the parties involved are related or are close friends, the victim is frequently unwilling to establish the identity of the assailant, attend show-ups, view photographs, or even answer questions truthfully. If the victim does cooperate at the investigation stage, he may still refuse to testify at trial and may even express a desire that the assaulting relative or acquaintance be set free. Due to the frustrations police officers have experienced in handling such cases, they often taken less than the expected degree of interest in pursuing a prosecution when there is any early indication of reluctance on the part of the victim to participate in the prosecution. In some jurisdictions, the accumulated police experience results in an early decision not to prosecute and, in some cases, not to arrest.

It would be possible for the police to prosecute more frequently those persons who commit assaults by resorting to the issuance of a subpoena to compel the attendance of the victim at trial, assuming the judge would be willing to compel the victim to testify. This procedure, however, is seldom used. Given the high volume of cases and the competing demands upon a police agency, the path of least resistance is to acquiesce in the desires of the victim. Such acquiescence is often rationalized on the ground that the injured party was the only person harmed and the community as a whole was not affected by the crime. These cases can be written off statistically as clearances—which are viewed as an index of police efficiency—and thus the most immediate administrative pressure is satisfied.

There is some question about the relationship between current police practice in slum assault cases on the one hand, and the amount of crime

and the community's attitude toward police on the other. If the criminal justice process has some deterrent value, why would it not deter assaultive behavior in the slum area? To what degree does an awareness of the attitude of the police toward assaultive conduct result in the formulation of negative attitudes on the part of slum residents toward law and order in general? What is the impact upon the residents of such an area when an attack by a slum resident upon a person residing outside the area results in a vigorous prosecution?

Today, these and other basic policy questions which can be raised are not dealt with by the police. Routine practices are not examined in the light of overall enforcement goals and, as a consequence, may very well serve to complicate rather than solve important social problems. Were the police to review their current practices, they might well conclude that, insofar as assaults, for example, are concerned, it is desirable to base police decisions to arrest on such criteria as the nature of the assault, the seriousness of the injury, and the prior record of the assailant, rather than primarily on the degree to which the victim is willing to cooperate.

Selection of Investigative Methods

In the past few years, increasing attention has been given by legislatures and particularly by courts to the propriety of current police detection and investigation methods.¹⁷ Nevertheless, there remain many areas in which the determination as to the investigative technique to be used is left to the police. For example, neither legislatures nor courts have yet reflected much concern with the propriety of police use of "undercover" or "infiltration" techniques, surveillance, or other methods which afford an alleged offender an opportunity to commit a crime in a manner which will make evidence of his offense available to the police. If the present trend toward judicial rule-making continues, it is not at all unlikely that current investigative practices thought by police to be proper and effective will be subject to increasingly specific rules. This has already occurred with respect to in-custody investigation, which is now specifically controlled by the *Miranda* decision. Whether this will occur with respect to other police practices will depend in large measure upon whether the police can develop policies which differentiate the proper from the

17. The extent to which legislatures and courts have addressed themselves to three specific areas of police investigation—the conduct of searches, the use of "encouragement," and the stopping and questioning of suspects—is explored in Lawrence P. Tiffany, Donald M. McIntyre, Jr., and David L. Rotenberg, *Detection of Crime: Stopping and Questioning, Search and Seizure, Encouragement and Entrapment* (Boston: Little, Brown, 1967).

improper use of particular investigative practices and can see to it that improper methods are not used as a matter of informal departmental policy or by individual officers out of either ignorance or excessive zeal.

Field interrogation is illustrative of important police investigative techniques which may or may not survive attack. Police have generally argued that their right to stop and question people is essential, especially with respect to those persons who are observed in an area in which a crime has just been committed. With several exceptions, however, there has been little effort made to provide individual officers with carefully developed guidelines so as to assure that such interrogation is sparingly and carefully employed under conditions that justify its use.

The use of field interrogation as an investigative technique is complicated by the fact that it is a part of the total preventive patrol program—which is a current response by police in large cities to the demand that the “streets be made safe.” Preventive patrol often involves stopping persons using the streets in high-crime areas and making searches of both persons and vehicles. The purpose of this technique is not only to talk with individuals who may be suspected of having recently committed crimes but, more broadly, to find and confiscate dangerous weapons and to create an atmosphere of police omnipresence which will dissuade persons from attempting to commit crimes because of the likelihood of their being detected and apprehended.

It is probably true that a program of preventive patrol does reduce the amount of crime on the street, although there has been no careful effort to measure its effectiveness. It is also apparent, however, that some of the practices included in a preventive patrol program contribute to the antagonism toward the police felt by minority groups whose members are subjected to them. A basic issue, never dealt with explicitly by police, is whether, even from a purely law enforcement point of view, the gain in enforcement outweighs the cost of community alienation.

The continuation of field interrogation as a police investigative technique depends upon whether the police are willing to develop policies which carefully distinguish field interrogation from street practices which are clearly illegal and to take administrative steps to demonstrate that a proper field interrogation program can be carried out without it leading also to an indiscriminate stopping and searching of persons.

The Decision Not To Prosecute Individuals Who Have Been Arrested

While in some states it is the practice to take all arrested individuals before a judge, it is standard procedure in others for the police to release

some individuals prior to their scheduled court appearance. Drunkards are often given their freedom once they are sober; juveniles are often released after consultation with parents or a social service agency; and in large urban areas, narcotic addicts and small-time peddlers are often released with a grant of immunity in exchange for information leading to the arrest of more serious violators.

Where it is the practice to release drunkards without charging them, eligibility for release tends to be based upon such factors as appearance, dress, reputation, place of residence, and family ties. The process is generally intended to separate the common drunkard from the intoxicated person who “knows better” but, in the judgment of the police, simply had “one too many.” Whether this kind of distinction adequately serves an enforcement or social welfare objective is not entirely clear. Certainly police, who are daily confronted with the problem of the drunkard, ought to give continuing attention to whether defensible criteria are being employed and, perhaps more important, ought to lend support to and participate in an effort to develop ways of dealing with the alcoholic which are more sensible than the current arrest and release programs.

Criteria have been formulated in some communities to assist police in deciding whether a juvenile offender should be released to his parents, referred to a social agency, or brought before the juvenile court.¹⁸ In other communities, however, such decisions continue to be made by the police without an articulated basis and the decisions often reflect the use of such indefensible criteria as the color of the child, his attitude toward the police, or the status of his parents in the community.¹⁹

The practice of releasing some narcotic addicts and peddlers in exchange for information or cooperation raises other complex issues. Persons involved in narcotics control assume that the investigation of narcotics traffic requires the accumulation of knowledge from those who are involved in the distribution or use of such contraband and that convictions cannot be obtained without the help of informants who cooperate in return for immunity. The potential for abuse in pursuing this practice makes it critically important that the standards for extending an offer of immunity

18. See, e.g., Chicago Police Department, Youth Division, *Manual of Procedure* (1965).

19. See, e.g., Irving Piliavin and Scott Briar, “Police Encounters with Juveniles,” *American Journal of Sociology*, 70 (1964), p. 206; Nathan Goldman, “The Differential Selection of Juvenile Offenders for Court Appearance,” in National Research and Information Center, National Council on Crime and Delinquency (1963). For an overall view of the police function in the juvenile process, see S. Wheeler and L. S. Cottrell, Jr., *Juvenile Delinquency: Its Prevention and Control* (New York: Russell Sage Foundation, 1966), pp. 28-31.

and for measuring cooperation be uniformly and fairly applied. There is, moreover, a need for continual evaluation of the practice to determine whether the gain derived from it really justifies the costs which are involved.

The Issuance of Orders to Individuals Regarding Their Movements, Activities, and Whereabouts

The public, whether as pedestrians or motorists, generally recognizes the authority of the police to direct their movements in traffic. There are many other situations, however, in which police regularly tell people what to do under circumstances where police authority is less clear. For example, police order people to "keep the noise down" or to stop quarreling—usually in response to a complaint from a neighbor; direct a husband to stay away from his wife when they have had a fight; order a young child found on the streets at night to go home; order troublesome "characters" to stay out of a given area; and tell persons congregated on street corners to disperse.

Police generally assume that congregating on a street corner is likely to give rise to disorderly conduct, especially if such assembling takes place outside of a tavern, if those assembled are intoxicated to varying degrees, and if there is heavy pedestrian traffic which is likely to be blocked by the congregating group. The technique ordinarily used by police in such a situation is to order the persons to "move on," thus presumably minimizing the risk of a group disturbance. There is a tendency, however, for this technique to become standard operating procedure as applied to all groups that congregate on sidewalks and street corners, without regard to the varying character of the groups. For example, in some cultural groups, congregating on the streets is the most common form of socializing; and in some congested areas of a city, the corner is used because of the absence of adequate public recreational facilities. For police to respond to these situations in the same manner as they respond to the situation involving an intoxicated group outside a tavern may not serve any real enforcement objective and may instead strain the relationship between the police and the residents of those areas in which the street corner is the place of social and recreational activity.

The practice of ordering people to "move on" is one which has major implications and warrants more careful use. In confronting the question of what should be their proper policy in dealing with congregating groups, the police would have an opportunity to give attention to why groups congregate, to distinguish those congregations which create risk of serious disorder from those which do not, and to relate police work

to other community programs designed to create positive social and recreational opportunities for persons who now lack these opportunities.

The Settling of Disputes

A substantial amount of the on-duty time of police officers is devoted to the handling of minor disputes between husbands and wives, neighbors, landlords and tenants, merchants and customers, and taxicab drivers and their riders. Relatively little importance is attached to the handling of such matters by police administrators, particularly those in large urban areas. The patrolman who responds to the report of such a disturbance may inform the parties of their right to initiate a prosecution, may undertake to effect a resolution of the dispute by ordering the parties to leave each other alone (as, for example, by advising an intoxicated husband to go to the movies), or may use some other form of on-the-scene counseling. The approach taken in each case is a matter of choice on the part of the individual officer.

Important policy questions are raised with respect to the way the police handle all disputes and, in particular, to the way they handle domestic disturbances. Yet there has been no systematic effort made to measure the results which may be obtained under the alternative methods which police use, nor has there been an effort made to develop more adequate referral resources (such as social agencies) which might, if they existed, provide a basis for a positive police program for dealing with such disputes. In an effort to develop adequate policies to guide the actions of the individual patrolman, police agencies should compile several relevant facts: how often the same families become involved in disturbances that require police intervention; how often the husband or wife swears out a complaint; the disposition of such cases and the impact that varying dispositions have in preventing future disturbances; the number of serious assaults or homicides which result from domestic disturbances and whether these follow a pattern which might enable a patrolman to identify a potentially dangerous situation; and the kinds of cases which can be referred with positive results to existing community resources for dealing with family problems.²⁰

Through the process of careful evaluation of existing practices and experience, the police can acquire a competence which should enable them

20. The techniques which are used by police in handling domestic disturbances have been the subject of a research project conducted with the cooperation of the Chicago Police Department by Raymond I. Parnas, a graduate student in criminal law at the University of Wisconsin. The results of the study are currently being prepared for publication.

to develop more adequate follow-up procedures in the domestic disturbance case. This added competence should increase the value and effectiveness of the emergency intervention function of the police and should, in the long run, reduce the heavy burden that is presently placed on the police in dealing with this type of recurring social problem.

The Protection of the Right to Free Expression

None of the functions which the police perform illustrates the sensitive and unique role of the police in a democratic society as well as that which is involved in the safeguarding of the constitutional rights of free speech and assembly. Police frequently are called upon to provide adequate protection for a speaker or demonstrating group that wishes to exercise the right to express one's opinions—opinions that are often unpopular and which are often voiced in the presence of a hostile audience.

Many urban police agencies have not developed and formulated policies to guide police action in such situations. Although the issues involved in recent demonstrations reflect many factors which are beyond police control, it is nonetheless a fact that the manner in which police respond to demonstrations will determine, in large measure, whether violence will break out and, if it does, the degree to which the resulting conflict will escalate and spread.

The problem is a particularly difficult one because police officers may themselves identify more with maintaining order in their community, especially to prevent disorder created by outsiders, than with their basic responsibility to protect the right of free expression of social and political views. For example, the officer in a police district which consists of a white neighborhood may view a Negro march through the neighborhood in favor of open housing as a threat to both public order in his district and the values of the very people in the neighborhood upon whom he depends for support in his day-to-day work. In rural areas or small cities the population may be relatively homogeneous and thus the police officer can be responsive to all of the local citizens without this producing conflict for him. But a very real conflict may develop for the officer in a large urban area, since such areas are typically made up of communities which differ in economic, racial, religious, or other characteristics. The officer who protects the right of free expression of ideas may find himself protecting an attack upon the very segment of the community with which he identifies.

In order for the police to respond adequately and consistently in the highly tense situations which arise from political and social demonstra-

tions, there obviously must be a careful effort on their part to work out, in advance, policies which will govern their actions. This development of policies must be coupled with an effort to communicate them to individual officers in a way which will give each officer a basis for identifying with the protection of freedom of expression as an important enforcement objective. In addition, an effort must be made to articulate such policies to the affected community so that the public will understand the reasoning behind police actions. This, in itself, can serve to lessen the likelihood of major disorders.

Implementation

Since police agencies do not presently have the capacity to fulfill the kind of policy-making role that has been outlined in this article, implementation of this program will require numerous adjustments in their existing procedures, orientation, and staffing. The nature of these requirements is discussed in detail elsewhere,²¹ but their general character will be summarized here.

As a prerequisite, it will be necessary for the police to develop a systematic process for the identification and study of those aspects of their operations which are in need of attention. Police administrators must take the initiative in seeking out the problem areas by analyzing complaints, by observing the results of police activities as reflected in the courts, and by the various other procedures available for analyzing the functioning of their respective departments. It is essential that the police develop a research methodology for exploring the kinds of problems that are likely to be identified—a procedure that equips them to clarify issues, to identify alternatives, to obtain relevant facts, and to analyze these facts in a manner that provides a basis for the development of a departmental policy. The end product must include clearly articulated criteria that will serve as guidelines for police officers and that will be open to public view. Flexibility being one of the major values in administrative policy-making, it is important that provision be made for the periodic reconsideration of those policies which are adopted so that adjustments to new developments can be effected and corrections may be made of deficiencies which become apparent after functioning under existing policies.

21. See President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: The Police* (Washington, D. C.: U. S. Government Printing Office 1967), Chapter 2. With specific reference to the need for controlling police conduct, see H. Goldstein, "Administrative Problems in Controlling the Exercise of Police Authority," *Journal of Criminal Law, Criminology, and Police Science*, 58 (June, 1967).

A police agency which accepts policy-making responsibility must develop more adequate systems of control than now exist to assure compliance of its personnel with the policies adopted by its administrators. The agency must also expect and should welcome responsible outside review of such policies as a protection against arbitrary policy making.

Numerous changes will be required in existing patterns of leadership, personnel selection, training, and organization in order to equip the police to fulfill adequately their broader responsibilities. It is important, for example, that police leaders be provided with an education that will allow them to grasp fully the unique function of the police in a democratic society and that will enable them to support the overriding values relating to individual liberty which often conflict with their attempt to achieve the goal of maximum efficiency in the arrest and successful prosecution of offenders. It is important also that patrolmen in their training, be provided with a professional identification that is supportive of the proper role of the police and that aids in developing a willingness on their part to conform with administrative policies.

The progress realized in the law enforcement field in recent years, especially in the area of training and education, contributes significantly to achieving some of these objectives. Such efforts, however, have suffered for lack of an adequate definition of direction and purpose. The potential of current improvement programs would be vastly increased if those programs were related to the need for the police to develop their own capacity to formulate and implement law enforcement policies. Incorporating this requirement as an objective would serve to provide such programs with the kind of focus for which the need has long been apparent.

II. THE PATROL SYSTEM

The bulk of the existent literature on patrol begins with platitudes about it being "the backbone of the police force." Competent performance on the street, the literature infers, requires a familiarity with tactics and techniques largely related to crime, tempered with an intelligent exercise of discretion normally translated as "use your common sense." The literature would also lead one to conclude that good patrol supervision merely requires adherence to the principles of organization and facility in using some techniques of supervision.

The description of patrol as the "backbone" is in stark contrast with the actual status of patrol within police departments. In most departments, patrol is viewed as a function to be handled by recruits, "nice guys" with no ambition or ability to advance, and individuals who have been "busted" back to patrol from specialized units. Patrolmen seek to escape the patrol unit for what they perceive as greater prestige and financial reward.

A complex field of forces surrounds patrol. Patrol is a system within a police department. Therefore, it both influences and is influenced by pressures and changes in other parts of the organization. Patrol is the front line of a police organization. As such, it accounts for the bulk of the organization's contacts with the public. In that position, it both influences and is directly influenced by its community. The community's influence upon the police comes not only through political channels but also through the public's choice or refusal to mobilize police resources and enforce the law. Patrol also performs significant intake functions for the criminal justice, mental health, and public health systems. Here again, there are significant dependencies and conflicting expectations between the police and other systems with which they interface. These relationships and interactions while critical to an understanding of patrol, are generally ignored in most patrol texts.

One has to spend little time around a police agency to become aware of the patterns of conflict and accommodation between patrolmen, supervisors, and administrators. Most patrol texts assume a degree of control in supervisor-subordinate relationships that does not exist in reality. Supervisors may demand strict adherence on reporting and other administrative procedures. The geographically dispersed nature of patrol, however, bars the rigid supervision of an officer's most critical work, the exercise of discretion. Ultimately, the performance of the supervisor's patrol section is heavily dependent upon the cooperation and support of his subordinates. Supervision is, therefore, heavily dependent upon the

sophisticated use of mutual inter-personal influence. Overly rigid efforts to control may be met with covert sabotage of the supervisors' work. Increased pressures from administration to achieve administratively defined goals may lead to accommodations with subordinates which while appearing to concur with administrative dictates, actually may oppose those ends.

The following selections explore several dimensions of the relationship between patrolmen and the patrol force, the community, the criminal justice system, and the police organization.

Albert Reiss in "Policing Everyday Life" explores the mobilization of police resources and the significant discretion exercised by the public in the enforcement of laws. Reiss questions the efficacy of an aggressive policing posture. His questions underlie the research described in the Proactive-Reactive Patrol Deployment Experiment presented in Chapter V. His observations challenge crucial assumptions upon which present patrol systems are based.

Using observations of patrol activities, Jesse Rubin, a psychiatrist, considers the effects of personal identity resolution conflicts and the present patrol system on the socialization of the recruit officer. Rubin's analysis notes inherent conflicts in the patrol system that diminish the community-service orientation of the entrant officer. In addition to considering conflicts with the organization and the community, Rubin hypothesizes about the effects of boredom, a subject generally ignored in other discussions of patrol. It is a factor, he suggests, that may contribute to the development of negative attitudes by the officer toward the community. One might also consider whether or not significant levels of unstructured time required by "being available" on patrol may, in long run, have destructive effects on the ability of patrolmen to later assume structured administrative duties.

In his summary remarks to *Varieties of Police Behavior*, James Q. Wilson comments on the police "craft" and its relationship to the organization and the community. He questions suggestions to "bureaucratize" or "professionalize" the police. The former, he believes, will be strongly resisted and the latter largely ignored. Reviewing the nature of conflict in the urban community, Wilson presents views on the feasibility of articulating detailed administrative guidelines to govern the exercise of discretion that differ from those presented earlier by Goldstein. Wilson urges that departments reorganize their present structures to facilitate more effective decision-making by patrolmen and that they establish reward systems consistent with the order maintenance work of the police. Throughout his discourse, Wilson maintains that it is unrealistic to expect the police

to significantly prevent crime. Even with significant changes, the reader should not "expect too much from even the most imaginative redirections of police efforts," as police problems will continue because they are inherent in the nature of the conflict management function of the police.

Exploring the relationship between the patrol force and administration, Egon Bittner suggests that the quasi-military structure of the police may be counterproductive to efforts to develop methods for the professional exercise of discretion by patrolmen in crime control and peace-keeping activities.

Policing Everyday Life

by *Albert Reiss*

Local police forces in America have a broad legal mandate to enforce the criminal law and preserve public peace. Implicit in this mandate is an obligation to police everyday life—matters that arise in the daily lives and activities of citizens within a community. However, the duties of the police involve far more than matters of everyday life. For example, the police operate as a paramilitary organization in controlling behavior in mass disorders. Many violations of the commonweal transcend local and state jurisdictions such as espionage, counterfeiting, or illegal entry into the country, and are not police matters in everyday life. In America these violations are commonly delegated to specialized law-enforcement agencies at the federal level.

Many citizens consider the function of the police in everyday life to extend beyond their law-enforcement and peace-keeping roles. The lower classes, in particular, call upon the police to perform a variety of services. They depend upon police assistance in times of trouble, crises, and indecision. To whom does one turn when a family member is missing? Who answers the questions of strangers, citizens, or businessmen in need of information? Who responds to accidents and emergencies? Often the police. Such roles of assistance are as much a police function as are coercive roles of authority. Service is inextricably bound up with public order and law enforcement. The police, in fact, receive more calls requesting assistance in noncriminal matters or reporting a crime that has already occurred than calls requiring immediate intervention to save victims of crimes.

Citizens usually bring matters to police attention by telephoning, signaling a scout car or officer on foot, or appearing in person at a police station. The police department deals with such requests as a *reactive organization*. The department may respond to telephone reports by radio dispatch of officers. However, most other mobilizations of the police

Reprinted from Albert Reiss, *The Police and the Public* (1971), pp. 63-120, by permission of the Yale University Press, New Haven, Connecticut. © 1971 by Yale University.

by citizens, when not ignored, require face-to-face encounters with citizens.

The police also acquire information by intervening in the lives of citizens on their own initiative. In this capacity, they serve as a *proactive organization*, pursuing matters through investigative activities, preventive patrol, and direct intervention in the lives of citizens (including the techniques of stopping, frisking, searching, and questioning). Excluding motor vehicle violations, proactive policing generally brings a substantially smaller proportion of incidents to police attention than does citizen mobilization.

Whether or not the police are mobilized by citizens has enormous consequences for the *legitimacy* of police intervention. Citizens mobilize the police for what they regard as crises or important matters. What the citizen generally regards as a crisis is necessarily routine to the police; it becomes part of their *regular* work and follows routines. Likewise, police intervention in the lives of citizens by such means as detaining citizens for questions—regarded by police as routine preventive or investigative work necessary to their role as agents of crime control—are often regarded by citizens as harassment, infringement upon individual rights, or unauthorized intervention.

Citizens and police act within the law-enforcement system in a variety of roles. A consideration of these roles and their effect on law-enforcement organization sheds some light on the policing of everyday life.

Citizens may be found as adversaries of one another when some, the victims or complainants, charge others with violations and call the police. Or, citizens may call the police when they believe a crime has occurred, although a violator is not known. In these situations, the citizen is generally seen by the police, in the role of complainant, suspect or offender. However, citizens may also fail to fulfill their civic duty to call the police about criminal matters. In this sense, citizens may be regarded as enforcers or nonenforcers of the law and its moral order. They may also behave as informants, providing useful information to the police, or as adversaries, making complaints about police.

Thus, the relationships between citizens and the police are complex. Citizens who find themselves in antagonistic relationships with each other may or may not call the police. They may have an antagonistic relationship with the police. Or, their relationships with one another and with the police can be ones where they mutually sustain the law and support one another. A civil society depends upon the latter.

The nature of police-citizen relations in everyday life has certain impli-

cations for a civil society. The obligations involved in the policing of everyday life are so numerous and varied precisely because the police are largely an organization reacting to the demands of citizens. As such, citizens can exercise considerable control over law enforcement by discretionary decisions as nonenforcers of the law.

Discretionary Decisions of Citizens to Mobilize the Police

While citizen reports control the input of crime information into police departments, often citizens choose not to report even their own victimization to the police. Of course, a citizen's decision is sometimes influenced by his status as victim as well as violator (as in consensual crimes). Nevertheless, it is curious that even in many of the most serious situations, the victims fail to mobilize the police.

There have been studies of the failure of citizens to report crimes to the police in an attempt to understand the patterns of crime in society and to assess the validity and reliability of police statistics. These unreported cases are commonly regarded as the "dark figure of crimes." Recent studies show that much crime in the United States goes unreported to the police. The National Opinion Research Center sample survey of United States households showed that, in 1965, more than half of all crimes and 38 percent of all UCR-Index crimes against residents went unreported to the police. Sample surveys in high-crime-rate areas of Boston, Chicago, and Washington, D. C. generally indicated even higher rates of underreporting of major crimes. For the eight high-crime-rate precincts in these cities combined, the survey estimates for Index offenses was four times that of the rates known to the police.¹ Other evidence from studies of the validity and reliability of surveys in estimating unreported crime indicates that these estimates are conservative.

Much crime in American society is committed against businesses and other organizations. Embezzlement, fraud, and forgery are the most common crimes committed against them, but the more serious crimes of robbery, burglary, and larceny are also often directed against them. Other less serious crimes that frequently occur within or against these places include vandalism, drunkenness, disorderly conduct, and assault. In these crimes against businesses and other organizations, the owner, manager, or some employee of the establishment is usually the complainant.

Our surveys for the National Crime Commission and the Small Busi-

1. Albert D. Biderman, "Surveys of Population Samples for Estimating Crime Incidence," *The Annals of the American Academy of Political and Social Science* 374 (November 1967): 16-33.

ness Administration on crimes against businesses and other organizations indicate that many crimes against establishments also go unreported. This is particularly true for shoplifting offenses, employee theft, and passing bad checks. Often, even burglary goes unreported.²

These facts more than suggest that official police statistics on crime may not be true indicators of crime rates. They tell us that the many victimized citizens who—either as private persons or as members of organizations—fail to exercise their civic responsibility to report crimes to the police, greatly limit the power of the police in everyday life. The desire to understand why citizens do not exercise their power to mobilize the police leads us to inquire into the conditions under which they do and do not call the police.

A major factor in the failure to report crimes against property is property insurance. When a person is not insured against losses, or his losses are not covered by a policy (often the case for the poor), he fails to report because he sees no personal gain in doing so. Even with insurance coverage, many businesses, and some citizens, fail to report because they fear their policy may be cancelled or not renewed, or there will be a future rate increase. These are the reasons most often given by businessmen who have already made claims or who operate businesses in high-crime-rate areas.³ Conversely, insurance coverage also operates as an incentive for citizens to make inputs into the law-enforcement system, since some people assume that to collect on their insurance they must report losses to the police. Although data are lacking, there is reason to believe that some of the increase in crimes known to the police may be a simple consequence of the advent of the Homeowner's Policy, which extends insurance coverage for many crimes that formerly went unreported.

These data on insurance coverage strongly suggest that one's civic obligation to mobilize the police against crimes of property is often subverted by questions of personal gain. The importance of personal gain as a factor in mobilizing victims to report crimes was evident in the Washington, D. C. study of victimization by crime. The ratio was 1 in 3 for citizens who said they had not reported a crime against them or their property because they felt nothing could be done about it by the

2. See Albert J. Reiss, Jr., "Measurement of the Nature and Amount of Crime," in President's Commission on Law Enforcement and the Administration of Justice, *Studies in Crime and Law Enforcement in Major Metropolitan Areas*, Field Surveys III, vol. 1, sec. 1 (Washington, D. C.: USGPO, 1967); and Reiss, "Appendix A, Field Survey," in *Crime against Small Business: A Report of the Small Business Administration*, U.S. Senate Document 91-14, 91st Cong., 1st sess., April 3, 1969.

3. Reiss, in *Crime against Small Business*, pp. 131-43.

police, and they therefore stood to gain nothing.⁴ Clearly evident in many replies was the assumption that most crimes remain unsolved by the police.

Another major cause of failure to report crimes is a negative attitude toward the police. Citizens may fear or dislike the police; they may have little confidence in their ability to handle criminal matters or in their willingness to regard citizen complaints as legitimate. Of those who fail to report crimes against them, only a relatively small proportion (3 percent) in the Washington study, failed to do so because of a fear of reprisal. Another small proportion, including businessmen, did not report crimes to the police because they were unwilling to get involved in the criminal-justice system, which they perceived as being time-consuming and offering no personal gain.

There are then significant factors influencing citizens' failure to fulfill their civic obligation to participate in the law-enforcement system. However, primary institutional and organizational relationships within America help to explain this behavior. These relationships are based on conceptions of personal gain, generally monetary gain or the avoidance of loss in time and effort. The effort is not worth the cost. The institution of insurance looms large in these relationships, since it promises personal gain.

Thus, when citizens call the police, they often are seeking personal gain. The police are expected to protect them, to resolve conflicts in their interest, or to render assistance with a problem. Only a minority of calls request police assistance for others or report crimes where the callers do not personally regard themselves as victimized. Given the absence of a sense of civic responsibility to mobilize the police, and the essentially reactive character of much policing of everyday life, the citizenry has enormous power to subvert the system by its decisions to call the police or not.

Parenthetically, it should be emphasized that citizens possess the capacity to subvert the system of criminal justice in yet other ways. Much depends upon their willingness to cooperate with the police and other agents of criminal justice. How real that subversive capacity is for the system of criminal justice can be seen in our recent studies of the charging process. From the standpoint of the public prosecutor, the decision to make charges

4. Albert D. Biderman, et al., *Report on a Pilot Study in the District of Columbia on Victimization and Attitudes toward Law Enforcement*, in President's Commission on Law Enforcement and the Administration of Justice, Field Surveys I (Washington, D. C.: USGPO, 1967), pp. 153-54.

depends primarily on the nature of evidence. Given the fact that evidence, more often than not, is verbal testimony of what occurred in social situations, the role of the witness is central to the charging process. When the police serve as the principal witnesses for the state, the subversive capacity lies with them. But with reactive policing, arrest is often by warrant, and the burden of testimony rests with the citizens. Hence, the prosecutor's decision to press charges crucially depends on producing a viable witness, one who will testify for the prosecution and stand up under cross-examination.

This leads us to our first major conclusion: Citizens exercise considerable control over the policing of everyday life through their discretionary decisions to call or not to call the police. That such discretion is also at stake in the policing of collective disorders is clear from the exercise of discretionary authority by present-day college administrators about whether or not to call the police for campus disturbances. At issue, is the question of when is one obligated to call the police, and what are the consequences of citizen discretion for moral order.

Citizen Mobilization of the Police

Because the patrol division of any police department is organized to react to citizen requests, it must deal with numerous matters citizens define as police matters. Differences in citizens and police definitions of these matters, and expectations concerning enforcement behavior, often give rise to conflict. Citizens frequently request police intervention in matters which they consider to be of a criminal nature, either because they perceive themselves as victims or they regard the moral order as breached. The police, however, may define these same matters as noncriminal. Even when citizens request assistance both they and the police regard as services (noncriminal matters), there may be disagreement as to what is actually the duty of the police. Police regard it as their duty to find criminals and prevent or solve crimes. The public considers it the duty of the police to respond to its calls and crises: The police should render assistance when citizens request it.

Just how numerous are the noncriminal matters for which citizens mobilize the police can be seen by examining their calls for police assistance. Table 2.1 describes the 6,172 calls received one day in April 1966 at the Central Communications Center of the Chicago Police Department. Complaints about what citizens regard as criminal matters make up 58 percent of all calls to the police. The peace-keeping role of the police is at stake in a substantial proportion of these calls, since 26 percent of all calls report disputes or breaches of the peace, where police are expected

Table 2.1

Percentage Distribution of a Day's Telephone Communications to the Chicago Police Department, April 21, 1966 (n = 6,172)

<i>Types of communication (Defined by citizens)</i>	<i>Percentage of communications</i>
<i>Request on criminal matters:</i>	
Dispute or breach of peace	26
Offense against property	16
Offense against persons	6
Auto violation	5
Suspicious person	3
Other	2
Subtotal	58
<i>Request for assistance:</i>	
Information	11
Personal/family	9
Medical	8
Traffic accident or hazard	6
Subtotal	34
<i>Complaint about police service:</i>	
Slow police service	2
Unsatisfactory police procedure	1
Subtotal	3
<i>Give police information:</i>	
Missing person	1
Other police matters	4
Subtotal	5
Total	100

SOURCE: Tapes for April 21, 1966, supplied by the Chicago Police Department. Only calls made to PO5-1212 are included. Calls to administrative numbers and PAX (the Department's internal telephone system) are excluded.

to restore order. Among disputes, complaints about juveniles fighting or disturbing the peace account for 5 in 10 calls, disorderly behavior in public places 2 in 10, and domestic matters 1 in 10.

Reports of offenses against property accounted for 16 percent of all calls and offenses against persons, 6 percent. Police regard most of these cases as involving criminal matters. The remainder of complaints considered criminal matters includes complaints about auto violations (5 percent) and reports of suspicious persons (3 percent), with a scattering of complaints about vice, possession of dangerous weapons, and other violations of criminal statutes.

Citizens requested assistance on noncriminal matters in 34 percent of their calls to the police. Their largest demand was for information. Eleven percent of all calls requested information about missing persons, the law, court procedures or appearances, and personal or public matters of importance to the caller, as, for instance, where to get an automobile inspected. Requests for assistance on personal, family, or community problems accounted for 9 percent of all calls. These calls included requests for assistance in finding missing persons, help with animals, and requests to eliminate public hazards. Medical assistance to the sick, injured or dead accounted for 8 percent of all calls. Reports of traffic hazards and accidents, which were directed to the traffic or accident-investigation division or to the Department of Streets and Public Works, accounted for all other demands for assistance and constituted 6 percent of all calls.

Five percent of all citizen calls offered information to the police. While 1 of every 5 of these calls gave additional information on a matter previously reported by the callers (e.g., further information on a missing person or a crime against them or their property), 4 of every 5 gave information about criminal opportunities and events citizens thought the police should investigate, such as vice or traffic matters. These are matters where the public ordinarily expects the police to act on their own initiative, following a proactive policing policy.

Citizen Preferences and Police Discretion

Often, what citizens regard as criminal matters are processed by the police as noncriminal matters. The discrepancy between citizen mobilization requests on criminal matters and their disposition by the patrol division can be estimated by comparing the April 21 citizen requests for assistance in Table 2.1 with the report of incidents handled by the patrol

division in Chicago during the 28-day reporting period in April 1966 in Table 2.2. Citizens defined 58 percent of all their complaints as criminal matters. The police department dispatched a patrol car in response to almost all of these requests, accounting for 84 percent of all dispatches to the patrol. Yet, during the April reporting period, the patrol division officially processed only 17 percent of all dispatches as criminal incidents.

Crimes against persons such as rape, assault, and robbery made up only 3 percent of all incidents handled by patrol, although they comprised 6 percent of all citizen calls and 9 percent of all dispatches. Burglary and theft made up only 9 percent of all incidents handled by patrol, but they represented 16 percent of all calls and 23 percent of all dispatches. All other crimes totaled 5 percent of incidents handled by patrol, yet they added up to 10 percent of all calls and 18 percent of all dispatches.

More than 8 of every 10 incidents handled by police patrol were regarded by police as noncriminal matters. The police usually treated disputes and disturbances as noncriminal matters while citizens usually considered them criminal matters.

It is interesting to note that disturbances or disputes were present in about equal proportion in citizen requests and police classification, representing respectively 26 percent of all calls and 25 percent of all incidents, yet they represented 38 percent of all dispatches. Assuming these statistics are representative of police dispatches, there is an almost 2 in 5 chance that police officers will have to restore order when they are dispatched to handle complaints from citizens. Since only 6 percent of all disturbances in Table 2.2 led to arrest, police intervention depends primarily upon other ways of resolving conflicts. Although the police use physical restraint in dealing with some disturbances (other than in sustaining an arrest), conflict resolution must rely primarily on verbal intervention. Verbal intervention includes, of course, threats to use the coercive authority of arrest. Our police observation studies in high-crime-rate areas showed that, in handling disputes, the police tended to rely on negotiated settlements and "cooling out" the participants rather than using coercive authority.⁵

Among noncriminal incidents, emergencies occasioned by traffic accidents and sick and injured calls made up 13 percent of all incidents in Table 2.2, upon which police acted, and 14 percent of all citizen calls for

5. See Donald J. Black and Albert J. Reiss, Jr., "Patterns of Behavior and Citizen Transaction," in President's Commission on Law Enforcement and the Administration of Justice, *Studies in Crime and Law Enforcement in Major Metropolitan Areas*, Field Surveys III, vol. 2, sec. 1 (Washington, D. C.: USGPO, 1967).

Table 2.2
Percentage Distributions for Incidents and Arrests by Arresting Unit of the Patrol Division, Chicago Police Department, March 31 to April 27, 1966

Type of incident	Total incidents in this period	Percentage of all incidents	Total number of arrests	Percentage of arrests from incidents	Percentage of Arrests by:			
					Total	Beat cars	Task force	Other units*
<i>Criminal incidents:</i>								
Serious assault	945	0.7	166	17.6	100	90	2	8
Minor assault	1,550	1.2	266	17.1	100	89	2	9
Armed robbery	693	0.5	50	7.2	100	84	—	16
Strong armed robbery	716	0.6	47	6.6	100	88	11	21
Residential burglary	2,111	1.7	46	2.2	100	93	—	7
Nonresidential burglary	1,307	1.0	136	10.4	100	90	—	10
Motor vehicle theft	2,834	2.2	69	2.4	100	86	6	8
Theft from motor vehicle	897	0.7	14	1.3	100	86	—	14
Theft of motor vehicle accessories	1,217	1.0	11	0.9	100	55	9	36
Purse snatching	322	0.3	12	3.7	100	92	—	8
Bicycle theft	511	0.4	9	1.8	100	89	—	11
Other theft	2,695	2.1	417	15.5	100	95	1	4
Other crimes	5,928	4.6	572	9.6	100	81	4	15
Subtotal	21,726	(17.0)	1,787	(8.2)	100	87	3	10

Table 2.2—Continued

Type of incident	Total incidents in this period	Percentage of all incidents	Total number of arrests	Percentage of arrests from incidents	Percentage of Arrests by:			
					Total	Beat cars	Task force	Other units*
<i>Noncriminal incidents:</i>								
Traffic accident	12,060	9.4	570	4.7	100	96	—	4
Vehicle recovery	1,803	1.4	94	5.2	100	85	5	10
Disturbance	31,548	24.7	1,892	6.0	100	89	†	11
Sick and injured	4,623	3.6	46	1.0	100	17	—	83
Suspicious person	3,954	3.1	114	2.9	100	94	—	6
Miscellaneous	52,147	40.8	2,004	3.8	100	65	†	35
Subtotal	106,135	(83.0)	4,720	4.4	100	79	†	21
Total	127,861	(100.0)	6,507	5.1	100	81	1	18

SOURCE: Patrol Division Operations Report, Chicago Police Department, 4th period, 1966.

*Other units in the district that are part of patrol include umbrella car, crime car, squadrol, supervising sgts, supervising lts., and local vice units.

†Less than 0.5 percent.

service in Table 2.1, although they constituted 20 percent of all dispatches. Reports of suspicious persons and situations comprised only 3 percent of all incidents and of all calls.

For the Chicago police, 41 percent of all calls were categorized as miscellaneous incidents, requiring only a brief report. These include civil and private matters which lead to disputes such as those between landlords and tenants or customers and businessmen, requests to locate missing persons, and many minor violations such as motor vehicle standing violations, juveniles playing ball in the street, and sleeping drunks. Less than 4 percent of the miscellaneous incidents led to police citation or arrest. Most of these were simple citations.

The large proportion of noncriminal matters, and particularly, matters which citizens considered of a criminal nature while the police did not, suggests the police exercise enormous discretion in handling citizen calls. It also raises the question of whether the police are arbitrary in labeling these matters, thereby subverting the goals of citizens in mobilizing the police. While there is much evidence that the police do exercise discretion, it is far from clear whether their processing and labeling of these matters is arbitrary and controlled solely by them, since there are several reasons why so many citizen calls to the police end up as other than criminal matters.

To begin with many citizens have only a vague understanding of the difference between civil, private, and criminal matters. They fail to comprehend the legal grounds for police intervention in the affairs of citizens. Much of their ignorance stems from the belief that they are morally right; therefore, the law is on their side and the police should side with them as complainants, disciplining any errant parties. When a citizen, for instance, gets into an argument with a landlord over the payment of rent and the police are called, both the tenant and the landlord may view the action of the other as criminal; each may demand the police take action against the other. A complainant may fail to understand or believe police when he is told the dispute is a civil matter, private legal counsel is advised, it is a matter for the civil courts to resolve, or a purely private matter. Further confusion results when people are aware that the police intervene in *some* landlord-tenant matters, as in the eviction of renters. How can most citizens know when an officer is acting on court orders or on his own, and in the latter case, whether or not he has the authority to do so?

Many incidents citizens regard as criminal must, by law, be handled otherwise, since they do fall into the category of civil or private matters. The police superficially may appear to exercise discretion in civil or

private matters, in which citizens and police actually have very little control. Frequently, the police can do little more for citizens who call about these matters than inform them where they may go for additional information or assistance. The failure of police to explain their lack of intervention may only confuse and frustrate citizens further.

It would be wrong to assume that the police handle many matters simply by ignoring them or arbitrating in disputes and disturbances, thus solving the problem, at least temporarily. This form of discretion often makes it unnecessary for citizens to enter these matters into the system of civil law, or bring them to other agencies to handle privately.

Similarly, it cannot be assumed that citizens are without control in such matters. The legal system defines matters as civil or private to protect citizens, thereby granting them, by law, seemingly greater control of such matters. Instead of the "state" pursuing these matters in the state's interest, the citizen is empowered to pursue or defend *his own interests*. Paradoxically, however, this "right" is subverted by the operating system which effectively precludes many citizens from private action, since so much depends upon their ability to arrange and afford legal and other services.

Another reason police receive so many calls of a noncriminal nature is because public and private services are not readily accessible to citizens, and they do not have sufficient information to know where to direct their complaints, particularly when the problem requires attention "now." Citizen demands enter the police system precisely because the police are directly linked to the citizen system at all times, and other appropriate services are not. Police overload with noncriminal matters develops out of the organization's success in making it relatively easy for citizens to penetrate its boundaries with demands for service.

Furthermore, overload results from the fact that the police have come to meet at least some demands for service on noncriminal matters, especially in response to crises and emergency. Indeed, they often assure citizens that their demands are genuine when there is no effective way to direct the requests to other service agencies.

Departmental policy to dispatch the police in response to all calls, for example, may also increase citizen demand for other kinds of services. If there is no internal provision for meeting the increased demand, overload results. A good illustration of how rapidly overload can develop is shown by the experience of the Detroit Police Department some years ago. Ambulance service for the poor was inadequate in Detroit. Some of the responsibility for meeting this demand for emergency

service was shifted to the police department which brought station wagons for beat cars, equipping them for emergency transportation to medical service. Within less than two years, the percentage of "sick runs"—as they came to be known—rose from about 4 percent to 17 percent of all police dispatches. Demand soon outran supply. Many factors determined this large demand for service. What citizens and police regarded as emergency situations soon expanded to cover transportation of the poor to a medical setting for any kind of treatment. This eliminated the dependence of the poor and the aged on public transportation or taxis to take them to medical centers in favor of a faster, more reliable form of transportation by the police.

A third reason why many incidents originally regarded as criminal by citizens are treated as noncriminal or private matters by the police is that the citizen, not the policeman, controls how the incident will be labeled. This fact is easily forgotten by those labeling theorists who grant enormous discretionary power to the police to classify matters citizens bring to their attention. The legal doctrine of probable cause—the police shall make an arrest only when they have reasonable grounds to believe that a crime has been committed—makes the police very dependent upon the citizen in making an arrest.

Often, the only grounds for concluding a crime has been committed is oral testimony. Much of the time, only citizens possess that information, since the crime was committed before the police arrived. Hence, for the police to make an arrest or regard an event as a criminal matter, citizens must agree to cooperate in swearing complaints. Moreover, many matters that could be treated as crimes against persons occur among persons known to one another. A 1960 FBI survey in cities with over 25,000 inhabitants disclosed that in 22 percent of all aggravated assault cases reported by the police, the assailants were members of the same family and in 43 percent, they were neighbors or acquaintances.⁶ Similar evidence is available for rapes.⁷ Just how important citizen discretion can be in such matters is shown when we examine the clearance rates for Index crimes. An offense may be cleared by an arrest or by exception. Clearance by exception usually means that the police have identified the offender, but elements beyond the control of the police, such as the victim's

6. U.S. Department of Justice, FBI, *Uniform Crime Reports for the United States, 1960* (Washington, D. C.: USGPO, July 24, 1961), p. 11, chart 6.

7. See *Report of the President's Commission on Crime in the District of Columbia* (Washington, D. C.: USGPO, 1966), p. 53; and Menachem Amir, "Patterns in Forcible Rape" (Ph.D. diss., University of Pennsylvania, 1965), p. 496.

refusal to prosecute, preclude an arrest. Clearance by exception rates in Table 2.3 are above average in Chicago for only two major Index crimes: rape and aggravated assault. It is particularly interesting that, while 28 percent of all aggravated assaults were cleared by arrest, 32 percent were cleared by exception, indicating the unwillingness of citizens to assume responsibility for such arrests. This is the only major Index crime, in fact, where clearance by exception exceeds that of clearance by arrest.

Frequently, in crimes against persons or property where the offenders are known to the complainant, the police are only expected to resolve the crisis in a manner which will preserve the small system of family, friends or acquaintances. Should the police want to make an arrest, the

Table 2.3
Number and Percentage of Actual Offenses Cleared by the Chicago Police Department, February 3 to March 2, 1966

Type of complaint or index offense	Number of offenses known to police	Percentage of known offenses			
		Actual*	Cleared† by arrest	Cleared‡ by exception	Not cleared
Total index	7,762	100	11	5	84
Homicide	27	100	89	4	7
Rape	120	100	34	9	57
Robbery	1,302	100	14	1	85
Aggravated assault	759	100	28	32	40
Burglary	2,372	100	8	1	91
Larceny-theft over \$50	1,102	100	8	6	86
Auto theft	2,080	100	8	1	91
Total non-index	10,369	100	24	11	65
Total offenses	17,388	100	29	15	56

SOURCE: Special Tabulation, Chicago Police Department, February 3-March 2, 1966.

*For definition of actual offenses, see U.S. Department of Justice, FBI, *Uniform Crime Reporting Handbook* (Washington: USGPO, February, 1965).

†Police clear a crime by arrest "when they have identified the offender, have sufficient evidence to charge him and actually take him into custody" (*Uniform Crime Reports, 1968, p. 30*).

‡A crime is cleared "by exception" when ". . . some element beyond police control precludes the placing of formal charges against the offender, such as the victim's refusal to prosecute or local prosecution is declined because the subject is being prosecuted elsewhere for a crime committed in another jurisdiction" (*Uniform Crime Reports, 1968, p. 30*).

witnesses and complainants "cop out" because of their investments in these small systems. A wife, for example, assumes the risk, in becoming a complainant against her husband, that if arrest and incarceration follow, he will be lost as a breadwinner. The willingness to testify or swear a warrant depends, therefore, upon the cost of jeopardizing personal relations. The arrival of the police often serves to transform an adversary relationship among citizens to one of accommodation. Indeed, at times the problem for the police is to avoid becoming an adversary in such situations. Settlement becomes more an issue of what the adversaries can agree upon and what complainants want, than of what the police can do. When faced with the responsibility to pursue matters as criminal, it is frequently the citizen, not the policeman, who "cops out."

Some criminal matters, particularly those arising between businessmen and citizens or employers and employees are resolved as noncriminal matters, because the complainants have investments in such matters other than in seeing that justice is done. The businessmen, for example, are willing to accept, indeed often want, nothing more than restitution of their financial loss. Just how substantial unofficial handling of crime is for businessmen can be seen from the results of a study for the Small Business Administration on crimes against all United States businesses.⁸ When businessmen, who were victims of shoplifting, were asked, "If the police or prosecutor recommends it, would you press charges against a person caught shoplifting in your place of business?" exactly 30 percent said they probably would not. Similar evidence exists for employee theft and customer fraud, as in the passing of bad checks. The main reason businessmen fail to press legal charges for these violations is that business interests depend primarily on financial rather than moral gain. Restitution of the loss is more profitable than prosecution. Moreover, any monetary loss must be balanced against the cost incurred in prosecuting, including time spent pressing charges and in court. Often the complainants calculate that the dollar loss from crime is not worth the cost of doing justice, particularly if the loss is small.

The amount citizens can control the outcome of a transaction, which they have reported to the police, is apparent from our observational studies of police and citizen encounters in high-crime-rate areas of three cities. Examining all such encounters where a complainant indicated a preference for police action in the situation, Donald Black discovered

8. For a detailed description of the survey, see Reiss, in *Crime Against Small Business*, pp. 53-153.

that the police tended to act according to the preferences of complainants for police action.⁹ Preferences for unofficial handling of a felony or misdemeanor was expressed in about 14 percent of all encounters. The police did not file an official report in a single instance where the complainant expressed a preference of unofficial handling of a felony or misdemeanor. When the complainant expressed a preference for official action by the police, officers tended to follow that preference. The conditions most conducive to officer compliance with a complainant preference for official action occurred when a felony was charged and the suspect was a stranger to the victim; 91 percent of these cases resulted in an official crime report. The police were less likely to adhere to complainant preferences for official action when the incident was a misdemeanor and the suspects were family, friends, neighbors, or acquaintances. This is not surprising, since the police anticipate that many of these complainants will refuse to prosecute when moral indignation passes. An official crime report is least likely when an incident arises between family members, somewhat more likely when it occurs between friends, neighbors, or acquaintances, and most likely when it occurs among strangers with complainant preference controlling police capability for action. Black also found that the more deferential the complainant to the police officer, the more likely the officer was to comply with his request in handling the matter, a further indication that the effect of citizen and police expectations and behavior controls police decisions.¹⁰

Citizen and Police Enforcement of Law

The way in which citizens mobilize the police to enforce the law depends upon their roles as enforcers of law. For example, a citizen may call the police in the role of victim of crime or, as a witness of a crime against others. He may also complain about criminal opportunities and situations, like gambling, within the community. And, finally, he may complain about the quality and quantity of law enforcement. He may serve as both complainant and informant for the police.

In the majority of calls received by the Chicago Police Department about crime matters, either the victim or a member of his household called the police. In approximately a third of the calls, the citizen who called the police was not a victim of the crime. Citizens may perceive themselves as victims when the public peace is breached even if they are not

9. See Donald J. Black, "Police Encounters and Social Organization: An Observation Study" (Ph.D. diss., University of Michigan, 1968), pp. 188-92.

10. *Ibid.*, pp. 192-94.

personally victimized. Our studies of police contacts with residents of high-crime-rate areas, who called the police to report some incident in their neighborhood, showed 56 percent saw themselves as victims, even though, in more than half of these situations, they were not directly and personally victimized. Rather, they reported disturbances in the neighborhood that were annoying, and therefore, in some way was directed against them.

The extent to which citizens do not feel obligated to report when they observe another person victimized by a crime is indicative of the degree of anomie in an area. Unfortunately, we lack information on the opportunities citizens have in their daily lives to observe crimes being committed against others, and their discretion to report them to the police when they do. It also cannot be ascertained when citizens know that criminal operations, such as organized crime, exist. Thus, it is difficult to estimate whether citizens more often complain to the police as victims of crime or, in quasi-police roles, as enforcers of the law. We do know that almost 1 in every 10 residents of high-crime-rate areas reported calling the police to report a crime he observed being committed, or some minor violation of the municipal code, or a disturbance in the neighborhood. Moreover, when all calls from people in these neighborhoods are considered, more than 4 in 10 concerned matters, where the citizens were not directly involved as victims. At least, in these cases, citizens are fulfilling a civic obligation to help others and call the police.

Citizen complaints about the quality of police service may account for significant input into a police department. Surprisingly, 3 percent of all April 21 calls to the Chicago Police in Table 2.1 registered complaints about police service, a matter we shall turn to later.

There is some difficulty distinguishing the citizen role as informant from that of complainant. Of all citizen calls to the Chicago Police in Table 2.1, 4 percent gave the police information about crime situations or opportunities. The frequency of such calls by citizens—as many as 250 in a single day in Chicago—is undoubtedly a function of department policy. The Chicago police encourage citizens to be “tipsters.” Citizens therefore call and write to the police department about matters they consider criminal. Although some citizens may identify themselves in such communications to the department, many choose to remain anonymous.

Superintendent O. W. Wilson of the Chicago Police Department permitted me to examine their anonymous complainant file for the first three 28-day reporting periods of 1964. This is the only record of information on anonymous tips and complaints to the police of which I am aware

There were only 106 written tips compared with an estimated 7,000 telephone tips during the same period.

According to crime tips obtained from anonymous letters to Superintendent Wilson (see Table 2.4), it is surprising that almost 3 of every 4 deal with vice activity ordinarily associated with organized crime: book-

Table 2.4
Percentage Distribution of Citizen's Complaints in 106 Anonymous Letters to the Superintendent of Police of the Chicago Police Department, January 1, to March 16, 1964

<i>Type of complaint</i>	<i>Percentage</i>
Liquor sales to minors	12
Violation of liquor laws	6
Predatory juvenile gangs	6
Gambling and bookmaking	37
Prostitution	15
Narcotics and dope traffic	9
Extortion (juice and shakedowns)	7
B-girls	6
Homosexual bars or activity	2

SOURCE: Special Tabulation, Chicago Police Department, 1964.

making and gambling, prostitution and B-girls, narcotics and other drug traffic, and extortion. Violations of liquor laws accounted for 18 percent of the tips, with sales to minors the more frequent complaint. Two percent of the tips were about gay bars or homosexual activity. More than 9 of every 10 letters to the chief of police complained about businesses or their operators who sell goods and services where moral matters are at issue. There were no anonymous complaints about fellow citizens who engaged in such moral violations, nor, for that matter, in any other crime.

Most anonymous letters to the chief are written by women. They complain usually in the role of offended wife or concerned mother. As mothers, they complain that their children are being victimized by predatory juvenile gangs, are being sold liquor when underage, or are becoming addicted to narcotics. As wives, they complain about husbands being cheated by gamblers or prostitutes. Perhaps their anonymity in writing to the police stems from their roles of wife or mother, where they do not wish those close to them to know they have complained.

Among the male complainants, three types emerge. The first is the moral entrepreneur, usually a clergyman, who demands a clamp down on gambling, prostitution, homosexuality, or narcotics traffic in his community. He specifically names establishments police should close or vice lords whom they should arrest. The second type is the businessman who, to operate a legitimate enterprise, must make payoffs to the syndicate or who, unable to secure conventional loans, must turn to the syndicate, thus becoming a victim of the "juice racket." Fearing reprisal from the underworld if personally identified as a complainant, he seeks relief through the anonymous complaint. And, third, is the stranger to the city who frequents bars where he is cheated or robbed by that special class of waitresses who "push drinks" and are known as B-girls. Or else, in seeking a prostitute, he is either cheated by the "Murphy" game where he pays but receives no service, or is robbed and assaulted by the prostitute's accomplice or pimp. Fearing public degradation or private recrimination from those close to him if he identifies himself as a victim to the police, he chooses to remain anonymous in his complaint.

Almost all citizens who wrote these anonymous letters to the chief demanded the police pursue a more proactive policy in policing the morals of the city. They regarded it as the bounden duty of the police to control as well as eliminate the businesses. In most cases, they requested immediate action against the violators. However, by choosing anonymity, they abdicated the role of a complainant, who may assist the police by identifying the actual victim or victims—who might then, themselves, serve as complainants. This abdication of civic responsibility means the police must take a proactive vice role if legal action is to follow. Parenthetically, it might be noted that such seemingly proactive policing of vice by morals squads of a police department are reactions to these anonymous complaints.

Perhaps the reason citizens write the chief about vice matters is that they see themselves as victimized by the failure of the police to eliminate vice in the community. This basis for notifying the police about crime opportunities in the city contrasts sharply with the basis for citizens making tips, particularly when they identify themselves. Generally, when a citizen provides tips, he regards himself as an informant rather than a victim. Informants appear to derive vicarious satisfaction from acting in a crime-detection role, a role of the police.

I have tried to show the principal ways citizens exercise control over the inputs into a law-enforcement system. They have considerable influence over what becomes a police matter and what is processed as crime, based on their decisions to mobilize the police or not, their demands

and complaints for police intervention, their preferences for arrest, and their willingness to aid the police as complainants.

Police Organization and Discretion over Inputs

Citizen and police initiative create almost all the input into police departments that is processed in the system of criminal justice. Only a very small proportion of input derives from such other sources as warrants issued on the initiative of the prosecutor or the bench, or information from other police agencies. We have termed the police force a reactive organization when it is mobilized by calls or complaints from citizens, and a proactive organization when it seeks criminal violations on its own initiative. But, what are the effects of proactive and reactive organization on police discretion?

The public typically regards the police as proactive in their work, a view shared by some students of police organization.¹¹ The detective and traffic divisions, the specialized vice and organized crime bureaus, the task force, even patrol, are regarded as proactive units of the department. The public's views on policing may be molded more by their perceptions of what police do when they come into contact with citizens (such as questioning, directing traffic, searching people and their property) than by an understanding of how they happen to come into contact with them.

The intake process in large metropolitan police departments is organized around divisions and bureaus. From the standpoint of the police departments, it is wrong to consider such units or the police roles in them, such as detective or patrolman, as proactive in nature. The major divisions of a police department usually engage in both proactive and reactive police work. Although the traffic division may have major responsibility for policing motor vehicle standing and moving violations, traffic officers also may respond to commands from central communications to investigate automobile accidents and traffic hazards particularly if there is no specialized automobile accident investigation bureau. Moreover, much of the work of the division is to control the flow of traffic, an activity that is a reaction to predictable patterns of vehicle movement. Indeed, to control traffic often entails ignoring moving violations or shouting at violators rather than impeding vehicle movement by making an arrest.

The detective division would seem to be *the* proactive division of the department. Yet much of its work is not of this nature. Detectives generally investigate incidents already reported by citizens and investigated by patrolmen. They may be assigned the major task of determining

11. Jerome Skolnick, *Justice without Trial* (New York: John Wiley, 1966).

whether or not the crime reported by the citizen is bona fide or unfounded. When bona fide, the role of the detective may be limited to locating and arresting the citizen listed in the complaint. At most, the detective division's proactive work is limited to solving known crimes by finding violators. Even when detectives or plainclothes men (in vice squads) appear to discover violations and violators on their own initiative, the seemingly planned investigations often are precipitated by information or complaints received from citizens.

Similarly, the patrol division of any major police department is organized both to investigate complaints from citizens through dispatch from a central command and to do preventive patrol. For example, a patrolman may be dispatched, by a citizen call, to investigate a suspicious situation or a suspicious person, he may be stopped by a citizen while on routine patrol, or he may investigate entirely on his own initiative.

Crime prevention is a general goal for most police departments and they are organized to deal with the problem from different angles. The public information and education bureaus utilize various informational and educational techniques to get businesses, citizens, or specialized publics (e.g. school children), to adopt crime prevention or safety practices. The detective division may provide assistance to employers screening job applicants. The task force, or some specialized vice or crime unit, may be assigned to public events to prevent the theft that is prevalent on such occasions. The patrol division generally assumes that, when an officer is not in service handling matters assigned to him, he is engaged in routine preventive work.

Most of the time, officers are on routine or beat patrol, on foot or in a car. In this capacity, they are not usually working to reduce a specific type of crime, although routine door checks of business places may be considered a preventive measure. Other than providing information and education or displaying visible signs of police authority, such as patrolling, most police techniques of crime prevention are not specific to preventing crime. Rather, they are general techniques commonly used by the police for detection and verification that crimes have been committed. Thus, wiretapping, interrogation, and search of the person can occur with or without probable cause. Their use in preventive work depends upon the officer's judgment of behavior, motivation, and situation. Moreover, some techniques of prevention are closely entwined with methods for detecting violations. Speed traps, for example, are designed to prevent violation of speed limits by detecting violators. Frequently, success of these preventive measures is evaluated in terms of the number of violators appre-

hended rather than in terms of what is prevented. The latter can be evaluated by measuring the growth or reduction in the rate of violation or violative behavior, as, for example, a decline in the rate of assault. Similarly, the effect of searching persons may be assessed in terms of how many arrests are made of persons found carrying dangerous weapons or narcotics—crimes of possession—rather than in how much such crime is reduced.

In pursuit of its aim to protect citizens, preventive work often requires intervention in the lives of some citizens on the initiative of the police. The core of much of this work is the investigation of the suspicious person and the suspicious situation by traditional techniques of police intervention.

Most preventive techniques do not produce much input into the system of criminal justice. Police departments, therefore, do not require that an official record be kept of the use of such techniques. The problem of producing an official production statistic of crime prevention creates certain dilemmas for police administrators. To the degree that success is measured in terms of arrests for crimes, the official crime rate of a department often rises rather than falls due to increased police activity. Citizens, with their simple notions of crime prevention, might expect it to decline. And, to the degree that the department reports how unproductive any technique of crime prevention is in terms of arrests, it risks charges either of poor police performance or of unnecessary intervention in the lives of citizens. Given the great difficulty in measuring crimes prevented, departments tend to pin their programs of prevention on demonstrating how a falling crime rate follows major efforts at prevention.

Preventive investigation or patrol originates both with citizens and the police. Which group contributes most to preventive activity depends upon policies of the department and practices of citizens and the police. Where citizens are encouraged to report matters of potential crime to the police, as they were in Chicago during Superintendent Wilson's administration, the volume of such calls is substantial. Of the calls made to the Chicago Police Department on April 21 (Table 2.1), 3 percent were requests to investigate suspicious persons or situations. Where the police department organizes units of preventive policing of everyday life, as does the New Orleans Police Department, the extent of such activity is substantial.

Statistics for the New Orleans Police Department for 1967 report pedestrian and residence checks by the tactical unit and the canine corps. The tactical unit made 30,148 pedestrian checks and 947 juvenile checks.

They made, in addition, 42,641 checks of business places and 13,185 checks of vehicles, some of which undoubtedly involved contact with citizens. Considering only the combined 31,095 checks of pedestrians and juveniles, the police made 5,397 arrests, for an arrest rate of 17.4 percent. Similarly, during 1967, the canine corps checked 7,770 pedestrians, 389 suspicious persons, and 1,121 juveniles, making a total of 882 arrests, for a somewhat lower arrest rate of 9.5 percent. An unknown proportion of these checks was made with prior knowledge of which person to check, so they are not all strict examples of proactive policing. Nonetheless, the statistics disclose a substantial volume of proactive policing by these units.

From April 15 to December 31, these units with the patrol division reported 47,834 stops of citizens of whom 25,230 were frisked, resulting in a frisk rate of 53 percent and an arrest rate of 17 percent. The 25,230 frisks yielded only 113 weapons, creating a weapons-productivity rate of less than half of 1 percent.

In 1967, the Communication Center of the New Orleans Police Department reported receiving 259,462 complaints. If we compare this figure with the estimated 107,241 stops or checks of citizens by police in 1967, we arrive at a police input rate that is 41 percent, that of citizen mobilizations of the police. This estimated rate of police input is undoubtedly low, since we lack information on proactive contacts of officers assigned to other department units, as in the cases of vice and narcotic plainclothes men. There may also be considerable underreporting by all officers for such proactive techniques as search of the person. Thus, the volume of proactive policing in New Orleans, excluding traffic policing, may easily be half that of reactive mobilizations. On balance, nevertheless, the mobilization of the police appears to rest more with citizens than it does with officers, even where proactive policing is highly legitimated by police authorities as is the case in New Orleans.

Our observations of the policing of everyday life in the high-crime-rate precincts of Boston, Chicago, and Washington, D. C. indicated that the probability a suspect would be searched was 1 in 5 in both dispatched and on-view mobilizations in each of the cities, a rate far below that of New Orleans. Further, these searches—in both on-view and dispatched encounters—revealed 1 in 10 whites and 1 in 4 Negroes possessed a gun, knife, or other dangerous weapon.¹² Searches of the person in these cities

12. See Black and Reiss, "Patterns of Behavior in Police and Citizen Transactions," pp. 80-94.

yielded considerably more dangerous weapons than New Orleans. How can we account for such differences from city to city? The fact that the statistics are city-wide for New Orleans and only pertain to high-crime-rate precincts in the other cities may account for some of the difference. Another important factor, here, may be differences in the exercise of discretionary authority. Searches in Boston, Chicago, and Washington, were usually conducted only when there were reasonable grounds to believe a crime had been committed. By contrast, stop and frisk practices, as used in New Orleans, often are based more on preceptions of suspicious behavior than on probable cause, permitting much wider latitude in the exercise of discretion.

The effectiveness of the discretion exercised by officers in proactive versus reactive patrol can be crudely measured by comparing the results of on-view mobilizations with citizen mobilizations of the police. Unfortunately the on-view official statistics compiled by police departments include matters that citizens bring to the attention of the police when out on patrol, as well as those the police seek out on their own initiative. Nevertheless, these official statistics permit us to compare the effectiveness of preventive and dispatched patrols. "Crimes known to the police" is used as the measure of productivity on the assumption that when the police are on routine preventive patrol of everyday life, crimes will be uncovered either because citizens bring them to police attention or because police encounter them "in progress."

Some data for the city of Chicago permit us to compare the productivity of preventive and dispatched patrol. Returning to the city-wide data for Chicago for the fourth-reporting period of 1966, there were 1,121 beat cars assigned to routine patrol during this period. Although not all of these cars were in service for all shifts of the 28-day period, we are assuming they were for purposes of estimation. Allowing routine lunch or rest breaks, we estimate a car to be in service on patrol duty 22 hours each day. For the 1,021 beat cars this amounts to 22,462 hours in service each day or an estimated 628,391 car hours for the 28-day period. More man than car hours were required for patrol, since two men were assigned to 384 of the beat cars. Daily man hours on patrol duty in Chicago during this period accordingly amounted to an estimated 865,480 hours during the 28-day period.

The patrol division reported an average of 62 minutes in service to handle each criminal incident and 39 minutes for each noncriminal incident during this 28-day period. Crude estimates were made of the man hours spent by patrol in handling dispatched and on-view encounters during

the period using these average times. We estimate that, of the total hours cars were assigned to duty, only 14 percent of the time was spent on dispatch, leaving 86 percent for routine preventive patrol. Actually, less than 1 percent of the time officers are on patrol is spent handling on-view matters. And, only 1 percent of the time on routine preventive patrol is spent in handling criminal and noncriminal incidents (Table 2.5). Overall, 99 percent of the time in preventive patrol nets no criminal or noncriminal incidents, an indication that preventive patrol is markedly unproductive of police matters processed in the system of criminal justice.

Table 2.5

Estimated Hours Spent by Beat Cars on Major Types of Patrol Activity by the Chicago Police Department, March 31 to April 27, 1966

<i>Allocation of beat car by activity</i>	<i>Total car hours</i>	<i>Percentage by activity</i>	<i>Percentage of inservice</i>	<i>Percentage of preventive patrol</i>
Dispatched subtotal	(87,957)	(14)	(94)	—
Criminal incident	18,108	3	19	—
Noncriminal incident	69,849	11	75	—
Onview subtotal	(5,334)	(1)	(6)	1
Criminal incident	999	0.1	1	0.2
Noncriminal incident	4,335	0.7	5	0.8
In-service subtotal	(93,291)	(15)	100	—
Routine patrol	535,100	85	—	99
Preventive subtotal	(540,434)	(86)	—	100
Total activity	628,391	100	—	—

SOURCE: Patrol Division Operations Report, Chicago Police Department, 4th period, 1966.

Even more striking is the low productivity of preventive patrol for criminal matters alone since only about two-tenths of 1 percent of the time spent on preventive patrol is occupied in handling criminal matters. What is more, only 3 percent of all time spent on patrol involves handling what is officially regarded as a criminal matter. Considering only the time spent in service, a mere 20 percent is spent in handling criminal matters (Table 2.5).

The results are equally striking when we examine the incidents, which constitute the raw material for the criminal-justice system (Table 2.6).

Table 2.6

Percentage Distribution of 127,761 Incidents Handled by the Patrol Division of the Chicago Police Department, March 31 to April 27, 1966

<i>Type of unit and type of incident</i>	<i>All incidents</i>	<i>Type of mobilization</i>	
		<i>Dispatch ("on call")</i>	<i>Our view</i>
Total police activity	100.0	93.1	6.9
Criminal incidents only	17.0	16.0	1.0
Noncriminal incidents only	83.0	77.1	5.9
Beat cars in their own beats			
Criminal incidents	4.6	4.4	0.2
Noncriminal incidents	18.4	17.1	1.3
Beat cars in other beats of district			
Criminal incidents	10.3	9.7	0.6
Noncriminal incidents	39.7	37.6	2.1
Other district units in district			
Criminal incidents	0.3	0.2	0.1
Noncriminal incidents	12.7	11.4	1.3
Task force units in district			
Criminal incidents	*	*	*
Noncriminal incidents	*	*	*
Other department units in district			
Criminal incidents	1.7	1.6	0.1
Noncriminal incidents	12.3	11.1	1.2

SOURCE: Patrol Division Operations Report, Chicago Police Department, 4th period, 1966.

*Less than 0.5 percent.

About 93 percent of all incidents processed by the patrol division in Chicago developed from citizen initiative. Of all dispatched and on-view incidents handled by the Chicago police, only 17 percent involved criminal matters, and most of these originated from citizen calls to the police. Only 1 percent of all incidents originated in on-view settings.

Some people may regard these findings as evidence that the mobile patrol is a poor means of preventive patrol and ineffective in seeking out criminal matters that are processed in the criminal-justice system. They may claim that, in the past, when police were organized around the foot patrol, they were far more effective in dealing with crime. However, such an attitude may rest in nostalgia rather than fact. There is good reason to believe that the foot patrolman responded primarily to citizen

mobilizations, he was relatively ineffective in dealing with crimes without citizen cooperation, he rarely discovered crimes in progress, and his capacity to prevent any crime was extremely limited by his restricted mobility, especially after the advent of the automobile.

The organization of modern police departments around a mobile patrol also may be based on questionable assumptions about its capacity to deal with crime on a territorial basis. Most centralized police commands assign the same men to the same beat or territory for an extended period of time. Moreover, the practice is to respond to a citizen call for assistance by dispatching the beat car regularly assigned to the territory where the request is made, if that car is available at the time of the call.

It is assumed that assignment on this basis costs the department less on the average in time, travel, and manpower, and police administrators believe that the reduction in time it takes to respond to a citizen's call for assistance not only satisfies the citizen, but also optimizes the likelihood police will arrive in time to catch violators or prevent more serious crimes from occurring. They also believe that officers, assigned to an area on a regular basis, will possess considerable intelligence on the people living in it, and this will make them more effective in policing everyday life and preventing crime.

These administrative assumptions are open to question. The population in an area is often so large that no officer can know more than a very small proportion of its members, even granting he is able to get in contact with them. And then, the high rate of mobility in urban populations—at least 1 in 5 changes his place or residence each year—similarly renders such knowledge less useful. One can find other bases for questioning whether officers regularly assigned to an area can do more than establish contact with the most visible segments of that population. In fact, it is not clear that even current, more sophisticated police operations can effectively handle such assignments, given the organization of the modern command and control center of a police department. Let us, therefore, examine how the dispatch process works in a modernized police department such as Chicago.

The system problem is to assign a limited number of police cars to respond to as many legitimate calls for police service as possible within the shortest time. Given the considerable daily, weekly, and even seasonal variation in volume, this is not easy. Yet, an important safety valve exists for the system in the form of preventive patrol. Since much of the time cars are not in service but on routine patrol with no specific duty, it makes the problem of matching beat cars to citizen calls simpler. The

dispatcher, in response to a citizen call, routinely dispatches the beat car assigned to the territory where the incident is to be investigated or a report made. When that particular beat car is already in service, the practice is to select another car closest to the destination of the dispatch and not in service.

Let us consider how this procedure works out in a modern police department such as Chicago's where, as already noted, cars are in service only about 15 percent of the time. In the fourth reporting period for patrol operations in Chicago in 1966, we observe that fewer than one-third of all criminal incidents were handled by beat cars in their own beat. Only a little more than one-fourth of all criminal incidents originating from dispatches were handled by patrolmen within their own beat. Many police administrators regard a patrolman's intelligence on a community to be of most importance in noncriminal matters, where an officer must exercise the greatest degree of discretion. However, despite this, officers in Chicago handled an even smaller proportion of all noncriminal incidents, arising from dispatches to their own beat, than criminal incidents. Since routine patrol generally takes place in an officer's own beat, we would expect these officers to deal with a disproportionate number of on-view matters, particularly those connected with preventive patrol. But, even that was not the case in Chicago, where beat cars handled only one-third of all incidents, and one-fifth of all criminal incidents arising on their own beats. The results were the same for noncriminal matters in on-view situations.

Based on these Chicago data, it appears conclusive that beat cars, whether dispatched or on routine preventive patrol, are more likely to handle incidents outside their own area than within it. This fact sharply contradicts the reasonable assumption that officers would spend more time in routine preventive patrol within their own beat than outside of it. This problem may actually be due to the fact that beat cars are dispatched to handle incidents outside their beat. Once a car is dispatched to handle a call outside its beat, the probability of its handling outside calls increases, since, while that car is in service, any call to its beat must be assigned to a car from a neighboring beat. Calls to that beat in turn must be handled by a neighboring car. The problem of such chain effects is a familiar one in systems analysis.

Short of providing reserve manpower in every beat to handle close to the maximum volume generated in that beat, or adopting a queuing method of selective response, the likelihood is slight that, in a centralized command with a dispersed force, an officer can deal with most of the

incidents in his own territory. These facts say more, however. Though actual probabilities are lacking, the likelihood that an officer or his car will be present when any crime occurs must be extremely low, particularly since the occurrence of crime is so unpredictable.

These facts show that police on preventive patrol handle little in the way of criminal matters, that they are less likely to do so within their own beat than outside of it, and that they are very unlikely to be present when crimes or other incidents occur. This casts serious doubt on any model of proactive crime control for the policing of everyday life that is based on the distribution of police manpower to handle incidents as they may arise in the presence of the police. Indeed, the data support the view that, to police everyday life by mobile patrol, the patrol must be organized to react to citizen requests for service, allowing the citizen to control inputs into the system of criminal justice.

This is supported further by an examination of the productivity of some of the most highly proactive units of the patrol division or task force. The task force of the Chicago Police Department surprisingly generates very few criminal or noncriminal incidents (Table 2.6). In fact, it generated more inputs when it was dispatched than from its own initiative on patrol. Similarly, other units of the patrol division in Chicago (supervision, squadrol, crime cars, and special investigative units assigned to the precinct commander) are more likely to handle matters arising from dispatch rather than on-view policing, and their rate of productivity per unit also is very low (Table 2.6).

One is led to question how productive proactive policing can actually be in the United States, since it is clear that this method depends so heavily on reactive forms of organization (where citizen calls or complaints are the major source of inputs on criminal matters). Stinchcombe has pointed out that the legal institutions of privacy, limiting police access to private places, tend to hinder the police in developing and processing criminal matters.¹³ The protection of the private place, he maintains, limits the proactive capacity of the police to investigate places where they might discover criminal matters.

Institutions of privacy doubtlessly affect police practice. Not only do they protect the integrity of private places from ready access by the police, but they also protect the integrity of individuals in public through such guarantees as citizen rights before police interrogation, surveillance,

13. Arthur L. Stinchcombe, "Institutions of Privacy in the Determination of Police Administrative Practice," *The American Journal of Sociology* 69 (September 1963), p. 158.

or search of the person. They also affect the manner of investigation that takes place following the discovery of a crime and the procuring of evidence to meet the criteria for admissibility in courts of law. These limitations on police access to private places make the police particularly dependent upon the organization of access to them on a reactive basis, using calls to private places as the major basis for entering them. I, personally, do not believe that these institutions of privacy are responsible for the essentially reactive character of policing of private places. The character of policing, whether proactive or reactive, is, to a great extent, determined by the way in which knowledge of a crime is acquired or by the predictability of its occurrence. We noted earlier that proactive patrol generates little volume of criminal matters in public places. In instances where the time and place of a crime cannot be forecast and the frequency of its occurrence in any one place is low, it makes little difference whether that crime occurs in a public or private place. Police access to public parks, for example, has not been particularly effective in discovering crimes within them.

In the absence of massive police manpower, proactive policing is a feasible method for discovery only when crime is routine and organized, and therefore predictable. From a sociological point of view, the patterned activity of vice, traffic, and organized groups such as gangs, lend themselves to proactive forms of policing, and therefore to specialized units of police organization and tactics. Proactive policing is the province of specialized units such as narcotics or morals squads, where one can intervene in transactions that are part of an organized system of transactions.

Again, any limitations on the organization of proactive policing, whether institutional or organizational shift the policing of everyday life to reactive forms. Yet, it does not follow altogether that the effectiveness of reactive policing depends much more than the effectiveness of proactive policing on the willingness of the citizenry to comply with police enforcement of the law. The role of citizen cooperation in both forms cannot be minimized.

Dependence of Police Departments on Reactive Organization

It is difficult to measure the degree to which American municipal police depend upon citizens to police everyday life and to process criminal matters to the point where the police may arrest citizens for violations of the law. The facts presented thus far show that what often appears to be police discretion in making decisions to process matters as criminal or noncriminal is actually based on citizen discretion.

The major inputs into the criminal-justice system examined here are

Table 2.7
Percentage Distribution of Arrests by Police Division and Part I Offense Charged for Washington, D. C., 1965

Part I offense class	Police division					Total per-cent-age	Total number
	Patrol division	Canine division	Morals division	Detective division	Traffic division		
Criminal homicide	65	*	0	21	13	*	189
Rape and attempted rape	50	*	0	39	9	2	183
Robbery and attempted robbery	77	2	0	19	1	1	1,863
Aggravated assault	95	1	*	3	*	1	2,811
Burglary and attempted burglary	93	1	*	5	*	1	2,553
Larceny—theft	90	1	*	4	1	3	4,083
Auto theft	67	3	*	26	2	1	1,380
Total, Part I offenses	87	2	*	9	1	1	13,062

SOURCE: *Annual Report of the Metropolitan Police Department of Washington, D. C., Fiscal Year, 1965*, p. 38.

*Less than 0.5 percent.

†Includes harbor patrol (7 charges) and youth-aid division (184 charges).

arrests of citizens. These are the only reasonably commensurable data with which we can compare the major divisions of a police department. The 1965 arrest data for Washington, D. C. were chosen to illustrate the degree to which proactive and reactive units of a department account for arrests. Arrests for Part I and Part II offenses are reported in Table 2.7 for the major divisions of Washington's Metropolitan Police Department.¹⁴ These divisions are patrol, canine, morals, detective, and traffic. The harbor and youth-aid divisions handled only a small number of offenses.

For all 1965 Part I offenses in Table 2.7, 87 percent of the arrests were made by patrol division. Most of the complaints prompting these arrests undoubtedly arose from citizen calls to the police, since our observations of patrol in four high-crime-rate precincts in Washington, D. C. showed that almost no criminal incidents arose from on-view policing by the patrol. Only the detective division, which made 9 percent of all arrests, contributed much to the volume of Part I arrests. Actually, patrol made 9 of every 10 arrests for the offenses of aggravated assault, burglary and attempted burglary, and larceny-theft. The detective division accounted for one-fifth of the arrests for criminal homicide, and robbery and attempted robbery; one-fourth for auto theft; and two-fifths for rape and attempted rape, offenses where investigation following report of the offense is most likely to result in an arrest. These are also offenses where victims or other persons readily supply information that helps to identify a suspect, in many cases even telling who he is. The traffic division accounted for only about 10 percent of the arrests for criminal homicide, and rape and attempted rape, the investigations of which produced charges. Charges for homicides handled by the traffic division usually arise from automobile accident investigations.

The striking fact in Table 2.7 is that the patrol division accounted for no less than 50 percent of the arrests for any Part I offenses. Excluding rape and attempted rape, the patrol division accounts for at least two-thirds of all arrests for any offense. A major reason for this is that, in the aggregate, arrests do not result from investigation by a specialized division of the department, such as the detective division, but rather from the routine activity of patrol as it responds to citizen calls for assistance.

Citizens contribute most substantially to the arrest of other citizens as violators for several reasons. The police solve many crimes by arrest

14. *Annual Report of the Metropolitan Police Department Washington, D. C., Fiscal Year, 1965*, Part I and Part II offenses are defined in U.S. Department of Justice, FBI. *Uniform Crime Reporting Handbook* (Washington, D. C.: USGPO, February, 1965).

simply because they have been mobilized by citizens to the location of an incident; the suspect is present and can be easily arrested. The citizen identifies the violator for the patrolman who then takes charge and is officially credited with the arrest. Moreover, the capacity of the police to solve any crime is severely limited by citizens, partly owing to the fact that there is no feasible way to solve most crimes except by securing the cooperation of citizens to link a person to the crime. Finally, the investigation of crimes to locate a violator is expensive. Even if most crimes were solvable, in the sense of finding the persons who committed them (which they are not), the average cost of solving a crime would be beyond the capacity of the citizenry to afford it.

When Part II offenses are considered in Table 2.8, the distinctive functions of each of the major divisions of a police department become apparent. The dominance of the patrol division in making arrests is even greater for Part II offenses than for Part I offenses. In fact, most of the arrests for Part II offenses in Table 2.8 (excluding motor vehicle violations) were made by the patrol division. It made, for example, almost all arrests for drunkenness, disorderly conduct, minor assaults, vandalism, weapons offenses, and those classified as "all other offenses." The Washington, D. C. patrol also leads in issuing traffic citations or making arrests in traffic matters; more than 6 of every 10 citations for violations were written by the patrol division, a consequence of assigning ticket quotas to officers on patrol for both moving and standing violations.

Table 2.8 also makes clear the specialized functions of the morals, detective, and traffic divisions. Except for vice offenses, the morals division produced very few arrests for any major offenses or Part II offenses. It accounted for 7 of every 10 arrests for violations of narcotics laws, 6 of 10 for prostitution, roughly 4 of 10 for sex offenses and gambling, and 1 of 4 for liquor-law violations. The only other area where the morals division accounted for many arrests was vagrancy, where it made 1 in 10 arrests. The charge of vagrancy in these cases was most likely a cover or substitute charge for some other morals offense.

The detective division dominates in arrests for crimes where there are clear leads to investigation, particularly crimes where citizens provide information that permits ready identification of the offender. As already noted, detectives accounted for 4 of every 10 arrests for rape or attempted rape. In many of these cases, victims already knew the offender before the offense was committed. The same is true for criminal homicide, and to a lesser degree for robbery.¹⁵ Detectives also account for a substantial

15. *Uniform Crime Reports*, 1965, pp. 6-11.

Table 2.8
Percentage Distribution of Arrests by Police Division and Charges for Part II Offenses in the District of Columbia, 1965

Part II offense class	Police division				Total per-cent-age	Total number
	Patrol division	Morals division	Detective division	Traffic division		
Other assaults	93	1	1	*	4	2,205
Arson	76	—	21	—	3	33
Forgery and counterfeiting	51	—	46	1	*	285
Fraud	34	—	64	1	—	464
Embezzlement	57	—	43	—	—	105
Stolen property	82	3	9	3	2	203
Vandalism	91	4	3	*	1	1,160
Weapon offense	91	2	3	1	1	1,784
Prostitution	39	*	61	—	—	226
Sex offense	45	—	10	*	*	458
Drug law violation	26	1	1	*	*	902
Gambling	63	—	36	*	*	1,491
Offenses against family	55	2	2	2	39	51
Driving while intoxicated	63	—	—	37	—	256

Table 2.8—Continued

Part II offense class	Police division					Total per-centage	Total number
	Patrol division	Canine division	Morals division	Detective division	Traffic division		
Liquor-law violation	74	—	25	*	—	*	1,964
Drunkenness	98	1	*	*	1	*	44,792
Disorderly conduct	95	2	1	1	1	*	20,446
Vagrancy	88	—	10	1	*	1	892
All other Part II offenses	95	1	*	2	1	1	7,953
Fugitive from justice	54	*	*	23	2	20	1,577
Road and driving violations	60	1	*	*	39	*	94,678
Parking violations	64	—	—	—	36	—	333,642
Traffic and motor-vehicle law violations	73	*	*	*	27	*	18,173
Total part II offenses	68	*	1	*	31	*	533,740
Total traffic offenses	63	*	*	*	37	*	446,493
Total part II offenses, less traffic	93	1	3	2	1	*	87,247
Total part I and part II offenses	68	*	*	1	30	*	546,802
Total part I and part II offenses, less traffic	92	1	2	3	1	1	100,309

SOURCE: Annual Report of the Metropolitan Police Department of Washington, D. C., Fiscal Year, 1965, p. 39.

*Less than 0.5 percent.

†This includes harbor patrol (59 charges); youth-aid division (842 charges); and AH & CR (23 charges).

proportion of arrests for crimes against businesses—fraud, embezzlement, and forgery—in which businessmen often know the offender who must be located. Almost by definition, the offender is not present when the police are notified of the crime's occurrence. What is more, there is reason to believe that businessmen do not notify the police of the offense unless they have reason to know the offender can be located. They are more interested in recovering their loss than in convicting the offender. The only other offenses for which detectives accounted for at least 2 in every 10 arrests were arson and fugitives from justice, again, offenses where knowledge of offenders pays off in leads to arrest.

There is a paradoxical relationship between the way in which detective work is organized to solve crimes and how crimes are actually solved by arrest. Police departments ideally organize detective divisions to solve those crimes that require intensive investigation. Yet, we maintain that most of the knowledge that contributes to solution through investigation is based on citizen information on the identity of the suspects. Detective investigation more often depends upon locating a known offender than in following leads to deduce the identity of an offender. The media view of the detective, epitomized by Sherlock Holmes, James Bond, or Joe Friday, hardly squares with the reality of most detective work that leads to an arrest. This is not to say that detectives don't follow the ideal model, investigating many crimes that do not lead to arrest, but rather, their role in producing arrests is far more restricted than the ideal model implies.

Based on this description of the detective division, we are led to question the capacity of detectives to solve most crimes through induction and reasoning from evidence, although the importance of such a division in securing convictions is great. To cast doubt on the capacity of detectives to solve crimes is not to question their merit in the production of evidence. The detective division must develop and assemble evidence to meet the legal criteria for its introduction into trial proceedings. In a legal system where procedural matters often are more important than substantive questions, the evidence-producing role of the detective is crucial. Crimes are often more easily solved based on criteria of arrest than on criteria for conviction. The police exercise more control over the former than the latter.

Despite the existence of a youth division in many large police departments, its role in the production of juvenile offenders is generally negligible. Again, that function, for the most part, depends on citizen mobilization of the patrol division to respond to offenses committed by juveniles

Table 2.9
Percentage Distribution of Arrests of Juveniles (17 years old and under) by Police Division and the Offense Charged in the District of Columbia, 1965

Offense class	Police division				Total per-cent- age	Total number
	Patrol division	Canine division	Morals division	Detective division		
Criminal homicide	40	—	—	60	—	10
Rape and carnal knowledge	29	—	—	66	5	76
Robbery	83	2	—	14	1	725
Aggravated assault	91	—	*	1	2	198
Burglary	94	2	—	3	*	1,052
Grand larceny	86	—	—	2	11	63
Unauthorized use of auto	68	3	*	25	2	725
Arson	86	—	—	10	4	21
Other felonies	80	1	1	11	1	164
Total felonies	82	2	*	13	1	3,034
Total misdemeanors	84	1	*	2	1	3,230
Grand total	83	2	*	7	1	6,264

SOURCE: *Annual Report of the Metropolitan Police Department of Washington, D. C., Fiscal Year, 1965, p. 51.*
* Less than 0.5 percent.

(Table 2.9). The youth division, not unlike the detective division, is a secondary rather than primary processor of violators of the law.

Arrest statistics make evident the fact that citizens determine law enforcement through their mobilizations of the patrol division, which, in turn, produces most arrests. Few divisions of a police department devote much attention to proactive work, uncovering crimes and offenders based on their own investigations. The unit of a police department that is most clearly proactive is the vice or morals division. The work of Skolnick shows the essentially proactive strategies and tactics of such units.¹⁶ These observations, for the most part, cannot be applied equally to reactive policing.

It is interesting to note the degree to which the appellate division of our legal system addresses itself to matters that arise primarily from proactive policing of the citizenry, and the degree to which police initiative in moral matters leads to arrest or harassment of citizens. The minimal role of the citizen in bringing such matters to police attention may be based on the fact that the public is often divided over moral matters and such violations often depend on consensual relationships.

Since proactive policing of everyday life is so severely restricted in its capacity to discover and solve most crimes—given the capability of citizens to subvert police work—a substantial change in public attitudes or the law toward morals could substantially reduce proactive policing of everyday life. The Scandinavian countries, most notably Denmark, have shown that such changes can occur in democratic societies.

A proactive strategy of policing everyday life must be pursued when there is a high degree of consensus among citizens who violate the law, while, at the same time public or political pressures demand enforcement of these laws. Crimes against morality, commonly regarded as vice, meet these conditions. Their occurrence is characterized by a high degree of consensus among the participants. And, these are essentially crimes without victims. At the same time, their enforcement depends upon a continuing moral crusade by other citizens and citizen organizations. Citizens ultimately coerce proactive policing of morals violations by defining themselves and others as victims. Public and political pressures by moral entrepreneurs cast the police in a proactive role in the policing of morals in everyday life precisely because this enforcement depends upon non-participants in the violation.

As a parenthetical note, often, even in the policing of events not con-

16. See Skolnick, Chaps. 5, 6, and 7.

sidered part of everyday life, police employ proactive strategy and tactics when there are no immediate victims of a crime who may act to mobilize them. This applies to matters of subversion and open protest, crimes that threaten the public and political order. Under such extreme conditions, as the proactive policing of subjugated peoples, a citizen's mobilization of the police would leave him open to the accusation and degraded status of collaborationist.

While the policing of motor vehicle traffic is sometimes proactive, it is so for somewhat different reasons. In violations of moving traffic, there are rarely immediate victims to report an offense. Furthermore, our system of enforcing laws for moving traffic generally denies citizens the role of swearing a warrant. In standing vehicle violations, citizens may become very active in mobilizing the police as has been demonstrated by their high participation in calling the police to enforce parking violations in cities like San Francisco. Where parking space is scarce and the public often invades private property to park a vehicle, citizen participation in enforcement is usually high. Nevertheless, the bulk of enforcement for standing vehicle violations occur on public streets and byways, making it primarily a matter for proactive enforcement.

The level of proactive enforcement of moving and standing vehicle violations depends not only upon whether police administrators adopt a proactive strategy with proactive tactics of policing, but also upon whether the department has a specialized unit of enforcement. John Gardiner's study comparing Massachusetts cities with and without specialized traffic units makes this readily apparent.¹⁷ He demonstrates that the enforcement of traffic laws by special traffic divisions leads to higher levels of enforcement for both moving and standing violations of motor vehicle laws. As in the policing of vice, the proactive enforcement of traffic laws may be less a function of the discretion officers have to arrest persons or issue citations than of how the task is organized in the department.

Proactive policing usually alters citizen-police relations. Normally, after a citizen has called to report a crime, police can count on his further support in apprehending the offender. However, in proactive policing such support cannot be readily assumed. Without citizen support in the form of witnesses, the typical proactive policing situation must depend upon officer testimony or other evidence.

17. See John A. Gardiner, "Police Enforcement of Traffic Laws: A Comparative Analysis," in James Q. Wilson, ed. *City Politics and Public Policy* (New York, John Wiley, 1968), and Gardiner, *Traffic and the Police: Variation's In Law Enforcement Policy*, Cambridge Harvard University Press, 1969, Chap. 1.

When arrests become inputs into other organizations of the criminal-justice system, such as prosecution or the judiciary, their officials often must make judgments about the credibility of the testimony of citizen and police adversaries. Without citizens present, as may often be the case in proactive policing, the case may rest more on evidence than on testimony. But, to make a case on the basis of evidence other than officer or citizen testimony involves considerably more effort for the police than would be required if citizens generated the complaint.

The system of criminal justice adapts in several ways to the dilemmas created by proactive forms of policing. Success in processing police outputs, from arrests made on their own initiative, often depends upon inducing guilty pleas from citizens. And, as far as the citizen is concerned, this may prove a greater threat to him than the exercise of police discretion to arrest him. Success also depends upon the extent to which officials in the criminal-justice system accept officer testimony as valid. The general absence of a direct challenge to an officer's testimony by officials of the system stems, in large part, from an investment in maintaining proactive police work.

Discretionary Justice

Conventional views of the criminal-justice system regard citizens primarily in the role of violators of the law and, therefore, as the raw material for the system. The police, on the other hand, are regarded almost exclusively in the role of enforcers of the law, whose decisions, it is believed, create the inputs into the system. We have tried to show here that, in fact, citizens enter the criminal-justice system not only as violators, but more importantly, as enforcers of law. Their discretionary decisions to mobilize the police are a principal source of input into the system, and these decisions profoundly affect the discretion exercised by the police.

The failure to acknowledge the enforcement role of citizens is an important oversight, given the history of justice in the Western World. Historically, the responsibility for law enforcement in criminal matters, and indeed the prosecution of these matters, was largely in the hands of the citizenry.¹⁸ The creation of police bureaucracies in the nineteenth century with enormous power to seek out violations of the law—powers

18. See Seldon D. Bacon, "The Early Development of American Municipal Police: A Study of the Evolution of Formal Controls in a Changing Society" (Ph.D. diss., Yale University, 1939). A definitive statement of the evolution of the office of British police constable is found in Geoffrey Marshall, *Police and Government: The Status and Accountability of the English Constable* (London: Methuen, 1965).

formerly dispersed among inspectorial offices that were not centrally coordinated—appears to have led students of criminal justice to confuse delegated power with the exercise of power. Much of the responsibility for seeking out violations of the law still resides with the citizenry whose responsibility it is to mobilize the police.

Actually, the operating system of criminal justice in the United States is a loosely articulated hierarchy of five major subsystems. The first and lowest of these is the *citizen subsystem*, where vital decisions are made about whether to mobilize the police and cooperate with them, prosecutors, judges, and other officials in the system. The second level is the *law-enforcement or police subsystem* which makes decisions about how to discover crimes, investigate criminal matters, handle noncriminal matters, press for warrants, and book offenders. The *public prosecution subsystem* is third in the hierarchy and decides whether or not a charge is to be pressed, what the charge will be, how evidence is to be secured, and the strategy of prosecution in judicial proceedings. The *misdemeanor and felony courts* must determine substantive and procedural questions of law and of adjudication, where the fate of persons entering guilty pleas, or found guilty, are at stake. The *appellate subsystem* which has the power to grant or deny appeals, is the highest level. There, the fate of the normative order (the law) has priority over decisions about the fate of persons. There is no central ministry of justice to rationally coordinate these member subsystems.

The system of criminal justice is organized as an input-output system. Although each organization in the hierarchy is granted jurisdiction over particular decisions, each also has considerable discretion over what to create or accept as inputs and whether or not to send these inputs on to the next level as outputs. This exercise of discretion critically affects the system of justice, by substantially reducing the amount of output in the movement from one level of the hierarchy to the next. To understand how the criminal justice system operates, then, we must understand how both delegated and unauthorized discretion¹⁹ affect the quality and quantity of the input and output of cases for each subsystem. For example, there are roles provided for citizen participation at all levels of the system except the appellate. Citizens are expected to call the police for violations of the law, to bear witness before the court, and to serve as jurors. These and other formal roles in each subsystem provide opportunities for exercising unauthorized discretion. Citizens, as noted earlier, by witnessing an action before the police arrive, markedly influence the decisions officers

19. See Skolnick, Chap. 4, esp. pp. 71-73.

make to arrest or release violators of the law. Delegated as well as unauthorized authority in these different roles allow persons in each subsystem to subvert the goals of other subsystems. Citizens may withhold information from the police or bear false witness in court. The police may do likewise. And the judge may subvert police attempts to control through arrest by wholesale dismissals of certain types of complaints, such as those against prostitution or gambling.

Discretion exercised at any one level of the criminal-justice system may profoundly affect the processing at all other levels, not only because each case moves from one level to another in the hierarchy, but also because each level continues to participate in the processing of that case when it is considered at the next level. The police and the citizen move into the sphere of the prosecutor and all, in turn, into that of the judge. Thus, the police exercise discretion about a case when it is in the police department as well as when it is before the prosecutor and the judge. The problem for each subsystem is how to control the exercise of discretion in any other subsystem, in the interests of both their common and individual goals in the system. The fact that each subsystem derives its legitimacy and authority from different government jurisdictions and administrators further complicates this matter of control. An understanding of the means one subsystem uses to control the behavior and actions in another is of special interest in comprehending the exercise of discretion.

There is relatively little *formal* provision in the system of criminal justice to control the exercise of discretion by the organizational subordination of some subsystems to others. This lack of organizational subordination makes it difficult for any level to enforce administrative or legal decisions and sanctions over others. The few formal powers any level may have to coerce participation from others—e.g., the court may cite and sanction for contempt of its powers—are easily subverted, even in the short run, by the control each level has over outputs to others.

This kind of structure makes it difficult to resolve conflicts concerning the actual exercise of discretion or the authority to exercise it. We see such conflicts today, between citizens and the police or the police and the appellate division, over police methods of processing citizens. Such conflicts are endemic to the system, since each subsystem is organized more around its central concerns than around those common to the legally constituted system of criminal justice. The police, for example, are more concerned with problems of enforcing the law than they are with those of abstract justice. They are organized to articulate a behavior system of keeping order in public places, responding to citizen complaints about

crimes or other matters, and apprehending violators. By contrast, the appellate courts are organized to articulate a moral order—a system of values and norms—rather than a code for behavior in private and public places. The supreme courts are far removed from problems of policing everyday life.

Indeed, the greater the hierarchical distance among the subsystems, the less likely they are to share a common orientation about how to resolve conflicts. Since both the citizens and the police are closer to a behavior system of law and order than are the courts, they often may support one another against the appellate system, despite seemingly conflicting interests.

The legally constituted system of criminal justice has formally provided for the resolution of conflict over substance and procedure by granting priority from the top level of the system on down, with an option to appeal such decisions according to rules. No organizational provision is usually made to see that decisions over normative questions are followed or enforced. The implementation generally rests with the legitimacy of the decision itself. Where compliance is not forthcoming, often the original conflict is translated into questions of moral order. They enter the political sphere as public issues, such as “law and order,” to be resolved by political processes, including election to office and legislation.

The absence of organizational provision for controlling discretion makes the subsystems vulnerable to the exercise of unauthorized decisions and sanctions. Paradoxically, the closer subsystems are to one another, the greater their vulnerability to unauthorized discretion by the other. This is most apparent in citizen and police subsystems. Popular opinion emphasizes the vulnerability of citizens to police discretion, particularly in the use of force. The police, however, are highly vulnerable to citizen discretion, not only through the citizens’ immediate power to mobilize and cooperate with them, but also through their political power in communities. The political control of the citizenry over the police takes many forms. On the one hand, citizens can exercise considerable influence over the appointment of officers—as they have most recently with regard to race—while, on the other hand, the “protection” political parties and officials afford organized or syndicated crime is well documented. Indeed, the subversive capacity of the citizenry on the police undoubtedly is far greater than their subversive capacity for the bench.

In the relative absence of some formal organizational provision for control over discretion in the subsystems, the major form of control one subsystem has over others, is exercised *within* each subsystem. This is

based on what the various subsystems share in common, viz., the processing of the *same* people and information. The major means they have to control others are discretionary decisions regarding these same people and information. But they can do so only when these decisions enter their own subsystem. In this way, the prosecutor controls the police with regard to the criminal charge; he may refuse to accept the police charge as *bona fide*. Similarly, judges deny cases or information about them if *their* rules are not followed. Citizens of course can control information to any level, beginning with their capacity to mobilize the police.

Counterstrategies necessarily emerge to limit the control exercised by another subsystem. A major technique is to withhold information or output. Withholding information is particularly effective when there are restrictions on organizational capacity to develop information. The police can effectively control prosecutors in this way, since most prosecutors have little organizational capacity to develop information. Withholding output obviates the necessity to play according to the others’ rules. For example, the police need only conform to the rules of prosecutors and judges on matters it sends to them, but not in those matters it handles by internal means such as harassment by refusal to arrest or book, or failure to request prosecution, thereby dropping charges.

Another common technique is to overload the next level. The police may do this by mass arrest, as often happens when there are issues over the policing of deviants. Overload of the system by mass arrest may be particularly troublesome to the prosecutor and the courts, as recent experience with urban riots and student dissent eloquently testify.²⁰

The fact that the major means of control among the subsystems is *internal* to each subsystem has important consequences. The first is that *procedural rather than substantive issues dominate the system of criminal justice*. The “test” applied is: Was legal procedure followed? In other words, were the arrest, search of the person or his property, the confession, made through lawful means? Another consequence is that *each subsystem creates its own system of justice*, thereby subverting the ends of the larger system of justice. Much of the justice by citizens, police, and prosecutor is justice without a court trial. Each subsystem, moreover, seeks to protect itself from penetration by the other through *erecting informal as well as formal barriers to contact and communication*. The

20. See note: “The Administration of Justice in the Wake of the Detroit Civil Disorder of July, 1967,” *Michigan Law Review* 66 (May 1968): 1542-1630, and note: “Criminal Justice in Extremis: Administration of Justice During the April, 1968 Chicago Disorder,” *The University of Chicago Law Review* 361 (Spring 1969): 455-613.

back-room and hallway-plea bargaining of the prosecutor are no more easily penetrated than are the lock-up and blue curtain of the police. Finally, *cooptation becomes a major means of controlling other sub-systems*; the practice of police and prosecutors bargaining with defense counsel over the defendant's plea is the most common example.

Police Identity and the Police Role

by *Jesse Rubin*

The young police recruit, like any beginning professional, enters his career at a time of life when rapid growth, conflict, and crisis are normal aspects of his personality. After joining the force, he must work at forming his adult identity at the same time that he is learning the techniques of his profession. To both tasks, the psychological and the technical, he brings with him fixed characteristics such as physical endowment and native intelligence as well as self-image, character structure, and other attributes that are in a state of flux. Because a policeman's job is not a casual nine-to-five experience, his work will become a major, pervasive aspect of his identity as a man. Therefore, early experiences on the job will have important and relatively permanent effects on his developing adult identity. About two years after entering the force, he will have settled into a work role that will determine for better or worse the kind of policeman—and the kind of man—he is to become. Should these years intensify the normal “growing pains” of young manhood, rather than to help resolve them, the cadet will fail to achieve the mature psychological integration necessary for functioning at a professional level.

Unfortunately, the formation by the young policeman of a truly professional identity is hindered by conflicts inherent in the police role itself. The interaction of the young man's personality with these role conflicts is the subject of this chapter, which is based both on a review of the literature as well as on the Miami field study of police behavior under stress, mentioned in the previous chapter. This latter study, spanning a period of more than a year, has been useful not only in delineating the psychological characteristics of the young police recruit but also in suggesting concrete ways to improve the organization of urban police forces; these are also described in this chapter.

The Miami Fatigue Study, carried on from July 1970 through September 1971 through the collaboration of the Miami Police Department

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and the Psychiatric Institute Foundation, investigated the interaction of stress, fatigue, and personality on police behavior.¹ In developing this study, the author and his coworkers each spent approximately fourteen hours a day for seven successive days riding in patrol cars.* The resulting observations, which covered all shifts, were recorded daily in detailed narrative form. From this initial experience, personality factors, indicators of stress and fatigue, and objective measures of behavior were derived. For example, it was determined that useful indicators of the stress induced by a radio call included speed of driving, muscle tension of hands and arms on the wheel, and changes in rate and frequency of speech. Police behavior that varied during citizen contacts included controlling and threatening types of behavior; behavior that involved dispensing of assistance, education, advice and counseling; and behavior involving physical aggression.

It should be emphasized that policemen themselves were used extensively in the observation process. (Among the various advantages of this procedure was that it avoided the resentment and even hostility that outside observers sometimes incur in policemen.) Fatigue could be easily self-rated on a five-point scale by policemen on duty. Four police patrolmen were trained to fill out forms that objectively rated on standardized scales the types of citizen and police behaviors described. A subject group of twelve policemen were observed by the policemen observers during their regular duty. In all, more than a thousand police-citizen contacts were observed and recorded; additionally, the twelve policemen subjects and all seventy-seven police cadets going through the police academy during the year were given standard psychological tests.*

A second project, the Miami Police-Community Interaction Program, was conducted simultaneously by the police department and the Miami Model Cities Program. In this nine-month project, supervised and evaluated by the Psychiatric Institute Foundation,² thirty police officers and

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1. Jesse Rubin and Daniel Cruse, "The Influence of Fatigue, Stress, and Personality on Police Operations" (report in preparation). This work was supported by the Law Enforcement Assistance Administration, U.S. Department of Justice.

*Personality factors were measured by the use of screening intelligence tests (Kuhlman-Anderson), vocational interest tests (Strong Vocational Interest Blank), and a standardized pencil-and-paper, self-administered personality test (Minnesota Multiphasic Personality Inventory).

2. Ellen Ferris, "The Miami Police-Community Interaction Program: An Evaluation" (report in preparation). This work was supported by the Miami Model Cities Program.

thirty model cities residents were chosen at random to work together full time for two weeks on problems of mutual concern, with the objective of accomplishing specific tasks to solve these problems. Ten such two-week workshops were held between October 1970 and May 1971, involving a total of 300 police officers and a somewhat larger number of model cities residents.

As administrator of both these projects, I spent many hours during the last year speaking with and observing officers of all ranks in the Miami police department and working with them on the administrative, political, and programmatic problems inherent in carrying out such complex projects.

The Miami study corroborates other recent studies in its finding that those who enter police work are generally psychologically healthy and competent young men who display common personality features that should serve them well in a police career. However, certain ambiguities, inconsistencies, and conflicts in the socially and legally sanctioned roles of the police impede optimal resolution of the identity struggle that the recruit is experiencing. There is a conflict between the peacekeeping, community-service, and crime-fighting roles of the police, as well as between the policeman's need to be an individualist and at the same time to fit into an organization and to accept discipline. There are further conflicts within the quasi-judicial and establishment-protective roles of the policeman, and the black policeman experiences an additional conflict in his role as mediator between the police and the black community.

The Miami study showed that problems between the police and the community—especially the black community—are partly due to police-role conflicts. To the extent that this is true, carefully designed programs can alleviate these problems. Specific task-oriented programs can help break the vicious circle of stereotyping and negativism inherent in police-community relations. Essential components of such programs are highly professional directors; definition of specific tasks to be pursued; commitment of adequate time, personnel, and money by the police department and the sponsoring agency; total backing of the police chief; and planning for follow-up programs.

The young policeman can be helped to achieve a professional identity through methods of deploying, training, and recruiting police. The Miami study indicates that since no policeman can concurrently fulfill all the roles expected of him, police departments should divide into several sections, each of which is assigned a clear, primary policing role. One of these would be a peacekeeping and community-service arm, as repre-

sented by neighborhood police teams. These teams should be composed of men specifically recruited and trained to accomplish such police missions as preventive patrol, community liaison, working with juvenile delinquents (both as individuals and in gangs), helping in citizen disputes, routine traffic investigation, and preventing crime. Excellence in such work would be recognized and rewarded. It is further recommended that each neighborhood team policeman be trained as a generalist-specialist in such fields as family disputes, community organization, and paramedical work, e.g., handling acute drug and alcohol intoxication and emergency first aid.

A second police arm would have as its role the primary mission of fighting crime, whenever and wherever it occurs. It would rely heavily on modern information-gathering and computer-processing techniques for deployment and strategy decisions would work under a highly centralized command.

Because of the different role expectations for each police arm, most policemen should be recruited and trained to function in one or the other, though some men might be found who could function in either. Since these ideas have not been adequately tested, criteria for recruitment and training have not yet been established, but it is emphasized that once roles are clear, this task can be accomplished. The model presented also should make police more responsive to discipline and command.

Identity Formation in Young Manhood

Identity formation during late adolescence and early adult life has received a great deal of attention in the psychiatric literature. The aspect of identity formation most pertinent to our subject is that described by Erik H. Erikson.³ Erikson writes that the criterion of moving from adolescence to adult life is the formation of a secure identity. The latter Erikson defines as the relatively enduring self-image of an individual that coincides with the reflected view of himself which he receives from those around him. This is to say that there are two important components to an adult's identity: first, an inner sense of who he is as a person and what his values, capacities, goals, and life style are; second, how his family, peers, and the community view him. If these two components are positive and congruent, identity is secure. Insofar as they are negative and incongruent, a sense of identity diffusion or conflict will occur, with consequent anxiety and stunting of psychological growth. In Erikson's words, "The growing and developing youth . . . are . . . primarily concerned with what they appear to be in the eyes of others as compared with what they feel they are, and with the question of how to connect the roles and skills

3. Erik H. Erikson, *Childhood and Society*, 2nd ed. (New York: Norton, 1963).

*cultivated earlier with the occupational prototypes of the day Ego identity is . . . the ego's ability to integrate all identifications . . . with the opportunities offered in social roles. The sense of ego identity is the accrued confidence that the inner sameness and continuity prepared in the past are matched by the sameness and continuity of one's meaning for others, as evidenced in the tangible promise of a career The danger of this stage is role confusion. (Italics added.)*⁴

Erikson thus emphasizes how, through work, a man can express that which is essentially himself, and he can have confirmation of this self-image from those around him.

For the young policeman, establishing this congruence is particularly difficult. The role expectations of police amplify, rather than reduce, identity problems. Given current police-role conflicts, a young policeman is vulnerable to settling into a work identity characterized by immaturity, lack of discipline, rigidity, and paranoia.

In order to examine this process in detail, we will look at the type of man who becomes a policeman, and then follow the course of his career as he attempts to master the police roles he is expected to assume.

Personality of Police Recruits

The policeman has been described as "a frustrated dictator who is attracted to the police service in order to give vent to his aggressive or neurotic feelings."⁵ Though this is a view widely shared, Arthur Niederhoffer, after an extensive review of the pertinent literature, concludes that there is no evidence that highly authoritarian people go into police work.⁶ He finds that insofar as authoritarian trends do exist in policemen, these are more the result of acculturation on the job than of preexisting personality, and that the relationship between personality and occupational choice remains an open question.

A study by Joseph Matarazzo and his colleagues in Portland, Oregon, of successful police applicants indicates that they are characterized by high intelligence, superior personality adjustment, and an orientation toward social service—that is, they are oriented toward jobs involving working with people.⁷ Robert Mills notes that police recruits represent

4. *Ibid.*, pp. 261-262.

5. Arthur Niederhoffer, *Behind the Shield* (Garden City, N. Y.: Doubleday, 1967), p. 103. Chief William Parker, of the Los Angeles Police Department, is quoted in an interview with Donald McNamara.

6. *Ibid.*, pp. 103-151.

7. Joseph Matarazzo and others, "Characteristics of Successful Policeman and Fireman Applicants," *Journal of Applied Psychology*, Vol. 48, No. 2 (1964), pp. 123-133.

a quiet type of community service motivation.⁸ He feels that the desire for security and public approval tempers competitiveness and aggressiveness in policemen. This is supported by Nelson A. Watson and James W. Sterling, who find that two of the three reasons given by police as most important in continuing a police career are related to job security.⁹

After giving projective tests and interviews to more than 1,000 applicants for the Chicago police department, Clifton Rhead and his associates found that "the picture which unfolds, then, is of an individual who is more suspicious than the average person, one who is ready to take risks, and is prone to act on his impulses There appears to be in those persons who chose police work for a career a greater degree of paranoid ideation, a greater emphasis on virility, and a greater tendency to act out than in the nonpolice population."¹⁰

The results of the Miami study tend to confirm broadly all these studies. As we have noted, Matarazzo and Mills found that social or community service ranked high in the interest of police recruits.* Our impression is that young men go into police work with at least a moderate community-service orientation. Policemen vary, of course, in the extent to which they view community and peacekeeping activities as a positive role expectation for their work. In the course of our studies in Miami, we spoke with policemen who felt that this was an important factor in their decision to go into police work, and with others to whom it was of relatively little importance. Nevertheless, beginning officers to whom this aspect of the job is completely distasteful are rare.

By and large, the policemen we observed tend to be somewhat suspicious and cynical, as Rhead found, but not to a degree that could be called paranoid. They are assertive, have a high level of physical energy, and are restless. With regard to the latter, many officers talked about their

*Watson's findings are mixed in this regard. Social service aspects of the job do not rank high in his questionnaire about motives for joining the force, but his survey revealed that 86 per cent *disagreed* with the statement, "Good police work requires that officers concern themselves with the consequence of crime and not with its roots or causes."¹¹ I would take this as a sign of social and community concern.

8. Robert Mills, "Use of Diagnostic Small Groups in Police Recruitment, Selection, and Training," *Journal of Criminal Law, Criminology, and Police Science*, Vol. 60, No. 2 (1969), p. 240.

9. Nelson A. Watson and James W. Sterling, *Police and Their Opinions* (Washington, D. C.: International Association of Chiefs of Police, 1969), p. 9.

10. Clifton Rhead and others, "The Psychological Assessment of Police Candidates," *American Journal of Psychiatry*, Vol. 124 (1968), pp. 1575-1580. Copyright © 1968 by the American Psychiatric Association.

11. Nelson A. Watson and James W. Sterling, *op. cit.*, p. 63.

lifelong need to discharge a lot of energy. Some liked to drive fast, often commuting long distances at high speeds; some found an outlet on the golf course; others simply described a ceaseless muscular restlessness.

Closely related to restlessness is what may be called "stimulus hunger." That is, policemen are not introspective; rather, they look to the environment for perceptual stimulation in order to maintain alertness and optimal functioning. For this reason, nearly all policemen we talked with hate routine. Many said their chief motive for joining the force was that police work offers constantly new and unpredictable stimuli, situations, and problems. The thought of being confined indoors and doing repetitive work was extremely distasteful.*

The policeman is ambivalent about authority. Though proud of his uniform and badge, he does not want command to intrude into his territory. This ambivalence is intimately tied to a specific police-role conflict, and will be dealt with in detail later in this chapter.

We did not find any consistent abnormal psychological pattern among the policemen or cadets. Several of the officers we talked with had been preoccupied in childhood with being physically undersized, and several others had a history of impulsive and mildly antisocial behavior during adolescence. (One, for example, gave a history of repetitive window breaking, speeding violations, and fighting a good deal during adolescence.) In comparing our psychological test results in Miami with those of Matarazzo, we find that in general the results are the same, though the Miami police cadets tend slightly more toward a "normal" (or at least average) personality profile than those in Portland. Both groups show some elevations in the scales (MMPI) which indicate a need for activity and also a need for the discharge of impulses. The amount of this deviation is not abnormal, but seems to confirm our direct observations that policemen are highly energetic, aggressive people. Thus, Miami policemen as a group display certain personality patterns that are not in themselves abnormal but which, under the pressures of role conflicts described later, could (and sometimes do) result in rigid, paranoid, and impulsive behavior.

What is it, then, that a young man of this type is looking for when he decides to go into police work? In response to his aggressiveness and restlessness, for example, he seeks a chance for action and an opportunity for muscular activity, and he anticipates that police work will satisfy these needs. Stimulus hunger can be harnessed into the police function of

*The most recent television recruitment ads for the Washington police force stress that policemen work outdoors and are not subject to a day-to-day routine.

scanning the environment in order to prevent trouble. Police work also promises an outlet for his healthy suspiciousness and cynicism. (Someone who is naively accepting would probably make a very bad policeman.) Impulsivity can also be sublimated in police work—sublimated in the sense that impulsivity can be molded and matured into decisiveness, a highly prized quality among police. If a man has had conflicts over small stature, they can be resolved by the prestige and authority of wearing a uniform and carrying a weapon. Though we have not gathered any data which allows us to speculate as to whether police service gratifies unmet sexual needs or conflicts, it was our observation that policemen are seen as desirable sexual objects by many young women. Police speak of the existence of “cop-chasing broads” who are said to be ready, willing, and able to engage in sexual activities on or off duty—preferably the former.

Thus, the recruit brings certain personality traits, unfixed and in flux to his job. The optimal outcome of this occurs when, as Rhead puts it, “the ego of the successful police officer utilizes these traits in the service of normal day-to-day relationships.

Police “Professionalism” and Training

It is the psychological task of the cadet to synthesize the personality trends just described with the multiple and sometimes inconsistent roles expected of him as a policeman, and to forge all this into a work identity that we would call “professional.” Since much of the following discussion hinges on the obstacles to accomplishing this, it would seem well to pause for a moment to clarify what is implied by “police professionalism.”

James Q. Wilson follows Everett Hughes in noting that one characteristic of all professionals is that “they handle on a routine basis what to others are emergencies.” He also notes that professionals are characterized by the exercise of “wide discretion alone and with respect to matters of the greatest importance.”¹² Police certainly do this. But, he goes on,

The right to handle emergency situations, to be privy to “guilty information,” and to make decisions involving questions of life and death or honor and dishonor is usually . . . conferred by an organized profession. The profession certifies that the member has acquired by *education* certain information and by *apprenticeship* certain arts and skills that render him competent to perform these functions and that he is willing to subject himself to the code of ethics and sense of duty of his colleagues. (Italics added.)¹³

12. James Q. Wilson, *Varieties of Police Behavior* (Cambridge, Mass.: Harvard University Press, 1968), pp. 24, 29.

13. *Ibid.*, pp. 29-30.

Wilson notes that these criteria are not met in policing.

Niederhoffer lists nine points that characterize professions generally: high standards of admission; a special body of knowledge and theory; altruism and dedication to the service ideal; a lengthy period of training for candidates; a code of ethics; licensing of members; autonomous control; pride of the members in their profession; and publicly recognized status and prestige.¹⁴ Once again, police work, by and large, does not meet these criteria.

Thus, there is general agreement that a professional is someone who achieves the privilege of exercising discretion within his field of competence only through discipline, training, and apprenticeship. He must subject himself to the discipline of learning the technical principles of the profession as well as to the discipline inherent in his organizational structure. In terms of its requirements, policing is a profession, but police training generally falls very far short of coming within such a definition.

Training programs for police recruits vary enormously. Charles B. Saunders, citing a study by George W. O’Conner, notes that “less than 15 per cent of all agencies surveyed by IACP [International Association of Chiefs of Police] in 1965 provided immediate training for recruits; about half provided it ‘as soon as possible,’ within the first year.”¹⁵ According to the President’s Commission on Law Enforcement and the Administration of Justice,

It remains doubtful whether even the majority of them [i.e., training programs] provide recruits with an ample understanding of the police task. For example, very few of the training programs . . . provide course material on the history of law enforcement, the role of police in modern society, or the need for discretion in law enforcement Current training programs, for the most part, prepare an officer to perform police work mechanically, but do not prepare him to understand his community, the police role, or the imperfections of the criminal justice system.¹⁶

Saunders adds, “Much of the training is poorly presented by unqualified instructors; often it is irrelevant to the realities of police work and lacking in essential background information on the principles of law enforce-

14. Arthur Niederhoffer, *op. cit.*, pp. 18-19.

15. Charles B. Saunders, *Upgrading the American Police* (Washington, D. C.: Brookings Institution, 1970), p. 122.

16. U.S. President’s Commission on Law Enforcement and the Administration of Justice, *Task Force Report: The Police* (Washington, D. C.: U.S. Government Printing Office) 1967, p. 138.

ment and the police role in the community.¹⁷ The result, says Niederhoffer, is that,

The new patrolman must resolve the dilemma of choosing between the professional ideal of police work he has learned at the academy and the pragmatic precinct approach. In the academy, where professionalism is accented, the orientation is toward that of the social sciences as opposed to the lock-them-up philosophy, but in the precinct the patrolman is measured by his arrest record. Thus, the new man is needled when he shows signs of diffidence in arresting or asserting his authority. Over and over again, well-meaning old timers reiterate, "Ya gotta be tough kid, or you'll never last."¹⁸

The police academy in Miami has not per se been a subject of our investigations. But based on its subsequent effect on police function there, and on the literature reviewed above, we would conclude that while academies may teach much that is technically valuable, they by and large do little but provide a pause or hiatus in the development of the work identity of the policeman. Certainly, nothing indicates that recruit training anticipates or helps resolve the impending work-identity crisis.

Police Role Conflicts

We will now look at how role conflict shapes the identity of the young policeman as he tries to perform six different police roles.¹⁹ Three of these roles in particular—the three generally accepted roles of peacekeeping (or maintaining order), crime fighting, and community service—are the sources of the policeman's most difficult conflicts. In addition to these three historically defined roles, policemen also function in paramilitary, quasi-judicial, and possibly establishment-protective capacities; the conflicts and ambiguities inherent in these roles are discussed later.

The first role of the police, legally sanctioned since the origins of policing in England, has been the preservation of the peace. James S. Campbell defines the peacekeeping role this way, "This . . . duty is a broad and most important mandate which involves the protection of lives and rights ranging from handling street corner brawls to the settlement of violent family disputes. In a word, it means maintaining public safety."²⁰

17. Charles B. Saunders, *op. cit.*, pp. 47-48.

18. Arthur Niederhoffer, *op. cit.*, pp. 52-53. Copyright © 1967 by Arthur Niederhoffer. Reprinted by permission of Doubleday & Company, Inc.

19. For a brief and informative history of policing and the police role, see U.S. President's Commission on Law Enforcement and the Administration of Justice, *op. cit.*, pp. 3-7.

20. James S. Campbell and others, *Law and Order Reconsidered: Report of the Task Force on Law and Law Enforcement to the National Commission on the Causes and Prevention of Violence* (New York: Bantam Books, 1970), p. 286.

Although the police role which first springs to the mind of the average citizen is that of the crime fighter, this is a fairly recent addition to the function of the police. Indeed, Wilson notes that in mid-nineteenth century Boston, apprehension of thieves, robbers, and murderers was not considered to be in the province of the police at all.²¹ Campbell states that "execution of this task involves what is called police operations, and this ranges from preparing stakeouts to arresting suspects."²²

Even more recently, society began to see government generally as serving a variety of social service functions. As part of this, the police officially and gradually assumed the community-service role. Policemen are expected to provide emergency medical, social-welfare, and psychological services, particularly to lower-class citizens and especially on nights and weekends. Wilson notes that "service" functions may vary from "first aid, rescuing cats, helping ladies, and the like."²³

The tensions created by these often conflicting expectations of the function are described thus by Campbell:

Perhaps the most important source of police frustration, and the most severe limitation under which they operate, is the conflicting roles and demands involved in the order-maintenance, community-service, and crime-fighting responsibilities of the police. Here both the individual police officer and the police community as a whole find not only inconsistent public expectations and public reactions, but also inner conflict growing out of the interaction of the policeman's values, customs, and traditions with his intimate experience with the criminal element of the population. The policeman lives on the grinding edge of social conflict, without a well-defined, well-understood notion of what he is supposed to be doing there.²⁴

Invariably, when the author asked a police patrolman in Miami what his job consisted of, he answered in a mechanical way, "Protection of life and property and the preservation of peace." Thus he confirmed what he had been taught in cadet school to be his primary role—that of the peacekeeper. And despite the popular conception of his job, peacekeeping does occupy him most of the time. Wilson notes that service (non-criminal) calls represented the largest single category of calls (37.5 per cent) to the Syracuse police department. They were followed in order of frequency by order-maintenance calls (30.1 per cent). Law-enforcement (crime fighting) calls constituted *only 10.3 per cent of all*

21. James Q. Wilson, *op. cit.*, pp. 142-143.

22. James S. Campbell and others, *op. cit.*, p. 286.

23. James Q. Wilson, *op. cit.*, p. 4.

24. James S. Campbell and others, *op. cit.*, p. 291.

calls.²⁵ Wallach, in a study of a Baltimore police district, demonstrated that:

the bulk of police activity . . . does not relate to the . . . crime control function. The vast majority of police activities . . . do not involve crimes and most of the crime-related contacts are really after-the-fact report-taking from crime victims The vast majority of all resident requests sampled was related to the maintenance of order, the settling of inter-personal disputes, and the need for advice and emergency assistance. Over all, crime related calls constituted *less than one-fourth* of . . . police service calls. (Italics added.)²⁶ In a recent statement Chief Bernard L. Garmire of the Miami Police said, "A . . . sample of all the calls for service in 1970 disclosed that 61 per cent of the calls did not involve either serious or minor crimes; i.e., they were calls in which a citizen wanted some kind of service not related to crime per se. This, incidentally, is a conservative figure."²⁷

Though the community calls mostly for community service and peacekeeping, policemen nevertheless consider the fundamental job, the "real guts" of policing, to be the apprehension of felons. In Wallach's words, "There is a sharp difference between the police emphasis on crime and most of their activities." Police are occupied with peacekeeping—but preoccupied with crime fighting.

The Frustrations of Community Service

Why are policemen least satisfied with those aspects of their work that take up most of their time, yet are most committed to the relatively least time-consuming aspect—crime fighting? As noted earlier in this chapter, most policemen on entering the force either positively wish to fill the peacekeeping and community-service roles, or are at least willing to tolerate them as a major aspect of their work. Once on the job, however, tendencies in this direction are frustrated by a number of factors, beginning with the realization that there are no built-in rewards for good performance as a peacekeeper. Pats on the back, compliments about doing a good job, and other verbal and nonverbal rewards from the peer, supervisory, or command levels rarely follow the successful completion of

*Though the peacekeeping and community service roles differ, they will be discussed together because the frustration of each occurs through the same mechanisms.

25. James Q. Wilson, *op. cit.*, p. 18.

26. Irving A. Wallach, *Police Function in a Negro Community* (McLean, Va.: Research Analysis Corporation, 1970), Vol. 1, p. 6.

27. Bernard L. Garmire, "Operation Impact, A Report Delivered Before the Commission of the City of Miami" (July 22, 1971).

a peacekeeping or community-service activity.*

Furthermore, police officers believe that citizens have little regard for their performance in the area of peacekeeping and community service. Findings from the Miami Police-Community Interaction Program indicate to the contrary that the police do not appreciate the extent to which citizens feel the need to turn to them for aid and assistance. Notwithstanding, however, it is all too obvious that there is often considerable hostility from the community when peacekeeping and community-service functions are being carried out—and this negative response hardly encourages superior community-service performance.

One successful and high-ranking officer with whom I talked stated that community service had been a major motivation for his applying to the police department, but that a few years later he had been glad to get off patrol. "You can't do anything for people who don't respond with at least a little gratitude," he remarked, citing instances where he had tried to be helpful to people in the community only to be rebuffed and regarded as an enemy. One policeman said he had been called in an emergency to see a woman who was in labor. He delivered her baby on the spot—this was a ghetto neighborhood and he was white—and on leaving the apartment house he was pelted with bricks from neighbors.*

Hostile reaction is not confined to the black community. For example, the police chief had assigned a specific community service task to his patrolmen. Each was to make brief verbal contact with one citizen every day simply to establish police presence in a friendly and positive way. Some of the policemen were bitter about this. A typical statement was, "When I went into a store to establish my contact, the owner was rude and wanted me out of there as fast as possible; cops spell trouble, and

*Throughout this chapter the term "supervisory" refers to middle-management personnel in direct supervisory relationship to the patrolman. In Miami, this is roughly equivalent to ranks of sergeant through captain. "Command" refers to members of the department with over-all decision making responsibility and indirect supervisory control. In Miami, this roughly corresponds to ranks of major through chief.

*Stories such as this abound in the department, and one might be tempted to ascribe them to police bigotry. However, if time is spent riding with policemen it can be observed that incidents like this are common. For example, on one call, the police were asked to quiet a noisy, drunken party that was causing a disturbance. When they arrived—again, white policemen in a black neighborhood—a black woman opened the door. It appeared to the gathering crowd as if there were a confrontation developing between a white policeman and a black woman, when in fact the policeman was simply serving the peacekeeping interests of the neighborhood. The crowd became angry; the observer perceived enormous hostility and possible danger to the policeman and himself.

the same bastard who wants me available in thirty seconds when he is robbed throws me the hell out when I'm just trying to be friendly." Because they are so unpleasant and so frequent, such incidents linger on in the mind of the policeman longer than his experiences of cooperation on the part of the citizenry.

Equally frustrating to the police in their roles as peacekeepers and community service agents is the insecurity which community service calls generate. Policemen are untrained to intervene effectively in family fights; they have no medical background; they have few links with the medical, welfare, and social-service resources in the community; and they have no real power to act (short of arrest) in many citizen disputes. Therefore, when asked to perform a community service (often at night or on weekends when other resources are not available), they feel unable to do it properly.

Police leave community-service and peacekeeping calls with no sense of having solved, ended, or "closed out" a problem. This commonly happens when they are called into a citizen dispute—family fights, tenant-landlord squabbles, even fare disputes between taxi drivers and passengers. The police have no real power to settle any of these except by arrest, which is almost always inappropriate. The best they can do is try (often unsuccessfully) to calm the participants down and then leave. After many such calls, the police are left with the feeling that they have accomplished little or nothing, and that they have wasted their time. Patrolmen contrast the frustration experienced after such calls with the "best" type of call in which the police apprehend a felon during an illegal act, arrest him, book him, and put him in jail. This "best" call has a beginning, a middle, and an end and feels like a good job well done.

Frustration with the peacekeeping and community-service roles leads the policeman to be angry with the community he serves—particularly with the black community that calls on him for much of this service. The policeman begins to develop stereotypes that reinforce any pre-existing prejudiced attitudes he has. The officer's peers who have been through the same frustrations, support his tendency to stereotype the citizenry as the "bad guys" and tend to acculturate the young policeman in simplistic thinking about the complexities of the urban scene. Since we observed that this peer-group influence is more important to the patrolman than the attitudes of his supervisors or commanders, the young officer will come to regard peacekeeping and community service as unimportant, unrewarding, frustrating, and not part of real policing.

The Boredom of Patrolling

That aspect of the peacekeeping role causing particular problems is preventive patrol. In terms of time spent, the most substantial job of police patrol in Miami is simply to be the visible presence of the government—a sort of human scarecrow to keep crime and disorder away. The police believe very firmly, and probably with good reason, that their patrolling presence is a powerful peacekeeping and crime-detering force. When policemen of all ranks and years of experience were asked about the usefulness of patrol, the answers were usually along the line of "Who's going to start trouble with a police car coming down the street?" or "We put the fear of God into them," or "They're searching their souls when we're riding around."

In Miami, much of the time is taken up simply in cruising over and over again through an assigned zone of the city. Our study shows that the average number of police-citizen contacts on an eight-hour shift is 4.4. Though we did not time the duration of contacts, it is unlikely that they averaged an hour each; but even if they did average an hour, then 3.6 hours of each eight-hour shift (about 43 per cent of the time) is taken up with simply cruising. That is a conservative estimate.

As a result, the patrolman, particularly at night, is subjected to severe boredom and lack of sensory stimulation. Policemen have a number of ways of coping with this. Some of them periodically get out of their assigned zone and race along for a few minutes on a superhighway. Some, I have been told (but for obvious reasons did not observe), look for women and engage in sexual intercourse. Some sleep. If one isn't in a two-man car with a partner to talk to, other more common devices for combatting boredom are stopping to chat with other patrolmen or backing up a neighboring patrol car sent on a call. Some policemen endeavor to "look for action" by self-initiated police-citizen contacts and investigations. In our study, the frequency of police-citizen contacts initiated by patrolmen was at its peak from two to four a.m., when boredom and sensory deprivation were at their most intense. (In the ghetto, however, self-initiated contacts generally are avoided, at least by white policemen, because the citizens are feared and the streets are viewed as dangerous and hostile.)

When these devices have all been exhausted, the policeman still spends a good deal of his time simply riding around, scanning the same city blocks hour after hour and day after day. Many policemen spoke of how tiring and enervating this experience is. After a dull night patrol, policemen reported severe fatigue and insomnia.

Under these conditions, psychological regression is apt to take place.* Heron cites a study done by Hebb in which students subjected to sensory deprivation develop fears of ghosts, irritability, inability to control the contents of their minds, childish behavior, mood swings, and at times, hallucinations.²⁹ The findings of John Zubek and his associates are similar, and he also noted a tendency in his subjects to brooding and dwelling on imaginary injustices.³⁰ Because of these same effects, the boredom encountered on preventive patrol has an important effect on the outcome of the identity crisis of the policeman. We have seen how his tendencies toward the community-service and peacekeeping roles have been frustrated by other factors; boredom meanwhile heightens his tendencies to suspicion and cynicism. Periods of fantasy engaged in during boring, uneventful patrols sensitize the policeman to the prejudices preached by some of his peers and supervisors. The negative interchanges between himself and minority-group citizens (and by the nature of his work most of his interchanges are negative) are mulled over again and again while he rides around with nothing else to do. He may begin, like Hebb's subjects, to fear ghosts, but his ghosts are black. He loses some of his intellectual capacity to discriminate between those black citizens who turn to him for assistance and protection and those who flaunt his authority and break the law. He becomes more susceptible to the view that blacks are "the cause of 99 per cent of the crime around here."*

Thus, fantasy, amplification of paranoid thoughts, and stereotyping during patrol lead to further downgrading of the peacekeeping and community-service aspects of policing and to increased need for the action and stimulus of crime fighting. This is not to suggest that boredom is the sole or even sufficient explanation for police prejudice. Still, our observations indicate that the boredom of patrol is one important factor in the shaping of the young patrolman's identity.

*In Miami, the situation is heightened by the presence of the Cuban minority. Cubans represent about 30 per cent of the population of Miami. They are seen by the police as good, law-abiding, respectful, and industrious; this serves further to heighten the police stereotype of the black community as the reverse of all of these things.

*Recent studies by Philip Solomon and Susan T. Kleeman have emphasized the difficulties of interpreting findings in conditions of sensory deprivation.²⁸ The ideas that follow should therefore be read as questions raised rather than as final answers given.

28. Philip Solomon and Susan T. Kleeman, "Sensory Deprivation," *American Journal of Psychiatry*, Vol. 127 (1971), pp. 122-123.

29. Woodburn Heron, "The Pathology of Boredom," *Scientific American*, Vol. 196 (1957), p. 52.

30. John Zubek and others, "Perceptual Changes After Prolonged Sensory Isolation," *Canadian Journal of Psychiatry*, Vol. 15 (1961), p. 83.

The type of supervisory personnel with whom the police officer comes in contact will also be of great importance. Those who have successfully shaped their own professional identities will help the recruit do the same; those who settle their own identity conflicts poorly will have the opposite influence. I observed one situation in which a senior officer's cool manner in dispersing a crowd clearly served as a role model for his young partner, who began imitating this behavior. In contrast, an experienced officer who repeatedly provoked citizens into quarrels influenced his rookie partner to do the same.

The upper levels of command have less influence on the behavior of the patrolman on the street than his peer group and immediate supervisors. Command in Miami holds a balanced view between the law-enforcement, order-maintenance, and community-service functions of the police, taking the position that each is essential to the other and emphasizing discipline, professionalism, and the importance of centralized command. This is a somewhat complex philosophy, and furthermore its source is so remote that the patrolman finds difficulty in identifying with it in his struggle to master his role conflicts.

The Lure of Crime Fighting

Eventually—usually within a year—the crime-fighting role becomes central to the policeman's view of his work. The apprehension of the felon becomes a major source of gratification and excitement to the policeman. William A. Westley observes that "the apprehension and conviction of the felon is, for the policeman, the essence of police work. It has career implications and it is a major source of justification for the existence of the police before a critical and often hostile public . . . The 'good pinch' is elevated to a major end in the conduct of the policeman."³¹

The need to fill the crime-fighter role can be carried to great lengths. A burglary-in-progress call on the radio will draw large numbers of patrol cars in addition to those directly ordered to the scene. The police come partly to help, but also partly to participate in a "good pinch." One night, I rode with a police officer who was becoming more and more restless as the uneventful night wore on. Near the end of the shift, a clearly drunken man raised his hand to hail us; I was sure he mistook the police car for a taxi cab. The officer in the patrol car jumped out, grabbed the man, and told him he was going to arrest him. When the man protested, the officer threw him roughly in the back seat, got into

31. William A. Westley, "Violence and the Police," *American Journal of Sociology*, Vol. 59 (1953). Reprinted by permission of the University of Chicago Press.

the car, and explained to me that the man had made a threatening and obscene gesture at him and was guilty of public drunkenness and resisting arrest. The policeman was excited and satisfied by his "crime-fighting" activity. He needed to get it out of his system before the end of his tour of duty. On another occasion a woman complained of a purse-snatching. The two policemen involved repeatedly prodded her to say that she had offered physical resistance and had been assaulted during the commission of this crime. When asked why they had done this, they replied that if there were physical combat, the crime would be elevated to the status of a robbery. Their pursuit of the criminal thus would be more exciting and more important.

But even the coveted crime-fighter role is filled with frustration and disappointment for the policeman. He may think of himself primarily as a crime fighter, but he does little of it, and he views that little as relatively ineffective. The patrolman can be active only in the apprehension of the criminal during the act. If a felony has already been committed, all he can do is take statements of victims and witnesses. The felon is later apprehended, if at all, by the detective division. And if a policeman *does* catch a felon, he feels hamstrung in the pursuit, apprehension, and jailing of the criminal by recent civil-rights decisions of the courts. Later it may be that he feels further frustrated by postponement, leniency, or acquittal at trial.

A specific function of the crime-fighting role—record-keeping—is particularly onerous. On the one hand, the police believe that by keeping meticulous records, the department builds up enough data to apprehend more criminals. On the other hand, policemen are not adept at record-keeping. It is a difficult and fatiguing task for them. Our statistics show that the greatest switch in categories of calls from precall signal to final was made *into* those categories that require no reports to be written. Watson found that "too much paper work" ranked first among job problems for policemen.³²

Individual Versus Team Player

Another conflict for the policeman arises from being part of a paramilitary and authoritarian organization. He carries a weapon, wears a uniform, and advances with military rank (sergeant, lieutenant, etc.). This implies that policing involves commitment to a chain of command, submission to authority, and capacity to function as part of a well-disciplined team. The reality is that policeman have a highly ambivalent

attitude toward command and authority, because the military role conflicts with another, antimilitary, police identity—the policeman's identification with the gunslinging marshall of the Old West, maintaining law and order in his own territory, alone and unassisted. In further contrast to the military, where the commitment of major forces can only be made by command, a single patrolman acting alone can commit an entire police force to an action before the chief knows what has happened.³³

The conflict between the individualistic, gunslinging marshall and the group or team player is understandable. The patrolman must be intimately familiar with his particular zone of the city so that he can scan the environment for minor changes that indicate trouble. Police work also requires that rapid decisions be made in the field without constant reference to supervisors through the radio. In such a situation, it becomes difficult to distinguish useful autonomy from unwillingness to accept discipline. "When we're out there, we're on our own," patrolmen often say, or "no one else understands or knows what's going on." Or "every situation is separate and different." In line with this, Watson found that only 50 per cent of policemen agreed with the statement, "The good policeman is one who gives his commanding officer unquestioning obedience."³⁴

When I was riding with patrolmen, they were often resentful when word came via the radio that the sector supervisor was on his way. This attitude was most prevalent in the patrol section. In the tactical squad, which is more concerned with apprehension of felons and is not anchored geographically to a particular sector of the city, discipline and submission to command were more apparent and less ambivalent.

Thus far I have discussed authority in terms of the patrolman and supervisory personnel, but the feeling about command's authority is also ambivalent. Some Miami patrolmen idealized the previous police chief who would "back up his men no matter what they did." Translated, that meant he would not discipline them. Under that kind of regime, the department had encouraged the lone-gunslinger identity of its men. In contrast, the current police chief made it clear that his men would need to be more responsive to command than they ever had been in the past. Many patrolmen have not accepted this.

Despite the policeman's ambivalence, more sophisticated communications and computer systems will inevitably bring command closer to the man on the street. For example, when I first began working with the

33. Keith Bergstrom, personal communication.

34. Nelson A. Watson and James W. Sterling, *op. cit.*, p. 73.

Miami police, radios in patrol cars had just been augmented by individually carried radios. This meant that at no time would a patrolman be out of touch with the station. Though this did not immediately bring the men under tighter command influence, such an outcome is only a matter of time. In addition, computer analysis of patterns of criminal activity will result in more centralized, higher-level decisions about where men are to be deployed and for what specific purposes.* This is hardly an atmosphere congenial to a lone gunslinger.

The Quasi-Judicial Role of the Policeman

Policemen cannot enforce all the laws all the time even if they tried, nor does anyone really expect them to do so.³⁵ However, there exists no social consensus about which laws to enforce, against which violators, and under what conditions. Prominent examples are laws concerning gambling, alcoholism, drug use, adult sexual behavior, and minor traffic offenses. There is also no clear understanding about how much discretion policemen should (or do) have.

The Miami police see the misdemeanor laws as their main discretionary lever. Misdemeanors are not viewed by the police as real breaches of the law, to be enforced as such. Rather, the police see misdemeanor violations as giving them enough discretion to investigate citizens whom they feel are suspicious. Policemen call this "checking someone out." Over and over again I heard the remark, "If you follow anybody for three minutes, he's going to break some kind of law, and then you can check him out." Examples of this were legion. One officer stopped a car going just a few miles over the limit, not because it was speeding, but because he suspected it might be stolen. Another followed a car for minor speeding because it contained two white girls driving through a black neighborhood, and the officer wondered whether they were involved in prostitution or drug traffic. Another asked women in a bar for identification, ostensibly to make sure they were of age, but actually so that he could run a radio check on them for prostitution or other illegal activities.

Warning citizens about breaches of misdemeanor laws are also viewed by the police as a method of maintaining order because somebody who has been so warned will "have the fear of God in him" when he thinks about committing a felony.

*It should be noted also that the policeman is required increasingly to respond to civil disorders, which are best handled when police operate as a well-disciplined team responsive to tight control.

35. James Q. Wilson, *op. cit.*, pp. 281-282.

This discretionary role, however, has not been explicitly sanctioned by society (nor even by command within the department). Since the police lack guidelines for the exercise of their discretionary function, citizens question the criteria on which they do exercise it. Citizens stopped for checking out purposes complain of harassment and feel that skin color, quality of clothes, make of car, and "respectability"—i.e., social class—rather than wrongdoing, determine whether a citizen will attract the attention of the police. Once again, the policeman is in a bind, and the bind relates to an essential component of his role. He is expected to function in a discretionary, quasi-judicial role, but this role is not even ill-defined—it is not defined at all.

The Police and the Establishment

Finally, the police role with regard to the established order is unclear. Are policemen the disinterested enforcement arm of an impartial judicial system? Or is the police function, as suggested by Joseph Lowman, "to support and enforce the interest of the dominant, political, social, and economic interests of the town, and only incidentally to enforce the law?"³⁶ One policeman with whom I rode was instructed to drive through a walled, barricaded, and guarded area, one of the wealthiest neighborhoods in town, twice during each of his patrols. This seemed unnecessary—he had never seen or heard of a disturbance there—but it protected the established order from intruders. We observed differences in police behavior toward poor people and blacks compared to their attitude toward white and upper-class citizens. This suggests that one role that they often fill is the protection of the established order, though this conflicts with the stated ideal of professionalism and impartiality.

36. Arthur Niederhoffer, *op. cit.*, p. 12.

Conclusions and Policy Implications

by James Q. Wilson

The patrolman, in the discharge of his most important duties, exercises discretion necessarily, owing in part to his role in the management of conflict and in part to his role in the suppression of crime. In managing conflict, his task is to maintain order under circumstances such that the participants and the observer are likely to disagree as to what constitutes a reasonable and fair settlement and he is likely to be aware of hostility, alert to the possibility of violence, and uncertain that the authority symbolized by his badge and uniform will be sufficient for him to take control of the situation. In suppressing crime, his task is to judge the likely future behavior of persons on the basis of their appearance and attitude and to deal with those he deems "suspicious" under the color of laws that either say nothing about his authority to question and search short of making an arrest or give him ambiguous or controversial powers.

In any particular case, the patrolman may act improperly by abusing or exceeding his authority, making arrests or street stops on the basis of personal prejudice or ill-temper, or handling a situation differently from the way the administrator or mayor might handle it. But to say that in a given case the observer or the community could have prescribed a better course of action is not to say that a better course of action, applicable to all or most situations, could be prescribed generally and in advance. Put another way, the possibility of deciding in a particular instance that the police behaved wrongly does not mean that one can formulate a meaningful policy for how the police should behave in all cases.

The problems created by the exercise of necessary discretion are least in communities that have widely shared values as to what constitutes an appropriate level of order and what kind of person or form of behavior is an empirically sound predictor of criminal intentions; the problems are greatest in cities deeply divided along lines of class and race.

Though the police administrator, and thus the city government, cannot

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prescribe in advance the correct course of action for handling order maintenance or crime suppression situations, this does not mean that their actions and policies have no effect on the patrolman's behavior. They have, but that effect is gross, imprecise, and hard to predict—they shape the over-all style or strategy of the police but they cannot direct or guide police behavior in the concrete case. Or, more accurately, such guidance as the policies provide is more a list of things *not* to do rather than a statement of what the office *should* do. Negative policies, of course, have their effect. Historically, police departments have changed partly because patrolmen have been increasingly constrained by departmental rules to avoid certain actions they once regarded as natural. These rules and understandings are the product of the changing views of administrators, the rapid spread of that form of government (nonpartisan, "professional" city management) that is supportive of the legalistic police style, and the particular interventions of specific political groups seeking to change police conduct toward them. The differences between certain southern and northern police departments have been due, in the past at least, to the exclusion of Negroes from political participation in the southern communities and thus to the inability of Negroes to compel the police to avoid certain anti-Negro actions.

But there are at least two limits to the value of negative policies. First, they leave untouched a large area of necessary discretion and, second, they are perceived by the officers as irrelevant and unhelpful restrictions—as rules that "tell us what we shouldn't do" and thus "give the brass plenty of rope with which to hang us," but that "don't tell us what we *should* do." Precise, positive guidance is, as we have seen, made impossible by the nature of the situation, even though the patrolman's desire for positive policies probably increases with the number of restrictions placed on him. And such policies as exist are hard to implement. For example, an ideal policy for patrolling the streets of a low-income Negro area would be to leave alone persons "known" to be law-abiding and to question or investigate persons who are acting suspiciously. It is difficult for a well-intentioned and conscientious observer to make such distinctions; it is almost impossible for an organization to get hundreds or thousands of members to make them and make them consistently and in the same way. Thus, patrolmen will alternate between periods when they believe "The brass wants us to leave them alone" (leading to complaints of neglect and underenforcement) and periods when they believe "The brass wants us to crack down" (leading to complaints of "harassment").

Because the control the organization has over the behavior of its

members is imprecise, efforts by a social scientist to explain that behavior are likely to be imperfect. The sources of discretion can be described, the key elements of the situation, from the patrolman's point of view, can be identified, the outer limits to discretion that are set by police policy or style can be suggested, but how officers routinely handle their discretion in the least visible situations can only be stated and explained in approximate terms. Furthermore, many possible explanations have not been considered here. Middle-class officers may systematically behave differently from working-class ones; older officers differently from younger ones; west coast officers differently from east coast ones. About these and other matters, this study could provide little information.

And from the point of view of the police administrator or the city official, it is by no means clear that such other explanatory variables would have much interest. The mayor cannot move his city from the west coast to the east coast, replace younger officers with older ones, or even (in the short run) do much about the class background of his recruits. He may, of course, make a determined effort to attract "better men" to his force by raising salaries, engaging nationwide recruiting campaigns, and sending his men to, or getting them from, college. To a limited degree and in some cities, these efforts have substantially changed the class and educational attributes of the force (Oakland is a good example). But it would be a mistake to rely very heavily on such methods. For one thing, it is not yet clear exactly in what ways, if at all, middle-class, college-educated men make better police officers. For another, it is most unlikely that many such persons are ever going to find a police career very attractive—especially in the big cities, where police work is much of the time a boring, monotonous, messy routine occasionally interrupted by intense hostility, physical danger, and social conflict. Finally, even if getting such men were a good idea and some were interested, we could not expect enough of them to be available to fill even a fraction of the more than 400 000 police positions in the country or even a large fraction of the 100,000 positions in cities of over 250,000 population. According to the President's Commission, most departments are under-strength today even though the vast majority require nothing more of their recruits than a high school diploma.

In short, police administrators and mayors are going to have to work with the human material they now have, or something very like it. And this means that the available ways of getting the police officer to "do his duty," when what that duty requires is far from clear, will be mostly confined to organizational and legal factors. Here, there are two com-

peting values—bureaucracy and professionalism. For some purposes or to some people, the problem with the police is that they don't follow the rules. They question when they shouldn't, search when they mustn't, arrest when they have no grounds. The remedy, therefore, is to bureaucratize, or "judicialize,"¹ the police: make them subject to more and more explicit rules, have these rules reviewed by the courts or by other nonpolice agencies, and reduce their discretion wherever possible. Lawyers, for whom "clear standards" is always a favorite remedy for administrative discretion, are especially inclined to take this approach.

Police administrators have taken it also, though for very different reasons. The general drift in police management has been to convert, wherever possible, matters of order maintenance into matters of law enforcement, to substitute the legalistic for the watchman style, and to multiply the rules under which the patrolman operates. Partly this drift has been a consequence of political reform: reduce corruption by reducing the amount of discretion the officer has to sell. Partly it has been to give the appearance of efficiency and vigor—make as many arrests as possible with as few officers as possible and evaluate the individual officer by his arrest record. And partly it has been in order to achieve law enforcement objectives—vigorous police activity, a high arrest rate, and intensive surveillance over suspicious street activity will, in this view, deter criminals, apprehend fugitives, locate stolen goods and other contraband, and even reduce auto accidents.

Other persons, and in different circumstances, some of the same lawyers and administrators mentioned above, want the police officer to perform as a "professional" who has a service function. He should be freed from "objective" evaluation on the basis of arrest records and should emphasize creating and maintaining "good community relations." Training and supervision, this argument goes, should encourage the patrolman to take a broad view of his role, exercise initiative and independence, appreciate the discretion he necessarily possesses, and learn his beat and work with the people on it. Traditionally, this is exactly what the patrolman did—he tried to keep a "quiet beat" and to "handle" such situations as they arose. His traditional role was changed for various reasons—riots and civil disorders led him to be mobilized and armed more as a combat than a beat patrol force. Crime waves at the end of the nineteenth century and again in the period from the First World War through the depression led to a public demand that law enforcement be emphasized,

1. Cf. Herfert L. Packer, "Two Models of the Criminal Process," *University of Pennsylvania Law Review*, 113 (November 1964), pp. 1-68.

and Prohibition and other restrictions on the sale of liquor brought him into an adversary relationship with his beat² (for the first time, he was supposed to do things many citizens did not want done) and created the opportunity for large-scale corruption. Public disagreement as to the legitimate uses of discretion and public concern over the officer's capacity to use it honestly and without favoritism led to its progressive curtailment.

The patrolman is neither a bureaucrat nor a professional, but a member of a *craft*. As with most crafts, his has no body of generalized, written knowledge nor a set of detailed prescriptions as to how to behave—it has, in short, neither theory nor rules. Learning in the craft is by apprenticeship, but on the job and not in the academy. The principal group from which the apprentice wins (or fails to win) respect are his colleagues on the job, not fellow members of a discipline or attentive supervisors. And the members of the craft, conscious of having a special skill or task, think of themselves as set apart from society, possessors of an art that can be learned only by experience, and in need of restrictions on entry into their occupation. But unlike other members of a craft—carpenters, for example, or newspapermen—the police work in an apprehensive or hostile environment producing a service the value of which is not easily judged.

An attempt to change a craft into a bureaucracy will be perceived by the members as a failure of confidence and a withdrawal of support and thus strongly resisted; efforts to change it into a profession will be seen as irrelevant and thus largely ignored.

Faced with these difficulties, it is tempting to devise ways whereby the police can be bureaucratized for some purposes, professionalized for others, and left alone for still others. Perhaps the leniency and neighborhood orientation of old-style departments can be combined with the honesty and equity of the new, in order to have the best of both worlds and the worst of neither. If this means simply putting the "old-time Irish cop" into a department where careful attention is paid to warning suspects of their rights and assigning patrolmen by computer, it does not seem very plausible. If it means that a department should be honest but not zealous, fair but not "harassing," there is something to be said for it but a note of caution is required. This study has suggested, but obviously not proved, that *there may be a trade-off between leniency and equity*. While a legalistic department, by being more "bureaucratic" (that is rule-bound) treats persons more evenly it also tends to reward officers for

2. See, for example, Roger Lane, *Policing the City: Boston, 1822-1885* (Cambridge, Mass.: Harvard University Press, 1967), Chap. 12.

following rules, including legal rules, which stipulate that it is the officer's duty to make an arrest wherever he can.³ A watchman style department will overlook "minor" offenses and events that do not unduly disturb the public peace, but it will treat harshly and sometimes extralegally serious matters, disturbances of the peace, or challenges to police authority, and this treatment is often experienced as brutality or discrimination.

The "friendly cop" who ignores minor misdeeds is often thought to be benevolent, but because he must choose which and whose misdeeds to ignore, he is in some sense discriminatory. The requirements of justice are quite different from those of benevolence: the former enjoin us to treat equals equally, which is to say by rule, and the latter encourage us to be considerate even though a rule must be broken and thus one person given (unfair) consideration over another. Justice can be a duty under all circumstances, but benevolence cannot—if it were, everyone would be impoverished by constant alms giving and the equal protection of the laws would be supplanted by the injustice of compassion. Though benevolence may not logically imply unfairness—one could overlook a certain offense under all circumstances—there is at least an empirical tendency for discrimination to accompany benevolence, so that what is benevolence to the beneficiary becomes malevolence to the neglected.⁴

What some proponents of a return to the service-oriented patrolman have in mind, however, is not hiring benevolent officers, but redistributing authority in the police department so that the patrolmen are to a substantial degree commanded by those whose disorder they must regulate and whose misdeeds they must correct. If it is so difficult to insure police fairness by rule—if, in short, so much must necessarily be left to police judgment—then let us, some say, reduce the scope of police authority or make it more subject to the control of those neighborhoods or groups most likely to experience a sense of injustice. Politics, in the

3. In Oakland, a person might feel himself the victim of the legalistic style if he should be arrested, but once arrested he will become its beneficiary. From personal observation, there is little doubt, in my mind at least, that a suspect is more likely in Oakland than in most of the other eight communities to be charged, booked, and jailed in an orderly manner, without violence, and with due regard for his rights. This was not always the case—reforming the administration of the jail was one of the major objectives of the police chief who came to power in the 1950's.

4. The meaning of benevolence and its relationship to justice has been considered in Adam Smith, *Theory of Moral Sentiments*, 11th ed. (Edinburgh, 1808), Vol. I, Part 2, Section 2; John Stuart Mill, *Utilitarianism* (New York: E. P. Dutton & Co., Everyman's Library, 1951), Chap. V; David Hume, *Enquiries Concerning the Human Understanding and the Principles of Morals* (L. A. Selby-Bigge, editor; Oxford: The Clarendon Press, 1927), pp. 176-182, 304-305.

broad sense of community involvement in policy making, will be used to achieve what administrative rationalization cannot. Adherents of this view propose giving a policy role to neighborhood organizations, developing citizen police patrols partly or wholly independent of the regular department, and utilizing more foot patrolmen under the control of local precinct stations and fewer radio car patrolmen under the direction of central headquarters. Such arguments are directed most often at departments with the legalistic style—the Oakland and Los Angeles police have heard them—perhaps because the rate of Negro involvement with such departments is so high.⁵

The issue involves two competing models of how best to maintain order. One, held by professional police officers, might be called the *institutional*. In this view, the law must be vigorously enforced because to do otherwise would call into question the law itself. Though community and familial norms are the ultimate foundation of public order, the fact of high and rising crime rates shows that such norms are less and less able to serve the function they once performed in a more stable and traditional social system. Indeed, the law must be enforced with special vigor in those areas where community norms appear weakest; failure to do so would penalize law-abiding persons in those areas and inhibit the development of a regard for community norms among the law breakers. Furthermore, high-crime or high-disorder areas offer too many temptations for police officers. Gambling, prostitution, loan sharking, narcotics traffic, and moonshining create possibilities of corruption so great that only the strictest, most centrally directed police work can survive untainted. Finally, whatever frictions may be created on the street by vigorous law enforcement, the crucial threat to personal liberty is a denial of due process in the handling of persons after they have been arrested. A street

5. See Paul Jacobs, "The Los Angeles Police: A Critique," *Atlantic*, 218 (December 1966), pp. 95-101; Byron E. Calame, "Community Patrol," *Wall Street Journal*, August 2, 1967; and President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: The Police* (Washington: Government Printing Office, 1967), pp. 157-158. The idea of "neighborhood patrols" is not new. For many years the Soviet Union has had a system of "People's Patrols" that operates, with millions of volunteers and under Communist party leadership, to perform primarily what I call the order maintenance function. They are locally controlled and charged with maintaining order, combatting petty crime (including drunkenness), enforcing traffic regulations, and similar matters. As Harold J. Berman describes them, "They roam the city in pairs, taking issue with conduct of which they do not approve, such as boisterous parties, wearing of 'Western' clothes, or dancing of 'Western' dance steps . . . They are apt to be rough and discourteous and to exceed their powers." *Justice in the U.S.S.R.: An Interpretation of Soviet Law* (rev. ed.; Cambridge, Mass.: Harvard University Press, 1963), pp. 285-288.

stop inflicts no penalty and should bother only those with something to hide; and arrest, with subsequent detention and the creation of a record, can inflict a penalty and inconvenience the innocent. But insuring due process of law requires administrative regularity, strongly enforced departmental rules, and central authority. These are weakened, and thus regard for the rule of law is weakened, by decentralization. The old precinct station house may be a romantic memory to some, but one should not forget that it was typically there—rather than downtown, where lawyers, reporters, and senior officers were present—that bribery, third-degree interrogations, and prisoner shake-downs were once practiced. Indeed, in an era now past in most cities, the precinct station was a key organizational unit in ward and machine politics, and though such political systems may have acted benevolently toward friends and the party faithful, they were inclined to use the police to harass political enemies, protect the racketeer, and conceal corruption. It is hard enough to run a good police department when it is subject to second-rate politicians in city hall; it would be much harder if it were subject to fourth-rate politicians in the wards and neighborhoods.

Opposed to this is the *communal* model. Because most police work is concerned, not with serious crime, but with regulating public conduct, whatever may be the virtues of centralization and expertise when it comes to catching the murderer or rapist, maintaining order on the streets and handling domestic quarrels require different virtues and accordingly a different organizational pattern. Various neighborhoods and subcultures have their own levels of tolerable disorder; what may appear to be weaker norms are only different norms. Nor are the members of such subcultures a threat to persons in other neighborhoods—police statistics show that almost all disorder, tolerable or intolerable, occurs among persons who are likely to share common norms because they are acquainted or related. Justice is not an absolute; it can be rationed, providing more or less of one kind rather than another to different neighborhoods.⁶ In any case, law enforcement—like any system of compliance—cannot operate effectively without the support and cooperation of those subject to it. In this regard, community norms need not be changed so much as understood, and they are best understood by police officers who are not isolated from them. This requires hiring officers who are Negroes, or Puerto Ricans, or whatever, even if they do not measure up fully to the

6. For an argument that justice can be "rationed" in ways comparable to that by which society rations welfare, service, or education, see Geoffrey C. Hazard, Jr., "Rationing Justice," *Journal of Law and Economics*, 13 (October 1965), pp. 1-10.

standards of professional police departments, and assigning them to Negro or Puerto Rican neighborhoods. But most important, it requires the officers to be controlled by the neighborhood. Though there may be some risk of corruption, this is not the greatest problem we face; or if it is, the real corruption is that practiced by big-league, downtown interests—racketeers, politicians, businessmen—and not by the corner saloon. Machine politics is dead; recreating the neighborhood precinct police will not restore the boss to power. New bases of power are being forged in the neighborhoods to perform, out of community-regarding rather than selfish motives, the functions once performed by the political party. Humanizing the police will be one of these.

In principle, any police style is compatible with the distribution of authority specified by either model. Though the institutional model often displays the legalistic style, it need not—the example of Nassau County suggests how the service style may predominate even in a department where the command function is highly centralized and rules and "professional" training methods abound. And the Albany department is certainly centralized but its leadership does not see fit to adopt the legalistic style. What the proponents of the communal model are, in effect, recommending is that we "suburbanize" the central city—let each neighborhood (usually defined along lines of class and race) determine its own style of law enforcement. This view of the police is in keeping with the recently acquired opinions of certain liberals and radicals that decentralization and "participatory democracy" are among the chief remedies for social problems.

The matter, unfortunately, is not so simple. Though there is a great deal to be said for involving the police more deeply in neighborhood affairs, for choosing more explicitly what police style we prefer, and for providing the patrolman with more guidance in keeping order, it is not clear that redistributing authority over the police is the proper means. For one thing, a central city cannot be fully suburbanized however much we may want to—it is, by definition, *central*, which means that many people from all over the metropolitan area use it for work, governing, and recreation and that, as a result, competing life styles and competing sets of community norms come into frequent and important contact. Necessarily, this generates political pressures to maintain order at the highest level expected by groups who use the city—central locations create demands for the "highest and best" level of order just as they create demands for the highest and best use of land. Some residents may not like having the police try, for that is about all they can do, to main-

tain order at a level demanded by the businessmen, shoppers, theatergoers, students, and public officials who use the central city, but to say they should not try is to take a deliberate decision not to have the area serve the function of a central city, except for those persons who come to the city in search of disorder—prostitution, dirty-book stores, cheap bars, and the like.

Furthermore, many of the deepest social cleavages are within the central city, not between the city and its suburbs. The working-class and lower-middle-class members of certain white ethnic groups who still live in central neighborhoods are the persons who most bitterly resist school and residential integration; by comparison, the upper-middle-class suburbs are usually the areas most willing to accept, admittedly often on a token basis, Negro school children (even to helping pay the cost of bussing them out) and Negro families who might wish to live there. And when such integration is attempted, suburban police forces are rarely used, at least deliberately, to block it. Giving central city neighborhoods, many bitterly apprehensive of and hostile toward adjoining neighborhoods, control over their own neighborhood police would be to risk making the police power an instrument for inter-neighborhood conflict. Proposals for communal police often are based on the tacit assumption that, somehow, only Negroes, and poor Negroes at that, would get control of the police.⁷ In fact, legislation that would give the police to Negroes would, out of political necessity, give it to others as well. The exclusion of Negro residents, school children, and even passers-by that is now accomplished, to a degree, by informal controls and threats of violence could then be accomplished by police harassment, the subtle withdrawal of police protection, or both.

Besides deep racial divisions, there are issues of order maintenance and law enforcement in the central city that are of such emotional and political significance that the police are already under intense political pressure from competing forces seeking to exploit these issues. Allowing them to be governed by neighborhoods could only intensify that pressure, putting the police at the mercy of the rawest emotions, the most demagogic spokesmen, and the most provincial concerns. If the study of urban politics has taught us anything, it is that, except on referenda, and perhaps

7. It is not clear how far the President's Commission meant to go in this regard. It argues for the creation of "neighborhood committees" that would act as a "real participant in policy formation." It seems to have in mind, judging from the context, mainly Negro and Puerto Rican neighborhoods. President's Commission, *The Police*, p. 158.

not even then, "the people" do not govern—organizations, parties, factions, politicians, and groups govern. The people choose among competing leaders and thereby constrain them. Such constraints are hard to maintain even in citywide elections where the interest in local politics is greatest. Even socially heterogeneous big cities often have one-party government, or something very like it. But if the unit of government becomes the neighborhood, interest will become even less (witness the miniscule proportions of persons voting in "poverty neighborhood" elections) and the opportunities for a small, self-serving minority to seize control of the police or the schools will become very great indeed.

When a community is deeply divided and emotionally aroused, the proper governmental policy is not to arm the disputants and let them settle matters among themselves; it is, rather, to raise the level at which decisions will be made to a point sufficiently high so that neither side can prevail by *force majeure* but low enough so that responsible authorities must still listen to both sides. The localistic police forces of small towns and homogeneous suburbs work satisfactorily largely because they need not handle profound social conflicts; little is expected of them except to perform in middle-class areas a service function or in working-class areas a watchman function.

These cautionary remarks, it should be understood, are directed against plans to *disperse the authority* that governs the police; they are not directed at ways to *decentralize the functions* of the police. To decentralize an administrative apparatus is to give its component units greater freedom, within well-defined general policies, to handle local situations in a manner appropriate to local conditions. Decentralization, properly understood, *strengthens* local units; the dispersal of authority, by contrast, weakens them.⁸ Precinct commanders in a decentralized department would have greater freedom of action and more control over their patrolmen; precinct commanders in a dispersed department would surrender that control to whatever constellation of political forces the neighborhood might produce.

Given the difficulties that face a police administrator trying to define a patrolman's duty and induce him to perform it, the case in favor of allowing more such decisions to be made by neighborhood police commanders can at best be a partial and perhaps inconclusive one. Indeed, many police administrators believe the risks of corruption are so great as to outweigh any advantage to be gained in the supervision of the patrol

8. See the excellent discussion of decentralization in Irving Kristol, "Decentralization for What?" *The Public Interest*, no. 11 (Spring, 1968), pp. 17-25.

function. Such risks can be lessened by insuring that the chief has absolute authority over his commanders, unchecked by either local politics, departmental cliques, or restrictive civil service regulations. Even so, the risks cannot be eliminated altogether, but perhaps they can be offset by the advantages of such decentralization.

The central problem of the patrolman, and thus of the police, is to maintain order and to reduce, to the limited extent possible, the opportunities for crime. Neither objective is served by judging men on the basis of their arrest records. Both objectives *may* be served by organizing and supervising the patrolmen so as to increase their capacity to make reliable judgments about the character, motives, intentions, and likely future actions of those whom they must police. The officer's ability to make such judgments is improved by increasing his familiarity with and involvement in the neighborhood he patrols, even to the extent of having him live there. The better he knows his beat, the more he can rely on judgments of character and the less he must rely on objective characteristics (race, apparent social class, age) and empirical generalizations about the relationships between those characteristics and the causes of crime and disorder.

The police supervisor, in turn, would have to judge his patrolmen on the basis of their ability to keep the peace on their beat, and this, like the judgment the patrolman must make about the citizen, is necessarily subjective and dependent on close observation and personal familiarity. Those departments that evaluate officers by "objective" measures (arrests and traffic tickets) work against this ideal; so also do promotional requirements and civil service examinations that reward the officer best able to memorize the penal code or the departmental rule book. Moving away from these conventional standards, like moving away from rigid departmental centralization, creates opportunities for "favoritism" in personnel practices, but such tendencies can be at least partially checked by the willingness of the police administrator to hold his local commanders responsible for keeping the peace in their precincts. If order maintenance is the general standard, then such favoritism as is displayed will be used to a substantial degree to reward officers who can make their superiors "look good" in this regard just as the favoritism that now exists (in recommending men for assignment as traffic specialist or detective, for example) is often used to reward officers who make their superiors look good with respect to law enforcement.

Because often an arrest is not, in the eyes of the police and citizens alike, the best way to cope with real or potential disorder, a department that places proper emphasis on the order maintenance function would

have to create a wider range of options than now exist for handling disorderly situations. Specialized units, at the precinct or departmental level, would have to be created to provide for nonarrest dispositions of family quarrels, neighborhood disputes, rowdy teenagers, and drunken derelicts. The patrolman, who now must either pacify the disputants himself, call for the wagon, or do nothing, should be able to refer the parties involved to specialized services (a family service unit, an alcoholic detoxification center, a juvenile bureau, a neighborhood legal office) or, in serious matters, call in the assistance of officers trained in riot prevention and suppression.

Law enforcement might, in such a department, continue to be performed under centralized command. This would be especially necessary for those crimes (gambling and narcotics) where the possibilities of corruption are the greatest; it would also be desirable for crimes more easily solved through specialization. Because law enforcement involves innocent victims rather than parties to a dispute and because an arrest is almost always the appropriate police response, detailed knowledge of neighborhoods would be less important than well-cultivated networks of informants among the criminal elements.

It makes little sense for a department that takes seriously its order maintenance function to reward officers who perform it well by making them law enforcement specialists. At present the principal rewards are promotion, which takes a patrolman off the street, or reassignment to a detective or specialized unit, which takes him out of order maintenance altogether; not surprisingly, patrolmen wanting more pay or status tend to do those things (that is, excel at law enforcement) that will earn them those rewards. The administrator, accordingly, must enable patrolmen to rise in pay and rank *without* abandoning their function.

A decentralized, neighborhood-oriented, order maintenance patrol force requires central command to insure a reasonably common definition of appropriate order, a reduction in the opportunities for corruption and favoritism, and the protection of the civil liberties of suspects and witnesses. Equity should be an important constraint on order maintenance as well as on law enforcement, and equity requires bureaucratic regularity. That bureaucratic regularity, which insists that people be treated as if they were legally equal, and order maintenance, which assumes that people must be handled in full awareness of their moral differences, are competing values is obvious; that having an organization alert to such competing values will produce strains is entirely clear; but all human values are to some degree in competition and most organizations exist to manage that strain by striking reasonable balances.

Some thoughtful observers of police practice have suggested that the strain can be reduced if the patrolmen are given clearer substantive guides to the use of their discretion. To the extent this is possible, it is of course desirable.⁹ At the very least, certain obvious steps can be taken once the fiction that the police have no discretion is dropped.¹⁰ Some attention can be given, and is in fact being given, to how the police should stop persons on the street, what language they may and may not employ, what warning must be given, and the like. Once it is admitted that the police spend more time settling family fights than they do chasing bank robbers, then more time in police training programs can be devoted to the family fight problem (it should offer opportunities for some rather vivid role-playing exercises) and less to the bank robber problem.

But there are limits on how useful such policy guidance can be. For one thing, it is very hard to do more than list "factors to be considered"

9. The Task Force on the Police of the President's Commission urged departments to "develop and announce police guidelines for exercises of law enforcement discretion." (*The Police*, pp. 21-27). The Commission relied heavily on the view of Professors Frank Remington and Herman Goldstein of the University of Wisconsin Law School. They and others had earlier published defenses of police discretion and arguments for the development of policy guidelines. See Charles D. Breitel, "Controls in Criminal Law Enforcement," *University of Chicago Law Review*, 27 (Spring, 1960), p. 427; Frank J. Remington, "The Role of the Police in Democratic Society," *Journal of Criminal Law, Criminology, and Police Science*, 56 (1965), pp. 361-365; Herman Goldstein, "Police Discretion: The Ideal Versus the Real," *Public Administration Review*, 23 (September 1963), pp. 140-148; and Wayne R. LaFave, *Arrest* (Boston: Little, Brown & Co., 1965), pp. 492-495. In one article Herman Goldstein enumerates the areas in which policy guidelines might be developed. Though many of his suggestions in law enforcement areas seem excellent, he has (not surprisingly) no recommendations for order maintenance cases—here, domestic disturbances—except to call for more research. "Police Policy Formulation: A Proposal for Improving Police Performance," *Michigan Law Review*, 65 (April 1967), pp. 1123-1146.

10. Some authors have argued against the need for police discretion and have urged that a policy of "full enforcement" be followed with legislatures then repealing laws it did not wish to see enforced. Any other procedures, the argument goes, would remove police actions from the possibility of judicial review. (See Joseph Goldstein, "Police Discretion Not to Invoke the Criminal Process: Low-Visibility Decisions in the Administration of Justice," *Yale Law Journal*, 69 (March 1960), pp. 543-594.) Whatever the merits of this view with respect to law enforcement matters, it is hardly applicable to order maintenance situations. To argue that we should have "full enforcement" of the disorderly conduct or breach of the peace statutes is to assume that somebody knows what full enforcement requires—that is to say somebody can give an unambiguous definition of "orderly conduct" or "public peace." The debate between Goldstein and his critics (see note 9 above) is an interesting one and especially relevant to laws governing essentially private conduct (such as gambling, the use of addictive and hallucinatory drugs, prostitution, and homosexuality) but it is not relevant to—indeed, it has tended to obscure—the function of the patrolman.

by the police (such as demeanor, gait, manner, time of day, and the like); what is needed is guidance in *how* they are to be considered.¹¹ For another, if the police are too explicit about what they intend to take into account and how, some courts stand ready to throw out any ensuing arrest on the grounds that it was "discriminatory." Though the courts generally do not accept as a defense the claim that "Others have done the same thing and not been arrested," when a police commissioner in Philadelphia announced publicly that he did not have the resources to arrest every violator of a Sunday closing law, one arrest his officers did make was overturned because, the law enforcement policy having been made explicit, the arrest was a denial of the equal protection of the laws.¹²

Under certain circumstances, the race or color of the citizen may be a very important "factor to be considered"—as, for example, constituting reasonable grounds for stopping and questioning a Negro carrying a suitcase late at night in a white neighborhood. Or, to cite an equally plausible case that might *prevent* the arrest of a Negro, a policy could suggest that because it is characteristic of lower-income Negroes and Puerto Ricans to socialize on the streets, arrests for disorderly conduct in such areas should only occur if disturbances are more serious than those that would produce an arrest in a middle-class white neighborhood. The courts have shown themselves extremely sensitive to any policy, explicit or implicit, that seems to make race a relevant factor in invoking legal processes, and it is hard to imagine that any police rules that did so would be sustained.¹³

If the police administrator is to have the freedom and resources to make the changes here suggested, he will have to be supported by public officials who understand that the police should not be evaluated solely or even primarily on the basis of the trend in the rate of serious crime. The police can do relatively little about preventing most common crimes, and those they can help prevent—street crimes—are precisely the ones that require the greatest knowledge of local conditions and persons and the greatest support, in terms of a willingness to report offenses and give information, from the populace. (A community concerned about lowering its crime

11. President's Commission, *The Police*, pp. 38-41.

12. *Bargain City v. Dilworth*, 29 U.S. Law Week 2002 (1960).

13. The police investigated cars parked together in a Negro neighborhood and as a consequence discovered gambling; arrests ensued. The defendants appealed their convictions on the grounds (among others) that the police would ignore cars parked together in a white neighborhood and thus overlook white gambling. A new trial was ordered. See *People v. Harris*, 182 Cal. App. 2d Supp. 837 (1960) and also *People v. Winters*, 171 Cal. App. 2d Supp. 876 (1959).

rates would be well advised to devote its attention and resources to those parts of the criminal justice system, especially the courts and correctional agencies, which, unlike the police, spend most of their time processing—often in the most perfunctory and ineffective manner—persons who repeatedly perpetrate these crimes.) It is by no means clear, however, that the local political system will give the police administrator the support he needs to handle his order maintenance function properly. After all, the current emphasis on law enforcement arose in great part out of political decisions and pressures. It was the Wickersham Commission that, in its 1931 report, concluded that the police should be judged by their ability to prevent major crimes such as bank robberies and burglaries, that they had failed in this task, and that accordingly they should be “taken out of politics” in order to perform this task better. The police have responded to that unreasonable charge in the most reasonable manner—either by suppressing reports on serious crimes in order to make themselves look better or by blaming the courts or correctional agencies for their failure to deal properly with the criminals after their arrest. The rates of certain crimes *are* rising,¹⁴ though the desire of some departments in the past to protect themselves from criticism by suppressing that fact has made the recent increase appear to be greater than it actually is. Now that “crime in the streets” has become a major issue, it is probably too much to expect that public officials, sensitive to this popular concern, will be much inclined to encourage police administrators to do better those things the police *can* do (maintaining order) and to look elsewhere (primarily to the correctional agencies) for help in doing those things that the police cannot do (reducing the incidence of these crimes committed by repeaters).

But even if the politicians were to give the police the proper sort of encouragement, it would be a mistake to expect too much from even the most imaginative redirection of police efforts. That certain changes will enable the police to perform their task better does not mean that they will perform it to everybody's, or anybody's, satisfaction. Order maintenance means managing conflict, and conflict implies disagreement over what should be done, how, and to whom. Conflict is found in all social strata and thus in all strata there will be resentment, often justified, against particular police interventions (or their absence), but in lower-class areas conflict and disorder will be especially common and thus such

14. Trends in most crime rates are difficult to interpret because of reporting errors, but the trend in the murder rate in big cities is known with some accuracy and it has gone up dramatically in these places over the last thirty years. The evidence on this matter is reviewed in some detail in James Q. Wilson, “Violence,” in David Bell, ed., *Toward the Year 2000* (Boston: Houghton, Mifflin, 1968).

resentment will be especially keen. It is hardly surprising that polls show young lower-income Negro males as being deeply distrustful of and bitter about the police; it would be a mistake, however, to assume that race is the decisive factor. No doubt race makes the potentiality for police-citizen hostility greater, but if all Negroes were turned white tomorrow this hostility, only slightly abated, would continue. Throughout history the urban poor have disliked and distrusted the police, and the feeling has been reciprocated; the situation will not change until the poor become middle class, or at least working class, or until society decides to abandon the effort to maintain a common legal code and a level of public order acceptable to middle-class persons.

Some advocates of communal law enforcement seem inclined to defend the model precisely on the grounds that it avoids the “middle-class bias” of the legal code and the moral order. If by “middle-class bias” is meant a concern for the security of person and property and a desire to avoid intrusions into one's privacy and disturbances of one's peace, it is not clear why such a “bias” is a bad thing or, indeed, why it should be called a “bias” at all. (If by middle-class bias is meant a dislike for eccentric dress and manners, that is something else, and perhaps the word “bias” is aptly chosen.) But here is another, and perhaps more important issue. We have had some experience in this country with the notion that different neighborhoods should be allowed to have radically different levels of public order, and the results have not been altogether encouraging. The southern double standard of justice may have contributed to the difficulties we now experience in our large cities. John Dollard in a classic account describes the high level of aggression among poor Negroes in a small southern town in the 1930's.¹⁵ He finds several explanations for it—aggression that cannot be directed against whites is displaced and directed against other Negroes, the weak family structure means that a solution to the problem of sexual jealousy will involve violence to accomplish what familial and community norms cannot, and the degradation of the status of the Negro produces exaggerated efforts to affirm that status in other ways, one of which is a conspicuous display of masculinity and an idealization of personal violence. But among the institutional features of southern life that sustain this is the double standard of justice: “Negro crime” is judged less serious than “white crime,” and the difference is often defended on grounds of high-minded indulgence of “Negro

15. John Dollard, *Coste and Class in a Southern Town* (Garden City: Doubleday Anchor Books, 1957; original edition published in 1937). Chap. XIII.

ways." But the effects may be the very opposite of that intended. As Dollard writes:

The formal machinery of the law takes care of the Negroes' grievances much less adequately than that of the whites, and to a much higher degree the Negro is compelled to make and enforce his own law with other Negroes . . . The result is that the individual Negro is, to a considerable degree, outside the protection of the white law, and must shift for himself. This leads to the frontier psychology . . . [This] condoning of Negro violence . . . may be indulgent in the case of any given Negro, but its effect on the Negro group as a whole is dangerous and destructive . . . So long as the law does not take over the protection of the Negro person he will have to do it himself by violent means.¹⁶

The problem becomes all the more critical with the relative lack of territorial differentiation among Negroes of different classes. Middle-class Negroes, sometimes because of enforced segregation, live close to lower-class Negroes. Though this is slowly changing as the size of all-Negro areas expands, it means that even if one might justify a level of law enforcement appropriate to lower-class culture and different from that provided to the community as a whole, middle-class persons unable to separate themselves physically from the lower class would be victimized in two ways: they would get less police protection than they want and, because black skin tends in the eyes of whites to conceal class differences, they are likely to be treated by the police (mistakenly) in ways not appropriate to their status.

One reason for the increasing complaints of "police harassment" may be that, in the large cities, Negroes are being brought under a single standard of justice; one reason for the complaints of discrimination may be that this process is proceeding unevenly and imperfectly. As the populations of our large cities become, through continued migration, more heavily Negro, more heavily lower income, and more youthful, we can expect these complaints to increase in number and frequency, especially if, as seems likely, organizations competing for leadership in the central cities continue to seek out such issues in order to attract followers.

In sum, the police can cope with their problems but they cannot solve them. If they were expected to do less, they might not be so frustrated by their inability to do much of anything. The bitterness between police and lower-class young males in our large cities—a bitterness that is pervasive and almost palpable—arises out of a situation neither can control: restless young men are driven by urges they do not understand,

16. *Ibid.*, pp. 274, 279, 280, 281.

but which most of them outgrow, somewhat mysteriously,¹⁷ and the police are asked to solve problems they cannot solve. The effort to manage the unmanageable leads both sides to define the conflict as one between competing rights, moralities, and tests of manhood.

These circumstances are not new, but the attention we pay to them, and especially the capacity of the mass media to make this conflict vivid, dramatic, and immediate, are new. What once occurred routinely, unobtrusively, and (to the police) under the aegis of an agreed-upon moral code now occurs more obviously, and hence more explosively, and (again, to the police) under the aegis of a shattered moral code and in a society in which the established institutions—the churches, the courts, the universities, the newspapers, and important public agencies—seem to take the side of the disorderly and the criminal and to blame the police for the "incidents" that occur. The "problems of the police" are long-standing and inherent in the nature of their function, but our definition of those problems has changed and, by changing, has misled or unsettled us.

17. David Matza, *Delinquency and Drift* (New York: John Wiley and Sons, 1964), pp. 21-27, notes that juveniles "drift" into delinquency but that in the vast majority of cases they drift out again; theories that "explain" the former often fail to explain the latter, and thus they "overpredict" delinquency.

The Quasi-Military Organization of the Police

by Egon Bittner

The conception of the police as a quasi-military institution with a war-like mission plays an important part in the structuring of police work in modern American departments. The merits of this conception have never been demonstrated or even argued explicitly. Instead, most authors who make reference to it take it for granted or are critical only of those aspects of it, especially its punitive orientation, that are subject of aspersion even in the military establishment itself.⁷⁵ The treatment the topic receives in the Task Force Report on the Police of the President's Commission on Law Enforcement and Administration of Justice is representative of this approach. The authors note that "like all military and semi-military organizations, a police agency is governed in its internal management by a large number of standard operating procedures."⁷⁶ This observation is accompanied by remarks indicating that the existence of elaborate codes governing the conduct of policemen relative to intra-departmental demands stands in stark contrast to the virtual absence of formulated directives concerning the handling of police problems in the community. The imbalance between proliferation of internal regulation and the neglect of regulations relative to procedures employed in the field leads to the inference that the existing codes must be supplemented by substantive instructions and standards in the latter area. The question whether such an expansion of regulation might not result in a code consisting of incompatible elements is not considered. Instead, it is implicitly assumed that

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75. Recently some authors have expressed doubts about the merits of organizing the police along military lines. Wilson takes issue with Smith's assertion that the police have "disciplinary requirements of a quasi-military body." *Op. cit. supra*, Note 16 at p. 79, n. 24. Similarly, A. J. Reiss and D. J. Bordua have questioned the adequacy of the idea of the police as a military organization; see "Environment and Organization: A Perspective on the Police," in Bordua (ed.), *op. cit. supra*, Note 3, at pp. 46 ff.

76. *Task Force Report: Police*, *op. cit. supra*, Note 56 at p. 16.

policemen can be instructed how to deal with citizens by regulations that will not affect the existing system of internal disciplinary control.

The lack of appreciation for the possibility that the developments of professional discretionary methods for crime control and peacekeeping may conflict with the enforcement of bureaucratic-military regulations is not merely a naive oversight; more likely, it represents an instance of wishful thinking. For the military model is immensely attractive to police planners, and not without reason. In the first place, there exist some apparent analogies between the military and the police and it does not seem to be wholly unwarranted to expect methods of internal organization that work in one context to work also in the other. Both institutions are instruments of force and for both institutions the occasions for using force are unpredictably distributed. Thus, the personnel in each must be kept in a highly disciplined state of alert preparedness. The formalism that characterizes military organization, the insistence on rules and regulations, on spit and polish, on obedience to superiors, and so on, constitute a permanent rehearsal for "the real thing." What sorts of rules and regulations exist in such a setting are in some ways less important than that there be plenty of them and the personnel be continually aware that they can be harshly called to account for disobeying them.⁷⁷ Second, American police departments have been, for the greater part of their history, the football of local politics, and became tainted with sloth and corruption at least partly for this reason. Police reform was literally forced to resort to formidable means of internal discipline to dislodge undesirable attitudes and influences, and the military model seems to serve such purposes admirably. In fact, it is no exaggeration to say that through the 1950's and 1960's the movement to "professionalize" the police concentrated almost exclusively on efforts to eliminate political and venal corruption by means of introducing traits of military discipline. And it must be acknowledged that some American police chiefs, notably the late William Parker of Los Angeles, have achieved truly remarkable results in this respect. The leading aspiration of this reform was to replace the tragicomic figure of the "flatfoot cop on the take" by cadres of personally incorruptible snappy operatives working under the command of

77. The tendency of police departments to adopt outward military rigidities has been frequently emphasized; see *Task Force Report: Police*, *loc. cit. supra*, Note 56 at p. 29; J. D. Lohman and G. E. Misler, *The Police and the Community*, A Report Prepared for the President's Commission on Law Enforcement and Administration of Justice, Washington, D. C.: U.S. Government Printing Office, 1966, Vol. I, p. 152, Vol. II, p. 196; Banton reports that American police chiefs admire Scottish officers who "bore themselves well, and were smartly and uniformly dressed," *op. cit. supra*, Note 48 at p. 123.

bureaucrats-in-uniform. There is little doubt that these reforms succeeded in bringing some semblance of order into many chaotic departments and that in these departments "going by the book" acquired some real meaning.

Finally, the police adopted the military method because they could not avail themselves of any other options to secure internal discipline. For all its effectiveness, the military method is organizationally primitive. At least, the standard part of the method can be well enough approximated with a modicum of administrative sophistication. Moreover, since most of the men who go into police work have some military experience, they need not go to outside resources to obtain help in building a quasi-military order. This is important because a century of experience taught American police forces that outside intervention into their affairs—known as the "shake-up"—was almost always politically inspired. Because the suspicion of high-level chicanery is still very much alive, and not without reasons, the police is the only large scale institution in our society that has not benefited from advances in management science. In the absence of lateral recruitment into supervisory positions and developed technical staff skills, changes had to be achieved mainly by means of rigid enforcement of regulations of internal procedure and by emphasizing external trappings of discipline. In a situation where something had to be done, with little to do it with, this was no mean accomplishment.⁷⁸

Acknowledging that the introduction of methods of military bureaucratic discipline was not without some justification, and conceding that it helped in eliminating certain gross inadequacies, does not mean, however, that the approach was beneficial in larger and longer range terms. Even where the cure succeeded in suppressing many of the diseases of earlier times, it brought forth obstacles of its own to the development of a model of a professional police role, if by professional role is meant that practice must involve technical skill and fiduciary trust in the practitioner's exercise of discretion. The reason for this is simple. While in early police departments there existed virtually no standards of correct procedure at all and no inducement to do well—since rewards were scant and distributed along lines of personal favoritism—one can now distinguish between good and bad officers, and engaging in what is now defined as correct conduct does carry significant rewards. But since the established

78. In addition to the rigors of outward discipline, military establishments also rely on "command charisma," a feature observed in American police departments by D. J. Bordua and A. J. Reiss: see their "Command, Control and Charisma: Reflections on Police Bureaucracy," *American Journal of Sociology*, 72 (1966) 68-76. The term indicates a leadership principle in which subordinates are moved to obedience by a high regard for, and trust in, the person in command.

standards and the rewards for good behavior relate almost entirely to matters connected with internal discipline, the judgments that are passed have virtually nothing to do with the work of the policeman in the community, with one significant exception. That is, the claims for recognition that have always been denied to the policeman are now respected, but recognition is given for doing well *in* the department, not *outside* where all the real duties are located.

The maintenance of organizational stability and staff morale require that praise and reward, as well as condemnation and punishment, be distributed methodically, i.e., predictably in accordance with explicit rules. Correspondingly, it is exceedingly difficult to assign debits and credits for performances that are not regulated by rule. Because the real work of the policeman is not set forth in the regulations, it does not furnish his superior a basis for judging him.⁷⁹ At the same time, there are no strongly compelling reasons for the policeman to do well in ways that do not count in terms of official occupational criteria of value. The greater the weight placed on compliance with internal departmental regulation, the less free is the superior in censoring unregulated work practices he disapproves of, and in rewarding those he admires, for fear that he might jeopardize the loyalty of officers who do well on all scores that officially count—that is, those who present a neat appearance, who conform punctually to bureaucratic routine, who are visibly on the place of their assignment, and so on. In short, those who make life easier for the superior, who in turn is restricted to supervising just those things. In fact, the practical economy of supervisory control requires that the proliferation of intradepartmental restriction be accompanied by increases in license in areas of behavior in unregulated areas. Thus, one who is judged to be a good officer in terms of internal, military-bureaucratic codes will not even be questioned about his conduct outside of it. The message is quite plain: the development of resolutely careful work methods in the community may be nice, but it gets you nowhere!

There is one important exception to the priority of intradepartmental quasi-military discipline in the judging of the performances of policemen. Police departments have to produce visible results of their work. The most visible results are arrested persons who keep the courts busy. This demand naturally devolves on individual officers. The question about the expected contribution of individual policemen to the statistical total of crimes cleared, summonses delivered, and arrests made is a matter of

79. See *Task Force Report: Police*, *op. cit. supra*, Note 56 at p. 20; Goldstein, *op. cit. supra*, Note 46 at p. 162; and Wilson, *op. cit. supra*, Note 16 at p. 16.

heated controversy. The problem is usually addressed as to whether or not there exist quotas officers must meet. Of course, the question can always be so framed that one can answer it truthfully either way.⁸⁰ But more fundamentally it is quite clear that individual policemen must contribute to the sum total of visible results, unless they have some special excuse, such as being assigned to a desk job. Moreover, how could any police superior under present conditions of supervision ever know whether the men assigned to the traffic division or to the vice squad are on the job at all, if they did not produce their normal share of citations or arrests?

Clearly, therefore, there is added to the occupational relevance of the military-bureaucratic discipline the demand to produce results.⁸¹ While the emphasis on stringent internal regulation, taken alone, merely discourages the elaboration of careful approaches to work tasks, it exercises in combination with production demands a truly pernicious influence on the nature of police work. There are several reasons for this but the most important is based on the following consideration. Though the explicit departmental regulations contain little more than pious sermonizing about police dealings with citizens, whether they be offenders, an unruly crowd, quarreling spouses, accident victims, or what not, it is possible that a policeman could, despite his discretionary freedom, act in some such way as to actually come into conflict with some stated rule, even though the rule is not topically relevant to the situation at hand. Since he knows that his conduct will be judged solely with respect to this point he must be attuned to it, avoiding the violation even if that involves choosing a course of action that is specifically wrong with respect to the realities of the problem. For example, it is far from unusual that officers decide whether to make an arrest or not on the basis of their desire to live within departmental regulation rather than on the merits of the case at hand. In these situations the military-bureaucratic discipline regulates procedure speciously; it does not provide that in such-and-such a situation such-and-such a course of action is indicated. On the contrary, the regulations are typically silent about such matters; but in insisting on specific ways for officers to keep their noses clean they limit the possibilities of desirable intervention and they encourage transgression. Thus, it has been reported that in the New York Police Department, known for its stringently punitive discipline, officers who violate some official rules of department while dealing with citizens simply arrest potential

80. Niederhoffer, *op. cit. supra*, Note 19 at pp. 68-69.

81. The most illuminating and extensive discussion of pressures to produce is contained in Skolnick, *op. cit. supra*, Note 41 at pp. 164-181.

complainants, knowing the complaints of persons charged with crimes are given no credence. Incongruously, while in New York the Police Department is much more likely to discipline an officer for brutalizing a citizen than elsewhere, it in fact rarely gets a chance to do it. For whenever there is a situation in which it is possible that an officer could have an infraction entered in his record, an infraction against an explicit regulation, he will redefine it into an instance of police work that is not regulated. Thus, while citizens everywhere run the risk of receiving a beating when they anger a policeman, in New York they run the added risk of being charged with a crime they did not commit, simply because its officers must keep their records clean.⁸²

As long as there are two forms of accounting, one that is explicit and continually audited (internal discipline), and another that is devoid of rules and rarely looked into (dealings with citizens), it must be expected that keeping a positive balance in the first might encourage playing loose with the second. The likelihood of this increases proportionately to pressures to produce. Since it is not enough that policemen be obedient soldier-bureaucrats, but must, to insure favorable consideration for advancement, contribute to the arrest total, they will naturally try to meet this demand in ways that will keep them out of trouble. Thus, to secure the promotion from the uniformed patrol to the detective bureau, which is highly valued and not determined by civil service examinations, officers feel impelled to engage in actions that furnish opportunities for conspicuous display of aggressiveness. John McNamara illustrates this tactic by quoting a dramatic expression of cynicism, "If you want to get 'out of the bag' into the 'bureau' shoot somebody."⁸³ Leaving the exaggeration aside, there is little doubt that emphasis on military-bureaucratic control rewards the appearance of staying out of troubles as far as internal regulations are concerned, combined with strenuous efforts to make "good pinches," i.e., arrests that contain, or can be managed to appear to contain, elements of physical danger. Every officer knows that he will never

82. Paul Chevigny explains that New York policemen sometimes rebut allegations of brutality by maintaining that they are obviously fabrications since the complainant would have been arrested had the officer laid hands on him. Chevigny reports numerous instances of arrests following altercations with citizens which were ineptly or deviously provoked by policemen, and he comments, "Many lawyers think it a triumph for a felony to be reduced to a mere offence, but the truth is that it requires only two simple ingredients: guiltless clients and infinite patience," at p. 167 of his *Police Power: Police Abuses in New York City*, New York: Pantheon Books, 1969.

83. J. H. McNamara at p. 189 of his "Uncertainties in Police Work: The Relevance of Police Recruits' Background and Training," in Bordua (ed.) *op. cit. supra*, Note 3 at pp. 163-252.

receive a citation for avoiding a fight but only for prevailing in a fight at the risk of his own safety. Perhaps there is nothing wrong with that rule. But there is surely something wrong with a system in which the combined demands for strict compliance with departmental regulation and for vigorously productive law enforcement can be met simultaneously by displacing the onus of the operatives' own misconduct on citizens. This tends to be the case in departments characterized by strong militaristic-bureaucratic discipline where officers do not merely transgress to make "good pinches," but make "good pinches" to conceal their transgressions.⁸⁴

No matter how elaborate and no matter how stringently enforced codes of internal regulations are, they do not impinge on all segments of police departments with equal force. By and large the highly visible uniformed patrol is exposed to far greater disciplinary pressures than personnel in the detective bureaus, which Arthur Niederhoffer aptly described as "mock bureaucracies."⁸⁵ While this situation is viewed as unavoidable, because the conduct of detectives cannot be as closely scrutinized as the conduct of patrolmen, and necessary because detectives need more freedom than patrolmen,⁸⁶ it tends to demean uniformed assignments. Because patrolmen perceive military discipline as degrading, ornery, and unjust, the only motive they have for doing well—which, of course, involves, among others, the devious practices we have just described—is to get out of the uniformed assignments.⁸⁷ Thus, the uniformed patrol suffers from a

84. McNamara cites the following case at p. 171, *ibid.*: "a patrolman directing traffic in the middle of an intersection . . . fired his revolver and hit an automobile whose driver had not heeded the officer's hand signals. The driver immediately pulled over to the side of the street and stopped the car. The officer realized the inappropriateness of his action and began to wonder what he might offer as an explanation to his supervisor and to the citizen. The patrolman reported that his anxiety was dissipated shortly upon finding the driver of the car was a person convicted of a number of crimes. The reader should understand that departmental policy did not specify that any person convicted of crimes in New York City thereby became a target for police pistol practice." Nevertheless, as the officer's feeling of relief indicates, the transgression was apparently construable as an instance of aggressive crime control.

85. Niederhoffer, *op. cit. supra*, Note 19 at p. 85.

86. Wilson notes, however, that this view is probably mistaken. The patrolman deals with matters that are ill defined and ambiguously emergent, while detectives deal with more precisely defined crimes and only after they have been committed; *op. cit. supra*, Note 16 at pp. 8-9.

87. "A high arrest record reinforces the cynicism that inspired it in the first place, while often establishing a policeman's reputation for initiative and efficiency. His superiors recommend him for assignment to the detective division. This route to promotion appeals to many young policemen who have little hope of passing a written competitive test for promotion, and impels many of them to adopt cynicism as a rational and functional way to advancement." Niederhoffer, *op. cit., supra*, Note 19 at pp. 76-77.

constant drain of ambitious and enterprising men, leaving it generally understaffed and, incidentally, overstaffed with men who are regarded as unsuitable for more demanding tasks. Though by no means all competent personnel take advantage of opportunities to leave the patrol for the detective bureaus, those who remain are dispirited by the conditions under which they are obliged to work and by the invidiously low level of prestige connected with their performance.⁸⁸ In consequence the outwardly snappy appearance of the patrol hides a great deal of discontent, demoralization, and marginal work quality.

Another complex of mischievous consequences arising out of the military bureaucracy relates to the paradoxical fact that while this kind of discipline ordinarily strengthens command authority it has the opposite effect in police departments. This effect is insidious rather than apparent. Because police superiors do not direct the activity of officers in any important sense they are perceived as mere disciplinarians.⁸⁹ Not only are they not actually available to give help, advice, and direction in the handling of difficult work problems, but such a role cannot even be projected for them. Contrary to the army officer who is expected to lead his men into battle—even though he may never have a chance to do it—the analogously ranked police official is someone who can only do a great deal *to* his subordinates and very little *for* them. For this reason supervisory personnel are often viewed by the line personnel with distrust and even contempt.⁹⁰ It must be understood that this character of command in police departments is not due solely to its administrative incompetence. It is exceedingly rare that a ranking police officer can take positive charge of police action, and even in the cases where this is possible, his power to determine the course of action is limited to giving

88. "At present the principal rewards are promotion, which takes a patrolman off the street, or reassignment to a detective or specialized unit, which takes him out of order maintenance altogether; not surprisingly, patrolmen wanting more pay or status tend to do those things . . . that will earn them those rewards." Wilson, *op. cit. supra*, Note 16 at pp. 292-293.

89. On the pervasiveness of purely punitive discipline, see McNamara, *op. cit. supra*, Note 83 at pp. 178-183. Wilson reports that regulations are so framed that they do not instruct but "give the brass plenty of rope with which to hang us." *op. cit. supra*, Note 16 at p. 279.

90. McNamara, *op. cit. supra*, Note 83 at pp. 187-188, reports attitudes of patrolmen towards their superiors and concludes, "Regardless of their accuracy, these assertions strongly support the feeling that the 'bosses' of the department do not deserve the respect which the organization requires or demands."

the most general kinds of directions.⁹¹ But like all superiors, police superiors, do depend on the good will of the subordinates, if only to protect their own employee interests within the institution. Thus, they are forced to resort to the only means available to insure a modicum of loyalty, namely, covering mistakes. The more blatantly an officer's transgression violates an explicit departmental regulation the less likely it is that his superior will be able to conceal it. Therefore, to be helpful, as they must try to be, superiors must confine themselves, to white-washing bad practices involving relatively unregulated conduct, that is, those dealings with citizens that lead up to arrests. In other words, to gain compliance with explicit regulations, where failings could be acutely embarrassing, command must yield in unregulated or little regulated areas of practice. It is almost as if patrolmen were told, "Don't let anyone catch you sleeping on the job; if they do I'll get it in the neck and you will too. So, please, keep walking; in return I'll cover for you if you make a false arrest." Superiors, needless to say, do not speak in such terms. They probably do not even communicate the message covertly. Indeed, it is quite likely that most police officials would honestly view the suggestion with contempt. But this is the way things work out and the more a department is organized along military-bureaucratic lines the more likely it is that they will work out this way. Naturally, the situation is not conducive to the development of relations of genuine trust, respect, and loyalty.

Finally, emphasis on elaborate codes of internal regulation of a military kind tends to subvert police training, at least wherever this training is administered in departments, as is commonly the case. In the very best existing training programs instruction consists of three parts. There are some lectures concerning criminology, criminal law, human relations, mental health, etc., given by visiting social scientists and lawyers. The second part consists largely of homilies about the social importance and dignity of police work, which emphasize that the occupation makes the highest demands on integrity, wisdom, and courage. The third part, to which the bulk of instructional time is devoted, relates to the teaching of departmental regulation. Since this is the only practical part of the course of instruction, it is abundantly clear that the overall purpose of the training is to turn tyros into compliant soldier-bureaucrats rather than compe-

91. Banton views the absence of instructions and supervision as a main characteristic distinguishing American police from their British counterpart, *op. cit. supra*, Note 48 at pp. 115-116. The absence of supervision is frequently noted; see McNamara, *op. cit. supra*, Note 83 at p. 183; and *Task Force Report: The Police*, *op. cit. supra*, Note 56 at pp. 28, 52, *et passim*.

tent practitioners of the craft of peacekeeping and crime control.⁹² But since there exist no direct relation between knowing the regulations and maintaining the appearance of complying with them, the first thing graduates learn on their first assignment is that they must forget everything they have been taught in the academy. The immediate effect of the "reality shock" is a massive increase in the attitude of cynicism among first year policemen, not surprisingly since their introduction to the occupation was not only inadequate as far as their work duties are concerned, but also misleading.⁹³

It could be said, of course, that the argument proposed thus far merely shows that efforts to professionalize police work by means of importing traits of outward military discipline is apt to create tendencies to displace misconduct into unregulated areas because the pertinent regulations have not yet been formulated. In time, these areas too will come under the scope of the existing discipline. It is our view that it is exceedingly unlikely that this development will take place. The charting of realistic methods of peacekeeping and crime control is profoundly incompatible with the style of current regulations of internal discipline. One simply cannot bring under the same system of control rules relating to dress and bureaucratic formalities, on the one hand, and norms governing the discretionary process of handling an instance of disorderly conduct on the streets, on the other. Emphasis on the first defeats care for the other. This does not imply that all presently existing regulations must be rescinded to encourage a methodical approach to police work tasks. Quite the contrary, the majority of present expectations will probably retain value in any alternative system of control. But their relevance, mode of presentation, and enforcement will have to be made subsidiary to a system of procedure that charts professionally responsible decisionmaking under conditions of uncertainty. In simplest terms, if policemen can be induced to face problems in the community and to deal with citizens in ways that meet at once criteria of purposeful efficiency and will correspond to the expectations of the kind public trust commonly associated with the

92. McNamara speaks about the dilemma, "whether to emphasize training strategies aimed at the development of self-directed and autonomous personnel or to emphasize strategies aimed at developing personnel over whom the organization can readily exercise control. It appears that the second strategy is the one most often emphasized." *op. cit. supra*, Note 83 at p. 251. Niederhoffer similarly states that, "At the Academy he [the recruit] masters and simultaneously succumbs to, the web of protocol and ceremony that characterizes and quasi-military hierarchy." *op. cit. supra*, Note 19 at p. 45.

93. Niederhoffer, *ibid.*, speaks about the "reality shock" and documents the rapid rise of cynicism among first year policemen; see especially p. 239.

exercise of professional expertise, then there will be no need to treat them like soldier-bureaucrats. Correspondingly, as long as policemen will be treated like soldier-bureaucrats, they cannot be expected to develop professional acumen, nor value its possession.

It must be said, however, that the true professionalization of police work, in and of itself, is no weapon against sloth and corruption, no more than in the case of medicine, the ministry, law, teaching, and social work. That is, the professionalization of police work still leaves open the matter of its control. But if we are not willing to settle for having physicians who are merely honest, and who would frankly admit that in curing diseases and dealing with patients they have to rely entirely on "playing by ear," it is difficult to see why we would devote all our energies to trying to make the police honest without any concern whatever for whether or not they know, in a technical sense, how to do what they are supposed to do. Some people say it is foolish to demand technical proficiency and professional ethics where none exists. This view is certainly premature and probably wrong. We know far too little about the way police work is actually done to say with assurance that what we desire does not exist. What we know is that policemen have not written any scholarly tracts about it. We also know that presently good and bad work practices are not distinguishable, or, more precisely, are not distinguished. Worst of all, we have good reasons to suspect that if some men are possessed by and act with professional acumen, they might possibly find it wiser to keep it to themselves lest they will be found to be in conflict with some departmental regulation. The pending task, therefore, has less to do with putting external resources of scholarship at the disposal of the *police departments*, than with discovering those good qualities of police work that already exist in the skills of *individual practitioners*. It is not enough to discover them, however, they must be liberated and allowed to take their proper place in the scheme of police organization. By making the possession and use of such skills the controlling consideration in the distribution of rewards, we will have a beginning of a professional system for controlling police practices. The prospect of such a control is in strict competition with presently existing methods of military-bureaucratic regulation.⁹⁴

94. The competitive nature of ideals of military discipline and methodical discretion has been noted in a survey of the Boston police department undertaken in 1934: "Too often the military aspect of organization pushes the essentially individual character of police work into the background." cited in *Task Force Report: Police*, *op. cit. supra*, Note 56 at p. 136.

III. PATROL FUTURES

Public pressure for more responsive governmental services has continued to mount. In response, civic officials have, in some cases, sought to decentralize public services and to promote increased community involvement. In some cities, these efforts are reflected in the rise of neighborhood-oriented policing projects, particularly those of the "team policing" variety.

Change within the police field is also evidenced in an increased willingness on the part of police officers to speak out publicly and "tell their story." The recent publications of Los Angeles Police Sergeant Joseph Wambaugh, author of *The New Centurions* and *The Blue Knight*, are but one example of this trend. Police departments, such as Kansas City, Missouri and San Diego, California have begun experimentation to test assumptions underlying long standing practices, such as preventive patrol and field interrogations. These developments all point toward further change in the police field. Given the traditional inertia of police agencies, the introduction of change will not come easily. To many, even those supposedly in leadership positions, these changes will be threatening and traumatic.

The articles in this section look toward the future. Police administrators must contemplate change in the police role and the police organization. They must assume a leadership role in defining those futures lest that definition fall to individuals not familiar with the requirements of police work. The first selection from Alvin Toffler's best-selling book, *Future Shock*, outlines the breakdown of bureaucratic decisionmaking precipitated by the increased rate of social change. He reviews the present directions of organizational development efforts in government and industry. While not specifically discussing police organization, Toffler's comments provide an organizational framework against which to consider possible police futures. For readers within the Kansas City, Missouri Police Department, the article appears to provide a background for a pattern of departmental reorganizations as well as the task force process.

In a paper prepared for Project *STAR* (Systems and Training Analysis of Requirements for Criminal Justice Participants), James Q. Wilson contemplates the policeman of the future. While Wilson outlines organizational and operational changes which may occur in the police field, he speculates that the central work of the police in dealing with conflict and human emotions will remain largely unchanged.

In recent years, several proposals to reorganize the traditional police

organization have been made. One man's view of the far future organizational arrangements of a police department is presented in the next selection by John Angell. Angell's "democratic colleague" model places central importance on the neighborhood-oriented patrol team. His ideas have provided a conceptual framework for team policing projects initiated in Dayton, Ohio; Louisville, Kentucky; and Holyoke, Massachusetts. The reader is encouraged to review other designs such as that of the "offensively deployed" split-force patrol model underlying the Syracuse Police Department's Crime Control Team, the Los Angeles Police Department's Basic Radio Car Plan, and the Community Sector Team Policing Program of the Cincinnati Division of Police.

Organizations: The Coming Ad-Hocracy

by Alvin Toffler

One of the most persistent myths about the future envisions man as a helpless cog in some vast organizational machine. In this nightmarish projection, each man is frozen into a narrow, unchanging niche in a rabbit-warren bureaucracy. The walls of this niche squeeze the individuality out of him, smash his personality, and compel him, in effect, to conform or die. Since organizations appear to be growing larger and more powerful all the time, the future, according to this view, threatens to turn us all into that most contemptible of creatures, spineless and faceless, the organization man.

It is difficult to overestimate the force with which this pessimistic prophecy grips the popular mind, especially among young people. Hammered into their heads by a stream of movies, plays and books, fed by a prestigious line of authors from Kafka and Orwell to Whyte, Marcuse and Ellul, the fear of bureaucracy permeates their thought. In the United States everyone "knows" that it is just such faceless bureaucrats who invent all-digit telephone numbers, who send out cards marked "do not fold, spindle or mutilate," who ruthlessly dehumanize students, and whom you cannot fight at City Hall. The fear of being swallowed up by this mechanized beast drives executives to orgies of self-examination and students to paroxysms of protest.

What makes the entire subject so emotional is the fact that organization is an inescapable part of all our lives. Like his links with things, places and people, man's organizational relationships are basic situational components. Just as every act in a man's life occurs in some definite geographical place, so does it also occur in an organizational place, a particular location in the invisible geography of human organization.

Thus, if the orthodox social critics are correct in predicting a regimented, super-bureaucratized future, we should already be mounting the barricades,

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punching random holes in our IBM cards, taking every opportunity to wreck the machinery of organization. If, however, we set our conceptual clichés aside and turn instead to the facts, we discover that bureaucracy, the very system that is supposed to crush us all under its weight, is itself groaning with change.

The kinds of organizations these critics project unthinkingly into the future are precisely those least likely to dominate tomorrow. For we are witnessing not the triumph, but the breakdown of bureaucracy. We are, in fact, witnessing the arrival of a new organizational system that will increasingly challenge, and ultimately supplant bureaucracy. This is the organization of the future. I call it "Ad-hocracy."

Man will encounter plenty of difficulty in adapting to this new style organization. But instead of being trapped in some unchanging, personality-smashing niche, man will find himself liberated, a stranger in a new free-form world of kinetic organizations. In this alien landscape, his position will be constantly changing, fluid, and varied. And his organizational ties, like his ties with things, places and people, will turn over at a frenetic and ever-accelerating rate.

Catholics, Cliques and Coffee Breaks

Before we can grasp the meaning of this odd term, Ad-hocracy, we need to recognize that not all organizations are bureaucracies. There are alternative ways of organizing people. Bureaucracy, as Max Weber pointed out, did not become the dominant mode of human organization in the West until the arrival of industrialism.

This is not the place for a detailed description of all the characteristics of bureaucracy, but it is important for us to note three basic facts. First, in this particular system of organization, the individual has traditionally occupied a sharply defined slot in a division of labor. Second, he fit into a vertical hierarchy, a chain of command running from the boss down to the lowliest menial. Third, his organizational relationships, as Weber emphasized, tended toward permanence.

Each individual, therefore, filled a precisely positioned slot, a fixed position in a more or less fixed environment. He knew exactly where his department ended and the next began; the lines between organizations and their sub-structures were anchored firmly in place. In joining an organization, the individual accepted a set of fixed obligations in return for a specified set of rewards. These obligations and rewards remained the same over relatively long spans of time. The individual thus stepped into a comparatively permanent web of relationships—not merely with

other people (who also tended to remain in their slots for a long time)—but with organizational framework, the structure, itself.

Some of these structures are more durable than others. The Catholic Church is a steel frame that has lasted for 2,000 years, with some of its internal substructures virtually unchanged for centuries at a time. In contrast, the Nazi Party of Germany managed to bathe Europe in blood, yet it existed as a formal organization for less than a quarter of a century.

In turn, just as organizations endure for longer or shorter periods, so, too, does an individual's relationship with any specific organizational structure. Thus man's tie to a particular department, division, political party, regiment, club, or other such unit has a beginning and an end in time. The same is true of his membership in informal organizations—cliques, factions, coffee-break groups and the like. His tie begins when he assumes the obligations of membership by joining or being conscripted into an organization. His tie ends when he quits or is discharged from it—or when the organization, itself, ceases to be.

This is what happens, of course, when an organization disbands formally. It happens when the members simply lose interest and stop coming around. But the organization can "cease to be" in another sense, too. An organization, after all, is nothing more than a collection of human objectives, expectations, and obligations. It is, in other words, a structure of roles filled by humans. And when a reorganization sharply alters this structure by redefining or redistributing these roles, we can say that the old organization has died and a new one has sprung up to take its place. This is true even if it retains the old name and has the same members as before. The rearrangement of roles creates a new structure exactly as the rearrangement of mobile walls in a building converts *it* into a new structure.

A relationship between a person and an organization, therefore, is broken either by his departure from it, or by its dissolution, or by its transformation through reorganization. When the latter—reorganization—happens, the individual, in effect, severs his links with the old, familiar, but now no longer extant structure, and assumes a relationship to the new one that supersedes it.

Today there is mounting evidence that the duration of man's organizational relationships is shrinking, that these relationships are turning over at a faster and faster rate. And we shall see that several powerful forces, including this seemingly simple fact, doom bureaucracy to destruction.

The Organizational Upheaval

There was a time when a table of organization—sometimes familiarly

known as a "T/O"—showed a neatly arrayed series of boxes, each indicating an officer and the organizational sub-units for which he was responsible. Every bureaucracy of any size, whether a corporation, a university or a government agency, had its own T/O, providing its managers with a detailed map of the organizational geography. Once drawn, such a map became a fixed part of the organization's rule book, remaining in use for years at a time. Today, organizational lines are changing so frequently that a three-month-old table is often regarded as an historic artifact, something like the Dead Sea Scrolls.

Organizations now change their internal shape with a frequency—and sometime a rashness—that makes the head swim. Titles change from week to week. Jobs are transformed. Responsibilities shift. Vast organizational structures are taken part, bolted together again in new forms, then rearranged again. Departments and divisions spring up overnight only to vanish in another, and yet another, reorganization.

In part, this frenzied reshuffling arises from the tide of mergers and "de-mergers" now sweeping through industry in the United States and Western Europe. The late sixties saw a tremendous rolling wave of acquisitions, the growth of giant conglomerates and diversified corporate monsters. The seventies may witness an equally powerful wave of divestitures and, later, reacquisitions, as companies attempt to consolidate and digest their new subsidiaries, then trade off troublesome components. Between 1967 and 1969 the Questor Corporation (formerly Dunhill International, Incorporated) bought eight companies and sold off five. Scores of other corporations have similar stories to tell. According to management consultant Alan J. Zakon, "there will be a great deal more spinning off of pieces." As the consumer marketplace churns and changes, companies will be forced constantly to reposition themselves in it.

Internal reorganizations almost inevitably follow such corporate swaps, but they may arise for a variety of other reasons as well. Within a recent three-year period fully sixty-six of the 100 largest industrial companies in the United States publicly reported major organizational shake-ups. Actually, this was only the visible tip of the proverbial iceberg. Many more reorganizations occur than are ever reported. Most companies try to avoid publicity when overhauling their organization. Moreover, constant small and partial reorganizations occur at the departmental or divisional level or below, and are regarded as too small or unimportant to report.

"My own observation as a consultant," says D. R. Daniel, an official of McKinsey & Company, a large management consulting firm, "is that

one major restructuring every two years is probably a conservative estimate of the current rate of organizational change among the largest industrial corporations. Our firm has conducted over 200 organization studies for domestic corporate clients in the past year, and organization problems are an even larger part of our practice outside the United States." What's more, he adds, there are no signs of a leveling off. If anything, the frequency of organizational upheavals is increasing.

These changes, moreover, are increasingly far-reaching in power and scope. Says Professor L. E. Greiner of the Harvard Graduate School of Business Administration: "Whereas only a few years ago the target of organization change was limited to a small work group or a single department . . . the focus is now converging on the organization as a whole, reaching out to include many divisions and levels at once, and even the top managers themselves." He refers to "revolutionary attempts" to transform organization "at all levels of management."

If the once-fixed table of organization won't hold still in industry, much the same is increasingly true of the great government agencies as well. There is scarcely an important department or ministry in the governments of the technological nations that has not undergone successive organizational change in recent years. In the United States during the forty-year span from 1913 to 1953, despite depression, war and other social upheavals, not a single new cabinet-level department was added to the government. Yet in 1953 Congress created the Department of Health, Education and Welfare. In 1965 it established the Department of Housing and Urban Development. In 1967 it set up the Department of Transportation (thus consolidating activities formerly carried out in thirty different agencies), and, at about the same time, the President called for a merger of the departments of Labor and Commerce.

Such changes within the structure of government are only the most conspicuous, for organizational tremors are similarly felt in all the agencies down below. Indeed, internal redesign has become a byword in Washington. In 1965 when John Gardner became Secretary of Health, Education and Welfare, a top-to-bottom reorganization shook that department. Agencies, bureaus and offices were realigned at a rate that left veteran employees in a state of mental exhaustion. (During the height of this reshuffling, one official, who happens to be a friend of mine, used to leave a note behind for her husband each morning when she left for work. The note consisted of her telephone number for *that* day. So rapid were the changes that she could not keep a telephone number long enough for it to be listed in the departmental directory.) Mr. Gardner's successors

continued tinkering with organization, and by 1969, Robert Finch, after eleven months in office, was pressing for yet another major overhaul, having concluded in the meantime that the department was virtually unmanageable in the form in which he found it.

In *Self-Renewal*, an influential little book written before he entered the government, Gardner asserted that: "The farsighted administrator . . . reorganizes to break down calcified organizational lines. He shifts personnel . . . He redefines jobs to break them out of rigid categories." Elsewhere Gardner referred to the "crises of organization" in government and suggested that, in both the public and private sectors, "Most organizations have a structure that was designed to solve problems that no longer exist." The "self-renewing" organization, he defined as one that constantly changes its structure in response to changing needs.

Gardner's message amounts to a call for permanent revolution in organizational life, and more and more sophisticated managers are recognizing that in a world of accelerating change reorganization is, and must be, an on-going process, rather than a traumatic once-in-a-lifetime affair. This recognition is spreading outside the corporations and government agencies as well. Thus *The New York Times*, on the same day that it reports on proposed mergers in the plastics, plywood and paper industries, describes a major administrative upheaval at the British Broadcasting Corporation, a thorough renovation of the structure of Columbia University, and even a complete reorganization of that most conservative of institutions, the Metropolitan Museum of Art in New York. What is involved in all this activity is not a casual tendency but a historic movement. Organizational change—self-renewal, as Gardner puts it—is a necessary, an unavoidable response to the acceleration of change.

For the individual within these organizations, change creates a wholly new climate and a new set of problems. The turnover of organizational designs means that the individual's relationship to any one structure (with its implied set of obligations and rewards) is truncated, shortened in time. With each change, he must reorient himself. Today the average individual is frequently reassigned, shuffled about from one sub-structure to another. But even if he remains in the same department, he often finds that the department, itself, has been shifted on some fast-changing table of organization, so that his position in the overall maze is no longer the same.

The result is that man's organizational relationships today tend to change at a faster pace than ever before. The average relationship is less permanent, more temporary, than ever before.

The New Ad-Hocracy

The high rate of turnover is most dramatically symbolized by the rapid rise of what executives call "project" or "task-force" management. Here teams are assembled to solve specific short-term problems. Then, exactly like the mobile playgrounds, they are disassembled and their human components reassigned. Sometimes these teams are thrown together to serve only for a few days. Sometimes they are intended to last a few years. But unlike the functional departments or divisions of a traditional bureaucratic organization, which are presumed to be permanent, the project or task-force team is temporary by design.

When Lockheed Aircraft Corporation won a controversial contract to build fifty-eight giant C-5A military air transports, it created a whole new 11,000-man organization specifically for that purpose. To complete the multi-billion-dollar job, Lockheed had to coordinate the work not only of its own people, but of hundreds of subcontracting firms. In all, 6,000 companies are involved in producing the more than 120,000 parts needed for each of these enormous airplanes. The Lockheed project organization created for this purpose has its own management and its own complex internal structure.

The first of the C-5A's rolled out of the shop exactly on schedule in March, 1969, twenty-nine months after award of the contract. The last of the fifty-eight transports was due to be delivered two years later. This meant that the entire imposing organization created for this job had a planned life span of five years. What we see here is nothing less than the creation of a disposable division—the organizational equivalent of paper dresses or throw-away tissues.

Project organization is widespread in the aerospace industries. When a leading manufacturer set out to win a certain large contract from the National Aeronautics and Space Agency, it assembled a team of approximately one hundred people borrowed from various functional divisions of the company. The project team worked for about a year and a half to gather data and analyze the job even before the government formally requested bids. When the time came to prepare a formal bid—a "proposal," as it is known in the industry—the "pre-proposal project team" was dissolved and its members sent back to their functional divisions. A new team was brought into being to write the actual proposal.

Proposal-writing teams often work together for a few weeks. Once the proposal is submitted, however, the proposal team is also disbanded. When the contract is won (if it is), new teams are successively established for development, and, ultimately, production of the goods required. Some

individuals may move along with the job, joining each successive project team. Typically, however, people are brought in to work on only one or a few stages of the job.

While this form of organization is widely identified with aerospace companies, it is increasingly employed in more traditional industries as well. It is used when the task to be accomplished is non-routine, when it is, in effect, a one-time proposition.

"In just a few years," says *Business Week*, "the project manager has become commonplace." Indeed, project management has, itself, become recognized as a specialized executive art, and there is a small, but growing band of managers, both in the United States and Europe, who move from project to project, company to company, never settling down to run routine or long-term operations. Books on project and task-force management are beginning to appear. And the United States Air Force Systems Command at Dayton, Ohio, runs a school to train executives for project management.

Task forces and other *ad hoc* groups are now proliferating throughout the government and business bureaucracies, both in the United States and abroad. Transient teams, whose members come together to solve a specific problem and then separate, are particularly characteristic of science and help account for the kinetic quality of the scientific community. Its members are constantly on the move, organizationally, if not geographically.

George Kozmetsky, co-founder of Teledyne, Incorporated, and now dean of the school of business at the University of Texas, distinguishes between "routine" and "non-routine" organizations. The latter grapple most frequently with one-of-a-kind problems. He cites statistics to show that the non-routine sector, in which he brackets government and many of the advanced technology companies, is growing so fast that it will employ 65 percent of the total United States work force by the year 2001. Organizations in this sector are precisely the ones that rely most heavily on transient teams and task forces.

Clearly, there is nothing new about the idea of assembling a group to work toward the solution of a specific problem, then dismantling it when the task is completed. What is new is the frequency with which organizations must resort to such temporary arrangements. The seemingly permanent structures of many large organizations, often *because* they resist change, are heavily infiltrated with these transient cells.

On the surface, the rise of temporary organization may seem insignificant. Yet this mode of operation plays havoc with the traditional

conception of organization as consisting of more or less permanent structures. Throw-away organizations, *ad hoc* teams or committees, do not necessarily replace permanent functional structures, but they change them beyond recognition, draining them of both people and power. Today while functional divisions continue to exist, more and more project teams, task forces and similar organizational structures spring up in their midst, then disappear. And people, instead of filling fixed slots in the functional organization, move back and forth at a high rate of speed. They often retain their functional "home base" but are detached repeatedly to serve as temporary team members.

We shall shortly see that this process, repeated often enough, alters the loyalties of the people involved; shakes up lines of authority; and accelerates the rate at which individuals are forced to adapt to organizational change. For the moment, however, it is important to recognize that the rise of *ad hoc* organization is a direct effect of the speed-up of change in society as a whole.

So long as a society is relatively stable and unchanging, the problems it presents to men tend to be routine and predictable. Organizations in such an environment can be relatively permanent. But when change is accelerated, more and more novel first-time problems arise, and traditional forms of organization prove inadequate to the new conditions. They can no longer cope. As long as this is so, says Dr. Donald A. Schon, president of the Organization for Social and Technical Innovation, we need to create "self-destroying organizations . . . lots of autonomous, semi-attached units which can be spun off, destroyed, sold bye-bye, when the need for them has disappeared."

Traditional functional organization structures, created to meet predictable, non-novel conditions, prove incapable of responding effectively to radical changes in the environment. Thus temporary role structures are created as the whole organization struggles to preserve itself and keep growing. The process is exactly analogous to the trend toward modularism in architecture. We earlier defined modularism as the attempt to lend greater durability to a whole structure by shortening the life span of its components. This applies to organization as well, and it helps explain the rise of short-lived or throw-away, organization components.

As acceleration continues, organizational redesign becomes a continuing function. According to management consultant Bernard Muller-Thym, the new technology, combined with advanced management techniques, creates a totally new situation. "What is now within our grasp," he says, "is a kind of productive capability that is alive with intelligence, alive

with information, so that at its maximum it is completely flexible; one could completely reorganize the plant from hour to hour if one wished to do so." And what is true of the plant is increasingly true of the organization as a whole.

In short, the organizational geography of super-industrial society can be expected to become increasingly kinetic, filled with turbulence and change. The more rapidly the environment changes, the shorter the life span of organization forms. In administrative structure, just as in architectural structure, we are moving from long-enduring to temporary forms, from permanence to transience. We are moving from bureaucracy to Ad-hocracy.

In this way, the accelerative thrust translates itself into organization. Permanence, one of the identifying characteristics of bureaucracy, is undermined, and we are driven to a relentless conclusion: man's ties with the invisible geography of organization turn over more and more rapidly, exactly as do his relationships with things, places, and the human beings who people these ever-changing organizational structures. Just as the new nomads migrate from place to place, man increasingly migrates from organizational structure to organizational structure.

The Collapse of Hierarchy

Something else is happening, too: a revolutionary shift in power relationships. Not only are large organizations forced both to change their internal structure and to create temporary units, but they are also finding it increasingly difficult to maintain their traditional chains-of-command.

It would be Pollyannaish to suggest that workers in industry or government today truly "participate" in the management of their enterprises—either in capitalist or, for that matter, in socialist and communist countries. Yet there is evidence that bureaucratic hierarchies, separating those who "make decisions" from those who merely carry them out, are being altered, side-stepped or broken.

This process is noticeable in industry where, according to Professor William H. Read of the Graduate School of Business at McGill University, "irresistible pressures" are battering hierarchical arrangements. "The central, crucial and important business or organizations," he declares, "is increasingly shifting from up and down to 'sideways.'" What is involved in such a shift is a virtual revolution in organizational structure—and human relations. For people communicating "sideways"—i.e., to others at approximately the same level of organization—behave differently,

operate under very different pressures, than those who must communicate up and down a hierarchy.

To illustrate, let us look at a typical work setting in which a traditional bureaucratic hierarchy operates. While still a young man I worked for a couple of years as a millwright's helper in a foundry. Here, in a great dark cavern of a building, thousands of men labored to produce automobile crankcase castings. The scene was Dantesque—smoke and soot smeared our faces, black dirt covered the floors and filled the air, the pungent, choking smell of sulphur and burnt sand seared our nostrils. Overhead a creaking conveyor carried red hot castings and dripped hot sand on the men below. There were flashes of molten iron, the yellow flares of fires, and a lunatic cacophony of noises: men shouting, chains rattling, pug mills hammering, compressed air shrieking.

To a stranger the scene appeared chaotic. But those inside knew that everything was carefully organized. Bureaucratic order prevailed. Men did the same job over and over again. Rules governed every situation. And each man knew exactly where he stood in a vertical hierarchy that reached from the lowest-paid core paster up to the unseen "they" who populated the executive suites in another building.

In the immense shed where we worked, something was always going wrong. A bearing would burn out, a belt snap or a gear break. Whenever this happened in a section, work would screech to a halt, and frantic messages would begin to flow up and down the hierarchy. The worker nearest the breakdown would notify his foreman. He, in turn, would tell the production supervisor. The production supervisor would send word to the maintenance supervisor. The maintenance supervisor would dispatch a crew to repair the damage.

Information in this system is passed by the worker "upward" through the foreman to the production supervisor. The production supervisor carries it "sideways" to a man occupying a niche at approximately the same level in the hierarchy (the maintenance supervisor), who, in turn, passes it "downward" to the millwrights who actually get things going again. The information thus must move a total of four steps up and down the vertical ladder plus one step sideways before repairs can begin.

This system is premised on the unspoken assumption that the dirty, sweaty men down below cannot make sound decisions. Only those higher in the hierarchy are to be trusted with judgment or discretion. Officials at the top make the decisions; men at the bottom carry them out. One group represents the brains of the organization; the other, the hands.

This typically bureaucratic arrangement is ideally suited to solving

routine problems at a moderate pace. But when things speed up, or the problems cease to be routine, chaos often breaks loose. It is easy to see why.

First, the acceleration of the pace of life (and especially the speed-up of production brought about by automation) means that every minute of "down time" costs more in lost output than ever before. Delay is increasingly costly. Information must flow faster than ever before. At the same time, rapid change, by increasing the number of novel, unexpected problems, increases the amount of information needed. It takes more information to cope with a novel problem than one we have solved a dozen or a hundred times before. It is this combined demand for *more* information at *faster* speeds that is now undermining the great vertical hierarchies so typical of bureaucracy.

A radical speed-up could have been effected in the foundry described above simply by allowing the worker to report the breakdown directly to the maintenance supervisor or even to a maintenance crew, instead of passing the news along through his foreman and production supervisor. At least one and perhaps two steps could have been cut from the four-step communication process in this way—a saving of from 25 to 50 percent. Significantly, the steps that might be eliminated are the up-and-down steps, the vertical ones.

Today such savings are feverishly sought by managers fighting to keep up with change. Shortcuts that by-pass the hierarchy are increasingly employed in thousands of factories, offices, laboratories, even in the military. The cumulative result of such small changes is a massive shift from vertical to lateral communication systems. The intended result is speedier communication. This leveling process, however, represents a major blow to the once-sacred bureaucratic hierarchy, and it punches a jagged hole in the "brain and hand" analogy. For as the vertical chain of command is increasingly by-passed, we find "hands" beginning to make decisions, too. When the worker by-passes his foreman or supervisor and calls in a repair team, he makes a decision that in the past was reserved for these "higher ups."

This silent but significant deterioration of hierarchy, now occurring in the executive suite as well as at the ground level of the factory floor, is intensified by the arrival on the scene of hordes of experts—specialists in vital fields so narrow that often the men on top have difficulty understanding them. Increasingly, managers have to rely on the judgment of these experts. Solid state physicists, computer programmers, systems designers, operation researchers, engineering specialists—such men are

assuming a new decision-making function. At one time, they merely consulted with executives who reserved unto themselves the right to make managerial decisions. Today, the managers are losing their monopoly on decision-making.

More and more, says Professor Read of McGill, the "specialists do not fit neatly together into a chain-of-command system" and "cannot wait for their expert advice to be approved at a higher level." With no time for decisions to wend their leisurely way up and down the hierarchy, "advisors" stop merely advising and begin to make decisions themselves. Often they do this in direct consultation with the workers and ground-level technicians.

As a result, says Frank Metzger, director of personnel planning for International Telephone and Telegraph Corporation, "You no longer have the strict allegiance to hierarchy. You may have five or six different levels of the hierarchy represented in one meeting. You try to forget about salary level and hierarchy, and organize to get the job done."

Such facts, according to Professor Read, "represent a staggering change in thinking, action, and decision-making in organizations." Quite possibly, he declares, "the only truly effective methods for preventing, or coping with, problems of coordination and communication in our changing technology will be found in new arrangements of people and tasks, in arrangements which sharply break with the bureaucratic tradition."

It will be a long time before the last bureaucratic hierarchy is obliterated. For bureaucracies are well suited to tasks that require masses of moderately educated men to perform routine operations, and, no doubt, some such operations will continue to be performed by men in the future. Yet it is precisely such tasks that the computer and automated equipment do far better than men. It is clear that in super-industrial society many such tasks will be performed by great self-regulating systems of machines, doing away with the need for bureaucratic organization. Far from fastening the grip of bureaucracy on civilization more tightly than before, automation leads to its overthrow.

As machines take over routine tasks and the accelerative thrust increases the amount of novelty in the environment, more and more of the energy of society (and its organizations) must turn toward the solution of non-routine problems. This requires a degree of imagination and creativity that bureaucracy, with its man-in-a-slot organization, its permanent structures, and its hierarchies, is not well equipped to provide. Thus it is not surprising to find that wherever organizations today are caught up in the stream of technological or social change, wherever research and

development is important, wherever men must cope with first-time problems, the decline of bureaucratic forms is most pronounced. In these frontier organizations a new system of human relations is springing up.

To live, organizations must cast off those bureaucratic practices that immobilize them, making them less sensitive and less rapidly responsive to change. The result, according to Joseph A. Raffaele, Professor of Economics at Drexel Institute of Technology, is that we are moving toward a "working society of technical co-equals" in which the "line of demarcation between the leader and the led has become fuzzy."

Super-industrial Man, rather than occupying a permanent, cleanly-defined slot and performing mindless routine tasks in response to orders from above, finds increasingly that he must assume decision-making responsibility—and must do so within a kaleidoscopically changing organization structure built upon highly transient human relationships. Whatever else might be said, this is *not* the old, familiar Weberian bureaucracy at which so many of our novelists and social critics are still, belatedly, hurling their rusty javelins.

Beyond Bureaucracy

If it was Max Weber who first defined bureaucracy and predicted its triumph, Warren Bennis may go down in sociological textbooks as the man who first convincingly predicted its demise and sketched the outlines of the organizations that are springing up to replace it. At precisely the moment when the outcry against bureaucracy was reaching its peak of shrillness on American campuses and elsewhere, Bennis, a social psychologist and professor of industrial management, predicted flatly that "in the next twenty-five to fifty years" we will all "participate in the end of bureaucracy." He urged us to begin looking "beyond bureaucracy."

Thus Bennis argues that "while various proponents of 'good human relations' have been fighting bureaucracy on humanistic grounds and for Christian values, bureaucracy seems most likely to founder on its inability to adapt to rapid change"

"Bureaucracy," he says, "thrives in a highly competitive undifferentiated and stable environment, such as the climate of its youth, the Industrial Revolution. A pyramidal structure of authority, with power concentrated in the hands of a few . . . was, and is an eminently suitable social arrangement for routinized task. However, the environment has changed in just those ways which make the mechanism most problematic. Stability has vanished."

Each age produces a form of organization appropriate to its own tempo. During the long epoch of agricultural civilization, societies were

marked by low transience. Delays in communication and transportation slowed the rate at which information moved. The pace of individual life was comparatively slow. And organizations were seldom called upon to make what we would regard as high-speed decisions.

The age of industrialism brought a quickened tempo to both individual and organizational life. Indeed, it was precisely for this reason that bureaucratic forms were needed. For all that they seem lumbering and inefficient to us, they were, on the average, capable of making better decisions faster than the loose and ramshackle organizations that preceded them. With all the rules codified, with a set of fixed principles indicating how to deal with various work problems, the flow of decisions could be accelerated to keep up with the faster pace of life brought by industrialism.

Weber was keen enough to notice this, and he pointed out that "The extraordinary increase in the speed by which public announcements, as well as economic and political facts are transmitted exerts a steady and sharp pressure in the direction of speeding up the tempo of administrative reaction . . ." He was mistaken, however, when he said "The optimum of such reaction time is normally attained only by a strictly bureaucratic organization." For it is now clear that the acceleration of change has reached so rapid a pace that even bureaucracy can no longer keep up. Information surges through society so rapidly, drastic changes in technology come so quickly that newer, even more instantly responsive forms of organization must characterize the future.

What, then, will be the characteristics of the organizations of super-industrial society? "The key word," says Bennis, "will be 'temporary'; there will be adaptive, rapidly changing *temporary systems*." Problems will be solved by task forces composed of "relative strangers who represent a set of diverse professional skills."

Executives and managers in this system will function as coordinators between the various transient work teams. They will be skilled in understanding the jargon of different groups of specialists, and they will communicate across groups, translating and interpreting the language of one into the language of another. People in this system will, according to Bennis, "be differentiated not vertically, according to rank and role, but flexibly and functionally, according to skill and professional training."

Because of the high rate of movement back and forth from one transient team to another, he continues, "There will . . . be a reduced commitment to work groups While skills in human interaction will become more important, due to the growing needs for collaboration in complex tasks, there will be a concomitant reduction in group cohesive-

ness . . . People will have to learn to develop quick and intense relationships, on the job, and learn to bear the loss of more enduring work relationships."

This then is a picture of the coming Ad-hocracy, the fast-moving, information-rich, kinetic organization of the future, filled with transient cells and extremely mobile individuals. From this sketch, moreover, it is possible to deduce some of the characteristics of the human beings who will populate these new organizations—and who, to some extent, are already to be found in the prototype organizations of today. What emerges is dramatically different from the stereotype of the organization man. For just as the acceleration of change and increased novelty in the environment demand a new form of organization, they demand, too, a new kind of man.

Three of the outstanding characteristics of bureaucracy were, as we have seen, permanence, hierarchy, and a division of labor. These characteristics molded the human beings who manned the organizations.

Permanence—the recognition that the link between man and organization would endure through time—brought with it a commitment to the organization. The longer the man stayed within its embrace, the more he saw his part as an investment in the organization, the more he saw his personal future as dependent upon that of the organization. Longevity bred loyalty. In work organizations, this natural tendency was powerfully reinforced by the knowledge that termination of one's links with the organization very often meant a loss of the means of economic survival. In a world wracked by scarcity for the many, a job was precious. The bureaucrat was thus immobile and deeply oriented toward economic security. To keep his job, he willingly subordinated his own interests and convictions to those of the organization.

Power-laden hierarchies, through which authority flowed, wielded the whip by which the individual was held in line. Knowing that his relationship with the organization would be relatively permanent (or at least hoping that it would be) the organization man looked within for approval. Rewards and punishments come down the hierarchy to the individual, so that the individual, habitually looking upward at the next rung of the hierarchical ladder, became conditioned to subservience. Thus: the wishy-washy organization man—the man without personal convictions (or without the courage to make them evident). It paid to conform.

Finally, the organization man needed to understand his place in the scheme of things; he occupied a well-defined niche, performed actions that were also well-defined by the rules of the organization, and he was

judged by the precision with which he followed the book. Faced by relatively routine problems, he was encouraged to seek routine answers. Unorthodoxy, creativity, venturesomeness were discouraged, for they interfered with the predictability required by the organization of its component parts.

The embryonic Ad-hocracies of today demand a radically different constellation of human characteristics. In place of permanence, we find transience—high mobility between organizations, never-ending reorganizations within them, and a constant generation and decay of temporary work groupings. Not surprisingly, we witness a decline in old-fashioned "loyalty" to the organization and its sub-structures.

Writing about young executives in American industry today, Walter Guzzardi, Jr., declares: "The agreements between modern man and modern organization are not like the laws of the Medes and the Persians. They were not made to stand forever . . . The man periodically examines his own attitude toward the organization, and gauges its attitude toward him. If he doesn't like what he sees, he tries to change it. If he can't change it, he moves." Says executive recruiter George Peck: "The number of top executives with their résumés in their desk drawer is amazing."

The old loyalty felt by the organization man appears to be going up in smoke. In its place we are watching the rise of professional loyalty. In all of the techno-societies there is a relentless increase in the number of professional, technical and other specialists. In the United States between 1950 and 1969 alone, their number has more than doubled and this class continues to grow more rapidly than any other group in the work force. Instead of operating as individual, entrepreneurial free lancers, millions of engineers, scientist, psychologists, accountants and other professionals have entered the ranks of organization. What has happened as a result is a neat dialectical reversal. Veblen wrote about the industrialization of the professional. Today we are observing the professionalization of industry.

Thus John Gardner declares: "The loyalty of the professional man is to his profession and not to the organization that may house him at any given moment. Compare the chemist or electronics engineer in a local plant with the non-professional executives in the same plant. The men the chemist thinks of as his colleagues are not those who occupy neighboring offices, but his fellow professionals wherever they may be throughout the country, even throughout the world. Because of his fraternal ties with widely dispersed contemporaries, he himself is highly mobile. But even if he stays in one place his loyalty to the local organization is rarely

of the same quality as that of the true organization man. He never quite believes in it.

"The rise of the professions means that modern large-scale organization has been heavily infiltrated by men who have an entirely different concept of what organization is about . . ." In effect, these men are "outsiders" working within the system.

At the same time, the term "profession" is itself taking on new meaning. Just as the vertical hierarchies of bureaucracy break down under the combined impact of new technology, new knowledge, and social change, so too, do the horizontal hierarchies that have until now divided human knowledge. The old boundaries between specialties are collapsing. Men increasingly find that the novel problems thrust at them can be solved only by reaching beyond narrow disciplines.

The traditional bureaucrat put electrical engineers in one compartment and psychologists in another. Indeed, engineers and psychologists in their own professional organizations assumed an airtight distinction between their spheres of knowledge and competence. Today, however, in the aerospace industry, in education, and in other fields, engineers and psychologists are frequently thrown together in transient teams. New organizations reflecting these sometimes exotic intellectual mergers are springing up all around the basic professions, so that we begin to find sub-groupings of bio-mathematicians, psycho-pharmacologists, engineer-librarians and computer-musicians. Distinctions between the disciplines do not disappear; but they become finer, more porous, and there is a constant reshuffling process.

In this situation, even professional loyalties turn into short-term commitments, and the work itself, the task to be done, the problem to be solved, begins to elicit the kind of commitment hitherto reserved for the organization. Professional specialists, according to Bennis, "seemingly derive their rewards from inward standards of excellence, from their professional societies, and from the intrinsic satisfaction of their task. In fact, they are committed to the task, not the job; to their standards, not their boss. And because they have degrees, they travel. They are not good 'company men'; they are uncommitted except to the challenging environments where they can 'play with problems.'"

These men of the future already man some of the Ad-hocracies that exist today. There is excitement and creativity in the computer industry, in educational technology, in the application of systems techniques to urban problems, in the new oceanography industry, in government agencies concerned with environmental health, and elsewhere. In each of these

fields, more representative of the future than the past, there is a new venturesome spirit which stands in total contrast to the security-minded orthodoxy and conformity associated with the organization man.

The new spirit in these transient organizations is closer to that of the entrepreneur than the organization man. The free-swinging entrepreneur who started up vast enterprises unafraid of defeat or adverse opinion, is a folk hero of industrialism, particularly in the United States. Pareto labeled the entrepreneurs "adventurous souls, hungry for novelty . . . not at all alarmed at change."

It is conventional wisdom to assert that the age of the entrepreneur is dead, and that in his place there now stand only organization men or bureaucrats. Yet what is happening today is a resurgence of entrepreneurialism within the heart of large organizations. The secret behind this reversal is the new transience and the death of economic insecurity for large masses of educated men. With the rise of affluence has come a new willingness to take risks. Men are willing to risk failure because they cannot believe they will ever starve. Thus says Charles Elwell, director of industrial relations for Hunt Foods: "Executives look at themselves as individual entrepreneurs who are selling their knowledge and skills." Indeed, as Max Ways has pointed out in *Fortune*: "The professional man in management has a powerful base of independence—perhaps a firmer base than the small businessman ever had in his property rights."

Thus we find the emergence of a new kind of organization man—a man who, despite his many affiliations, remains basically uncommitted to any organization. He is willing to employ his skills and creative energies to solve problems with equipment provided by the organization, and within temporary groups established by it. But he does so only so long as the problems interest *him*. He is committed to his own career, his own self-fulfillment.

It is no accident, in light of the above, that the term "associate" seems suddenly to have become extremely popular in large organizations. We now have "associate marketing directors" and "research associates," and even government agencies are filled with "associate directors" and "associate administrators." The word associate implies co-equal, rather than subordinate, and its spreading use accurately reflects the shift from vertical and hierarchical arrangements to the new, more lateral, communication patterns.

Where the organization man was subservient to the organization, Associative Man is almost insouciant toward it. Where the organization

man was immobilized by concern for economic security, Associative Man increasingly takes it for granted. Where the organization man was fearful of risk, Associative Man welcomes it (knowing that in an affluent and fast-changing society even failure is transient). Where the organization man was hierarchy-conscious, seeking status and prestige within the organization, Associative Man seeks it without. Where the organization man filled a predetermined slot, Associative Man moves from slot to slot in a complex pattern that is largely self-motivated. Where the organization man dedicated himself to the solution of routine problems according to well-defined rules, avoiding any show of unorthodoxy or creativity, Associative Man, faced by novel problems, is encouraged to innovate. Where the organization man had to subordinate his own individuality to "play ball on the team," Associative Man recognizes that the team, itself, is transient. He may subordinate his individuality for a while, under conditions of his own choosing; but it is never a permanent submergence.

In all this, Associative Man bears with him a secret knowledge: the very temporariness of his relationships with organization frees him from many of the bonds that constricted his predecessor. Transience, in this sense, is liberating.

Yet there is another side of the coin, and he knows this, as well. For the turnover of relationships with formal organizational structures brings with it an increased turnover of informal organization and a faster through-put of people as well. Each change brings with it a need for new learning. He must learn the rules of the game. But the rules keep changing. The introduction of Ad-hocracy increases the adaptability of organizations; but it strains the adaptability of men. Thus Tom Burns, after a study of the British electronics industry, finds a disturbing contrast between managers in stable organizational structures and those who find themselves where change is most rapid. Frequent adaptation, he reports, "happened at the cost of personal satisfaction and adjustment. The difference in the personal tension of people in the top management positions and those of the same age who had reached a similar position in a more stable situation was marked." And Bennis declares: "Coping with rapid change, living in the temporary work systems, setting up (in quick-step time) meaningful relations—and then breaking them—all augur social strains and psychological tensions."

It is possible that for many people, in their organizational relationships as in other spheres, the future is arriving too soon. For the individual, the move toward Ad-hocracy means a sharp acceleration in the turnover of organizational relationships in his life. Thus another piece falls into

place in our study of high-transience society. It becomes clear that acceleration telescopes our ties with organization in much the same way that it truncates our relationships with things, places and people. The increased turnover of all these relationships places a heavy adaptive burden on individuals reared and educated for life in a slower-paced social system.

It is here that the danger of future shock lies. This danger, as we shall now see, is intensified by the impact of the accelerative thrust in the realm of information.

The Future Policeman

by James Q. Wilson

To make a reasonable guess as to how police officers will be expected to behave over the next twenty or so years, one must first have some understanding of what aspect, if any, of the police role is subject to change. That question is not answered by banal statements that "society is undergoing rapid change" or "the police officer must respond to new challenges." In some sense, of course, both those statements are true; indeed, they are almost tautologies. But society may "change" in the sense of getting richer or poorer, larger or smaller, more integrated or less integrated, isolationist or internationalist, without any of the essential tasks of the police patrolman changing in the slightest. And the "new challenges" to which the officer must respond may be peripheral to his role and thus his response to them, while perhaps important psychologically to him or symbolically to society as a whole, may not alter in any significant way how he performs his central tasks. As with most weighty matters, one is here confronted with contradictory aphorisms: if one philosopher could say that "all is flux," another could respond, "*plus ça change, plus c'est la même chose.*"

In general, one would expect that change would be most evident in the secondary relationships among persons (i.e., in their participation in large organizations, the mass media of communication, the world of fashion and entertainment) and least evident in their primary relationships (i.e., familial, peer group, neighborhood, and personal concerns). The former are subject to the deliberate acts of large institutions; the latter are shaped by the spontaneous and informal interactions among individuals. Ferdinand Tönnies applied the term *Gesellschaft* (roughly, "society") to the former relationships and explained them as emerging from the exercise of "natural will" (*Wesenwille*); he gave the term *Gemeinschaft* (roughly, "community") to the latter and explained them

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as arising out of the exercise of "rational choice" (*Kurwille*). Insofar as a person participates in contractual relationships or large-scale social institutions that are created to achieve specific ends, he will find his role and the nature of his tasks subject to change; insofar as he participates in communal, primary relationships, expectations about his behavior will change much more slowly, if at all.

Obviously, each social form partakes of some features of the other and each affects the development of the other. No social institution is wholly rationalized in part because each contains important communal elements (e.g., a factory or office has within it informal work groups) and no communal order is entirely unaffected by the behavior of rational social elements (e.g., the family structure slowly changes from extended to nuclear as work opportunities expand and specialized institutions emerge to care for the sick and the elderly). While recognizing that the distinction is over-simplified and to a degree abstract, it is still useful to attempt to locate various social roles in either the communal or social/contractual order so as to form some crude idea of the extent to which each role is likely to undergo rapid change.

One of the interesting features of the role of police patrolman is that it combines elements of the communal and the social/contractual. The patrolman is a member of a large bureaucratic organization in which relationships are defined by rule; he is paid a regular salary in exchange for stated hours of work; he must undergo formal training; he is subject to formal disciplinary actions; and in his everyday tasks he is guided by a set of written laws. If this were all there were to his role, he would be pre-eminently a member of a rationalized social order whose behavior could and would be modified as the institution developed. But the patrolman's essential task is not defined by any of these institutional relationships, but rather by his relationship with small groups of citizens experiencing anxiety, fear, or anger about vital personal and familial concerns. Some of these concerns are those of a victim who has experienced a loss, an assault, or a threat; others are those of a disputant who disagrees with a relative or neighbor about what is orderly, fair, or right; still others are those of a group challenging the propriety and legitimacy of a public action. The patrolman's role, as I have described it elsewhere, is one in which "subprofessionals, working alone, exercise wide discretion in matters of utmost importance (life and death, honor and dishonor) in an environment that is apprehensive and perhaps hostile."* Those

*James Q. Wilson, *Varieties of Police Behavior* (Cambridge: Harvard University Press, 1968), p. 30.

matters with which the police role deals are not likely to change rapidly: men and women will continue to value their property and their privacy, to have differing standards of public and private virtue, and to disagree with many government decisions. Whoever responds to the distress or manages the disputes of these people will of necessity have to take many, if not most, of his cues as to proper action from the immediate circumstances of excited demands of individuals and primary groups.

Over very long time periods, of course, the primary relationships with which police patrolmen deal will change, perhaps profoundly. Personal liberty, economic opportunity, and the division of labor have substituted the extended for the nuclear family, and thus weakened (or so it is believed) the informal constraints and sanctions of family life and led to a greater reliance on formal social controls. The shift in this century from a population with relatively little formal education to one in which the great majority of citizens have a high school diploma and the enormous increase in the size of the middle class (however defined) has helped foster a greater level of civility with respect to many face-to-face relationships (perfunctory politeness is more common, barroom and alley brawls are less common) and simultaneously has stimulated a greater level of stridency in many collective acts (ideology has been reinjected into politics and more persons "know their rights" and are willing to assert them). And to take an obvious case, blacks are no longer passive or deferential: they demand fair treatment and black leaders, though almost invariably middle-class, feel obliged to speak and act to some degree in the language and according to the expectations of their lower and working-class audience.

But except for the fairly recent and seemingly sudden mobilization of black and youth politics, the changes in the class structure of society, and the accompanying changes in the manner of social intercourse, have been, and will continue to be, gradual. Life-styles change more slowly than income. On the other hand, the big-city patrolman is likely to believe that these changes are occurring faster than in fact they are because persons seeking to maintain or acquire a middle-class life-style move out of the central city, leaving behind those who either cannot move or who do not wish to move, and the latter inevitably includes an increasingly large proportion of persons who value a lower-class life-style. The policeman in the central city will encounter in his daily rounds ever larger numbers of non-upwardly-mobile or even downwardly-mobile persons. Thus it is that, while society is becoming more middle-class and (with respect to at least many of its interrelationships) more civil, the

patrolman believes it is becoming more lower-class and less civil. When a patrolman says that the people he meets today on his beat are, compared to those he once met, less respectful of authority, more assertive of their rights, and less constrained by familial norms, he is probably correct. When he generalizes those changes to society as a whole, he is probably not correct.

But though the central-city policeman must deal with a population that consumes police services at a higher rate than before and do so under conditions that place his actions under more critical scrutiny than ever before, it is not clear that the nature of the circumstances that require his intervention have altered: loss, fear, and conflict are and will continue to be his daily preoccupations.

The area in which great and rapid changes will be attempted is not to be found in the communal aspects of the patrolman's role but in the organizational and legal context in which that role is embedded. The police organization is now and will continue to be caught up, in varying degrees, with many of the same forces that have been at work in almost all large organizations in our society—the effort to decentralize, to humanize, and to rationalize the structure and procedures of the police bureaucracy, and to apply rationalistic and utilitarian, as opposed to moralistic and ethical criteria, to the substance of the criminal law. Utilitarianism and human self-actualization are the ruling motives of the contemporary reform impulse. Their meaning is not always fully understood, their justification is rarely based on serious philosophical considerations, and the two concepts are at some points in conflict (utilitarianism, seeking the best results for society as a whole, may require that a large organization be created to serve a particular end; self-actualization, seeking what is best for a particular individual, may require that organizational constraints be lifted and even organization itself destroyed). They are nonetheless powerfully influential goals. These issues can be made clearer by considering in more detail proposed changes in the structural and legal aspects of police work.

Possible Social-Structural Changes in Police Role

Legal. There is little reason to suppose that the proposals heard in recent years for the “decriminalization” of various forms of behavior will abate and good reason to believe that the isolated changes that have already occurred will become widespread. Various kinds of gambling have been legalized in several states, and more states are considering taking similar steps. Public intoxication may well cease being a “crime”

and thus cease being grounds for a lawful arrest. The prospects for decriminalizing the use of various drugs and narcotics are less clear: pressure to legalize the use of marijuana, or at least to reduce substantially the penalties for its use, is likely to increase; pressure to maintain and perhaps intensify penalties for the use of drugs with known harmful effects (such as LSD) will probably continue. The legal management of heroin and of its chemical substitutes, such as methadone, will remain a complex and emotional issue, with increased use of substitutes, perhaps some cautious experimentation with heroin maintenance programs, but no major change in the legal status of heroin sale or use. The sale and distribution of obscene materials, now utterly permissive, may well be contracted slightly by tightened legal restraints and increased demands for police action, but it is not likely that we will see a return to the time when indecency was forbidden and the trade in pornography was almost entirely underground. There is as yet relatively little demand for decriminalizing prostitution, though the semi-legal status of that industry in Nevada may stimulate an interest in similar experiments elsewhere. What is perhaps more likely, because there is a readily available model to copy, is a move toward the British pattern of regulation in which soliciting, pimping, and brothels are prohibited but prostitution as such is not. The laws prohibiting “unnatural” sexual acts among consenting adults will probably either disappear or fall almost entirely into disuse.

If some behavior may be decriminalized, other kinds may be criminalized. Drunk driving, already an offense, is likely to become a more serious one as the effort mounts to reduce highway fatalities. Though the failure to wear a helmet while riding a motorcycle or a seat belt while driving a car harms no one but the careless victim, we are likely to see increased efforts to pass laws that attempt to protect people from themselves and thus increased demands that the police penalize persons who refuse to protect themselves.

Organizational. Experiments with redistributing authority in the police department and redefining the patrolman's tasks will continue. The lesson learned by many police administrators during the 1960's was that order maintenance and service provision are as important, or more important, than law enforcement; that the earlier emphasis on centralized command systems and patrol mobility reduced the contact the officer and with the neighborhood and the individual citizen; and that “community relations,” somehow defined, is an important part of their task. During the 1970's we shall no doubt witness continued efforts to implement changes based on these views: greater decentralization, more precinct or

"store-front" police headquarters, more community relations meetings and councils, and increased efforts to assign officers in teams to areas for which they will have continuing responsibility.

In addition, efforts will continue to redefine the task of the patrolman. One such effort might be called, to borrow a term from industrial psychology, "job enlargement." The patrolman would, in this plan, be given wider responsibilities and greater formal discretion. He would do follow-up investigations as well as make on-the-spot reports; he would visit with residents as well as respond to calls for service; and he would handle some tasks—such as juvenile work, narcotics investigation, or community relations—formerly assigned to specialists.

In addition, we will surely see further efforts to involve the community in some way in police matters in several (but not all) cities. Typically, such involvement in the past has taken the form of monthly meetings and consultative councils. In a few cases, such as Dayton, Ohio, attempts have been made to provide the council with significant powers, and in other cases (such as Berkeley, California) political campaigns have been waged to put some or all of the police services under the complete control of neighborhood governing boards. Such a complete devolution of authority is not likely to occur, but the scope of the consultative bodies may broaden and their representation expand. One obvious change, arising out of the decentralized "team policing" concept, is to assign beat patrolmen (rather than command or staff officers from headquarters) as police members of the councils.

Finally, efforts will no doubt continue to develop new techniques for providing traditional patrol services. The Family Crisis Intervention Unit developed by the New York City Police Department under the guidance of Dr. Morton Bard is the best known example. Specially-selected officers given special training are assigned the task of handling disputatious or problem families in a conciliatory manner and referring them to appropriate city agencies. The Unit is being emulated in other cities though it is not clear it is being institutionalized in New York.

Personnel. Two efforts will continue to dominate police personnel recruitment and selection: the first to "upgrade" the caliber of regular police officers (by increased educational requirements, for example), the second to attract officer recruits who are ethnically more representative of the communities they serve. The latter goal will be served both by new measures to recruit black and Spanish-speaking officers in cities with significant numbers of such residents and by programs designed to bring "para-professional" personnel into police work in such roles as

cadets, community service officers, and police aides. Several departments are endeavoring both to increase the number of minority group officers and to experiment with the use of para-professionals and many report difficulties, especially in minority recruitment. The difficulties will remain, but will be overcome—partly because the demand for such changes will continue, partly because the successes of a few departments will provide a model for other departments, and partly because once change has progressed beyond a certain point (for example, once a certain percentage of black officers has been hired) further success becomes easier (in this case, potential black recruits will no longer suspect they are unwelcome on the force). The use of civilians and para-professionals will also continue for the same reason it is continuing in the medical profession—such personnel are cheaper than fully-trained personnel but can do many tasks as well. Should the wage differential vanish or become trivial, the pressures for using sworn officers for all police tasks will again become dominant.

Political. The police chief, and indeed the entire command structure, will experience a continued effort to place important constraints on his freedom of action. Political leadership in city hall (the mayor, the city manager, local criminal justice coordinating councils) will continue to express a more active concern with police deployment, manpower levels, and planning than has been customary in the past. Now that local elective officials, liberal as well as conservative, have discovered that their constituents demand greater public safety, the police department will no longer be entirely free to run itself. At the same time, militant police unionism will grow, thereby placing an internal constraint on departmental policy. Large cities that do not have police unions (under whatever name) will get them; those that do have them will probably grant them, sooner or later, quasi-official bargaining status; and the unions themselves will broaden their interests beyond merely wage and benefit matters to include a number of aspects of substantive police policy. In this they will be little different from other organizations of municipal employees, at least in the larger cities. In virtually every large governmental bureaucracy, the employees eventually organize in an effort to control, or at least powerfully influence, the agency's personnel system and thus to reduce administrative discretion over hiring, promoting, and firing.

Some Consequences of These Structural Changes

No one can know how these various legal, organizational, personnel,

and political changes will in time affect any given police department, to say nothing of departments generally. One cannot even be confident that efforts at change will continue in the directions now evident. Police reform has gone, after all, through several phases. During the 1930's, 1940's, and 1950's, there was a more or less continuous effort to see the problems of police corruption and political "interference" in police affairs as the paramount issues. Certainly those were the major problems in the view of the Wickersham Commission, as they were (along with the problem of police personnel quality) in the writings of August Vollmer, the dean of police modernization in this country. Concurrently with these concerns, but in time becoming a virtually separate (or at least distinctive) reform impulse, was the effort to apply what were traditionally regarded as the canons of correct management to police work: centralization of authority, clear lines of command, the separation of line and staff functions, the importance of formal training, and the development of systematic and impartial record and information systems. By the end of the 1960's, however, this view of sound administration was giving way to a different model that emphasized human relations over command authority, decentralization over centralization, job enlargement over job specialization, and the "de-militarization" of the police.

Concomitant with those changes in reform strategy have been changes in the reform goal. During the first two phases, crime prevention and criminal apprehension were assumed to be the paramount objectives; thus both anti-corruption and police reorganization campaigns were based on the view that dishonesty and inefficiency impeded crime prevention. With the arrival of the human relations/community relations approach, there has been a noticeable decrease in emphasis on crime prevention and criminal apprehension—the current reformers believe either that there is little the police can do about the crime rate, or that efforts to combat crime cannot succeed without there being highly-motivated officers operating in a sympathetic or at least cooperative community.

Since the pattern of change has itself changed, there is no logical reason to assume that the present pattern will endure. There are some reasons, however, to suppose that it is more than a passing fancy. Perhaps the most important is the fact that almost every large institution in our society has experienced for prolonged periods pressures to change in precisely these directions. Private industry, government agencies, hospitals, and educational institutions have all been shaped by both the demands for greater productivity and efficiency *and* the demand for improved human relations with the reconciliation of these demands

occurring under the suspicious eyes of union and professional organizations. What is happening to police organization is not strikingly different from what has happened in other organizational contexts.

The problem for the police, and for many other government agencies, is that no one has devised as yet an adequate means to assess the consequences of *any* major organizational change whether directed at the objectives of efficiency, humanity, community relations, or improved manpower. This being the case, very few proposed changes are likely, for some time to come, to be defensible on the grounds of the relationship between their demonstrated benefits and known costs. Accordingly, changes will be selected on grounds of their *a priori* appeal, informed by an awareness of the mood of the times, and judged (at least until some way is found of providing better judgments) by some combination of political feasibility and command intuition. Until evaluative techniques have been developed and their use accepted, the case for or against any particular change is not likely to withstand close, critical scrutiny. Thus, the changes being proposed now, like the ones proposed in earlier periods, are likely to be responsive to mood rather than to efficacy.

Since these changes, as shall be indicated below, are to some extent inconsistent with each other, the absence of a reliable and widely accepted standard for testing them will probably lead to a hit-or-miss, start-and-stop style of police reform. The need to make a change for the sake of change, coupled with the need to distinguish oneself from one's predecessor as chief and to meet political criticisms, will lead to the adoption, over the next decade, of many partially incompatible programs, a few of which will become controversial and thus stopped or modified, others of which will prove unimportant and disappear from sight, and some of which will endure but with uncertain consequences. Consider three potential contradictions in police reorganization:

1. *Decentralization vs. centralization.* The demand for patrol strategies that are more responsive to neighborhood concerns will lead to continuing efforts to integrate somehow the patrolman into the community by team policing, beat-commander systems, store-front police offices, and community councils. This trend will be re-enforced by the awareness among administrators of the service and information-gathering function of the patrolman. At the same time, crisis events will lead to renewed efforts to centralize authority in the department in order to deal with public demands that corruption be eliminated, that particularly heinous crimes be stopped, or that civil disorders be managed. To break up corruption, patrolmen will be reassigned (thus reducing neighborhood

contact) and the authority of local commanders curtailed (at least temporarily); to meet the public concern over street crime, patrolmen will be periodically instructed to "crack down" (by making more traffic and street stops, carrying out more field interrogations, and generally "showing the flag"). Some will be redeployed from their neighborhoods to high crime areas and others will find their neighborhood role overlaid by saturation patrol carried out by centrally-controlled units. The conflict between centralization and decentralization is inherent in the police function, and cannot permanently be resolved in favor of either strategy to the exclusion of the other. That there is such a conflict does not mean that police administrators cannot achieve at least a partial reconciliation by, for example, centralizing some patrol functions or units and decentralizing others. But whatever balance is achieved will be a temporary one, because the administrator must respond to demands for riot control as well as personal service, for law enforcement as well as order maintenance, and for ending corruption as well as widening discretion.

2. *Job enlargement vs. job specialization.* Enlarging the job of the patrolman is currently much in vogue for reasons of both morale and effectiveness. Reversing the past tendency to take away from the patrolman various tasks and give them to specialized units (detectives, juvenile officers, community relations specialists, narcotics investigators) should have, in the view of many, the effect of making the patrolman's tasks personally more satisfying and organizationally more effective. The officer will have a wider range of duties, greater freedom in scheduling his own time, and accordingly higher morale; at the same time, he will be able to carry out follow-up investigations on the spot and provide more services to the citizen and provide them without the interruptions arising from other radio calls. Theoretically, there is much that is attractive about this conception of the patrolman's role, but as yet there is little evidence that the theory works. Studies in industry have already shown that there is no clear relationship either between job enlargement and worker satisfaction or between satisfaction and worker productivity.* It is entirely possible that many patrolmen may prefer functioning solely as a report-taker and crook-catcher and that service and investigatory duties being

*A useful summary of the inconclusive state of the evidence on the relationship between job enlargement and either morale or productivity is Charles L. Hulin and Milton R. Blood, "Job Enlargement, Individual Differences, and Worker Responses" in L. L. Cummings and W. E. Scott, *Readings in Organizational Behavior and Human Performance* (Homewood, Ill.: Irwin Co., 1969), pp. 377-393. The weak evidence between morale and productivity is discussed in the same book in the article by Arthur H. Brayfield and Walter H. Crockett (pp. 268-283) and in Victor H. Vroom, *Work and Motivation* (New York: Wiley, 1964).

assigned them will prove burdensome and unwelcome. It is also possible that the generalist patrolman will be no more effective, and perhaps less effective, than the specialized detective in making arrests and clearing crimes. Finally, it may turn out that the services many citizens require can only be provided by specialized units. Family crisis intervention, for example, can in principle be provided by specialized units or by beat patrolmen who have received specialized training. There is some evidence that the specialized-unit strategy works; there is as yet no comparable evidence that attempting to make every patrolman a part-time manager of family crises will work. It may well be that job enlargement will prove to be the optimal way of defining the patrolman's tasks; it is equally likely that the demand for specialized services can only be met with specialized units. Furthermore, we may discover that a patrol task definition that is appropriate for a middle-income suburban community is not appropriate for a lower-income, inner-city area. Until these issues are settled by evaluated experiments, we are likely to see further efforts at both enlargement and specialization, even in the same department.

3. *Upgraded vs. representative personnel systems.* Most police administrators publicly agree that it is important to recruit both better qualified and more representative officers. Privately, some will confess that they suspect these objectives are in conflict. Size requirements must be lowered to ensure an adequate supply of Puerto Rican officers, yet some administrators believe that smaller officers have a less commanding presence, and accordingly greater difficulty in asserting their authority, than larger ones. Educational requirements are being increased in some departments, but this may well reduce significantly the supply of potential black officers, either because there are proportionately fewer blacks enrolled in colleges or because a black with substantial college experience has better opportunities open to him than those afforded by police work. Intelligence testing of recruits is a controversial subject; part of the controversy arises from the fact, privately admitted but publicly denied, that in certain departments blacks are allowed to pass various tests with lower scores than those of whites. A final decision on suitability for patrol work is then made after the completion of police academy training or during the probationary period. The strategy may result in no diminution in the quality of police manpower, but it is not likely to result in its appreciable enhancement if one believes that what these tests measure has any bearing on the capacity to perform police tasks. And that of course is the issue: no one has established what personal qualities are required for, or at least positively correlated with, optimal patrol performance. At

command levels, the relationships between intelligence or formal education on the one hand and staff abilities on the other may be easier to observe, but it is important to keep separate in our minds what we require of recruits to enable them to perform patrol tasks and what we require of them to enable them to succeed in promotional competitions and command and staff responsibilities. In theory at least, many of the latter needs could be met by lateral entry, in-service training, or post-entry higher education. The conflict between the apparent demands of an "upgraded" patrol force and a representative one are likely to endure for some time, particularly since widely accepted measures of patrol effectiveness are likely to be slow in coming. Perhaps as important, even if intelligence, or college schooling, or particular personality traits are shown to be positively associated with effectiveness, it is not clear that there is any feasible combination of working conditions and money benefits that will induce large numbers of persons possessing these traits to apply for police work.

The Enduring Features of Police Patrol

In many departments, the formal definition of the patrol tasks, the quality of the patrol recruit, and the organizational and legal context in which the officer functions will change marginally. I contend they will not change fundamentally or in ways that profoundly alter the nature of the patrol tasks or the way it is routinely performed. The essential elements of the patrolman's role are not defined by legal codes or the organizational directives, but by the relationship between a frightened, aggrieved, or angry citizen and a particular man in uniform. Over time, the nature of this relationship will alter as the social class (income, schooling, and life styles) of the participants in it change, but such changes cannot be measured in years but only in generations.

Furthermore, the differences in the emerging police organization as experienced by the patrolman or the citizen will be marginal because such changes as can be made will meet powerful sources of resistance. One is to be found in the growing constraints on the freedom of action of the police administrator arising out of political supervision and police unionism, another in the unresolved contradictions that exist, as the previous section has indicated, in the proposed changes themselves.

The most rapid changes will occur in those communities in which the resistance is minimal or the contradictions most easily overcome. Relatively homogeneous communities will express clearer preferences for a certain style of policing than will heterogeneous ones. Middle-class communities will have fewer order maintenance problems than working- or lower-

class ones, and thus fewer sources of police-citizen conflict. New communities will have great opportunities for experimentation than old ones. But even in these places, it remains to be seen whether these changes affect the inner realities or only the outward appearances of police work.

If this view of patrol work is correct, then the most important implication is that police personnel and training systems must emphasize the performance of the patrol task as it is now understood and not as it may become. Unfortunately, recruits are selected and trained in ways that often bear little relationship to their inevitable responsibilities. Though I am not aware of any survey that bears directly on this point, most training programs I have observed emphasize the memorization of legal codes and departmental rules more than the development of skills at managing social conflict. And familiarization with the law (which is of course important) is done inefficiently (by lectures) rather than efficiently (by programmed, individualized instruction). Furthermore, the precinct or station-house socialization process that occurs after the recruit leaves the academy probably fails to re-enforce the desirable aspects of recruit training and may in fact lead the recruit to believe that his formal training can be discredited or ignored.

It is easy to misunderstand the problem. What is necessary is *not* to replace training for police work with training for social work, *not* to separate order-maintenance and law-enforcement responsibilities, *not* to substitute "human relations skills" for the ability to make an arrest or take charge of a situation. The debate over the role of the patrolman has tended to obscure the fact that the patrolman does all of these things most of the time—though the law-enforcement, order-maintenance, and service-provision aspects of his task can be analytically distinguished, concretely they are thoroughly intermixed. Even in a routine law enforcement situation (for example, arresting a fleeing purse snatcher), how the officer deals with the victim and the onlookers at the scene is often as important as how he handles the suspect. The victim and onlookers, after all, are potential witnesses who may have to testify in court; assuring their cooperation is as necessary as catching the person against whom they will testify. The argument about whether "cops" should be turned into "social workers" is a false one for it implies that society can exercise some meaningful choice over the role the patrolman should play. Except at the margin, it cannot; what it can do is attempt to prepare officers for the complex role they now play.

Furthermore, the patrolman can no more be a "social worker" than he can be a "cop." Unlike the former, he wears a uniform, carries a

gun, is a symbol of authority, and must often use force; unlike the latter, he rarely can make a "clean" arrest of a solitary felon—such arrests as he makes are typically of a misdemeanor, they frequently take place in a social situation, and they often involve controversial standards of public propriety and order (as in arrests for disorderly conduct).

The legal code is not irrelevant to performing in this role, but neither does it always provide an unambiguous cue as to the correct course of action. And even when it does provide such a cue, the other elements of the situation (for example, challenges to the officer's authority or self-respect) may obscure that cue.

A recruitment program must have the tested capacity to identify persons who:

- 1) can handle calmly challenges to their self-respect and manhood;
- 2) are able to tolerate ambiguous situations;
- 3) have the physical capacity to subdue persons;
- 4) are able to accept responsibility for the consequences of their own actions;
- 5) can understand and apply legal concepts in concrete situations.

A training program should develop each of the above abilities by means of instruction in situations that simulate as far as possible real-world conditions. The object should be to develop an inner sense of competence and self-assurance so that, under conditions of stress, conflict, and uncertainty, the officer is capable of responding flexibly and in a relatively dispassionate manner rather than rigidly, emotionally, or defensively. These objectives will not be attained by simply multiplying courses that, *seriatim*, take up the law, departmental rules, unarmed combat, and "human relations." There is, of course, a growing awareness of the social and psychological aspects of police work, but lectures on such topics and the scrutiny of texts that urge the reader to become aware of how others perceive him are hardly adequate.

To use an analogy, a football team cannot be trained by having its members memorize the playbook, learn how to put on their uniforms, work out on tackling dummies, and study the rules of the game. The team must in addition practice together, experience physical conflict, hear the crowd noises, and make mistakes that can be corrected. Training for police work is even harder, since so little of it is a team effort.

The training conditions must be designed to place officers in situations

of stress and conflict in which they must manage their own behavior and that of others in a manner consistent with (but rarely determined by) legal standards. Generating such situations in the classroom is not simple but the efforts of some departments have shown that it can be done in ways that lead the students involved to experience genuine emotions, lose their tempers, and feel threatened.* By observing the behavior of others and by hearing comments on their own behavior in these situations, the recruit can better learn what he can expect from others and (most importantly) from himself in real-life situations. If a way can also be found to continue this process of self-awareness and supervised behavior after being assigned to his first patrol duty, the patrolman's training can be made continuous rather than (as is now the case) sharply segmented into (often inconsistent) "academy" phase and "street" phase.

In sum, the future patrol tasks will be much like the present ones. There will be unplanned near-term changes (with the rise and fall of protest movements and collective disorders), some planned near-term changes (with alterations in the criminal law, changed deployment tactics, and new directives about priority targets for investigation), and perhaps fundamental long-term changes (with modifications of the class structure of society). The near-term changes, while important in their own right, will not affect importantly the routine patrol tasks; the long-term changes may have a great effect on police roles, but they are still too distant and uncertain to be the basis for present-day planning. The men recruited for patrol work, at least in the larger cities, will be drawn from much the same backgrounds as present-day recruits—they will come from working-class and lower-middle-class families, will be men of average to slightly better than average intelligence, and will be highly sensitive to ethnic and racial differences in our society. Some, perhaps many, will have higher levels of schooling (perhaps a year or two of post-high school experience) but it is not yet clear that this will affect markedly the way in which they will perceive or perform their tasks. For the next two decades at least, the central task of police administrators with respect to recruit personnel will be to devise ways of improving (and getting civil service systems to accept) selection standards and of reshaping training programs in order to develop the ability of men to handle complex, stressful, dangerous, and conflict-laden situations in ways that serve both law-enforcement and order-maintenance objectives.

*Without wishing to endorse it without qualification, the Applied Psychology Workshop of the Chicago Police Department's Police Academy is an example of the kind of training experience I suspect will prove valuable.

*Toward an Alternative to the Classic Police
Organizational Arrangements:*

A Democratic Model

by John E. Angell

Theories are developed to facilitate understanding; however social science theories, unlike theories of the physical sciences, are complicated by the fact that their subjects think and act. Human decisions and actions have a multiplicity of causations including past experiences, influences of culture, and expectations about the future. Consequently, social theories are particularistic. Their usefulness is restricted by specific values and perceptions that determine the characteristics of behavioral patterns and rationality.

Social science theory about the organization and management of bureaucracies is no exception; it is also particularistic and must be situationally conditioned. Therefore, since rationality is culturally or normatively determined, conclusions about "proper" or "improper," "right" or "wrong," and "good" or "bad" organizational arrangements cannot be absolute. The values and expectations of the social system within which the organization exists will define the norms and boundaries for organizational arrangements and managerial practices.

The structural model most frequently advocated and utilized in American police endeavors was first implemented in the Anglo-Saxon world by the Metropolitan Police Act, which established the London "bobbies" in 1829. This model follows closely the tenets of the classic organizational theory, which is an ideal-type based on pre-twentieth-century organizations. In spite of the tremendous changes in society, its culture and values,

AUTHOR'S NOTE: *Experiments based primarily on an earlier draft of this paper are under way in the police departments at Dayton, Ohio; Louisville, Kentucky; and Holyoke, Massachusetts.*

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no significant changes have occurred in the approach to police organization and management since 1829. However, just as it took the traumatic realities of Panzer warfare in World War II to cause the United States Army to abandon the horse cavalry and horse-drawn artillery, the inability of the police to deal effectively with the social problems of the past decade has alerted perceptive people to the need for changes in police administration.

CHARACTERISTICS OF THE EXISTING POLICE STRUCTURES

The structures of modern American police organizations are rationalized, hierarchical arrangements that reflect the influence of classic organizational theory as promulgated by Max Weber (Bendix, 1962; Gerth and Mills, 1958: 196-244; Henderson and Parsons, 1947: 329-340). The most salient characteristics of these departments, as with all organizations that are based upon classic theory, are:

- (1) formal structures are defined by a centralized hierarchy of authority;
- (2) labor is divided into functional specialties;
- (3) activities are conducted according to standardized operating procedures;
- (4) career routes are well established and have a common entry point; promotions are based on impersonal evaluations by superiors;
- (5) management proceeds through a monocratic system of routinized superior-subordinate relationships;
- (6) status among employees is directly related to their positions (jobs) and ranks.

These characteristics result in a firmly established, impersonal system in which most of the employees and clients are powerless to initiate changes or arrest the system's motions. While this organizational arrangement has generally been afforded high esteem among prescriptive authors in the police field, questions are increasingly being raised concerning its adequacy (Kimble, 1969; Myren, 1960).

PROBLEMS OF CLASSIC THEORY Classic Bureaucracies in General

Criticisms of classic bureaucracies in general and police organizations in particular are plentiful (Bennis, 1966). The most common criticisms fall into four categories (Argyris, 1957: 1-24; Bennis and Slater, 1964).

- (1) *Classic theory and concepts are culture bound.* Weber's normative conclusions about organizations were founded on his observation and studies of early military organizations, the Catholic church, and the Prussian army. Therefore, his theoretical concepts quite naturally reflect the authoritarian biases of such systems.

- (2) *Classic theory and concepts mandate that attitudes toward employees and clients be inconsistent with the humanistic democratic values of the United States.* Managers in organizations adhering to classic philosophy are expected to view employees and clients of the organization as "cogs" that can be relatively easily replaced. The individual value of each person, a fundamental assumption of American democracy, is foreign to classic organizational concepts.
- (3) *Classic structured organizations demand and support employees who demonstrate immature personality traits.* Employees of classic organizations are analogous to children in a family—they are expected to obey orders and carry out assignments. This situation is best illustrated by traditionalists among military officers who are fond of telling their enlisted subordinates, "You're not paid to think, you're to do as you're ordered." Employees who do not question, but blindly obey every regulation and order are rewarded, whereas the mature person who raises legitimate questions about the organization and its activities is often ostracized and punished. Such behavior discourages attitudes of independence that are characteristic of a mature adult personality.
- (4) *Classic organizations are unable to cope with environmental changes; therefore, they eventually become obsolete and dysfunctional.* The hierarchical organizational structure and related classic theory power arrangements stifle communications and restrict information about both the internal and external environments of the organization; therefore, they find it difficult to detect and respond to changes. In addition, the emphasis upon routinization of organizational activities creates inflexibility in employee and organizational behavior and reduces the organization's ability to adapt to change.

These criticisms are as relevant to police departments as other bureaucracies. In addition, police departments have specific problems that are peculiar to their operations and can be traced to classic organizational concepts.

Problems Related to Police Bureaucracies

Although many police organizational problems can be related to the basic bureaucratic theory as operationalized by police managers, three of the most significant are appropriate as illustrations. These problems are: (1) the state of police and community relations where well-developed police bureaucracies exist, (2) the state of morale among police employees, and (3) the lack of communication and control in law enforcement agencies (President's Commission on Law Enforcement and Administration of Justice, 1967).

Police and community relations. Since increased efficiency is a basic goal of classic organization theory, consolidating small organizations and centralizing control over them is always at least rationally justified. Their

concern for efficiency and economy has caused police administrators to develop a myopia to side effects that accompany increased centralization of police departments. For example, consider the side effects from attempting to develop the one "best" procedure for enforcing an abandoned vehicle law in a large jurisdiction with an economically heterogeneous population. Assume that those who have the greatest economic advantage and the most political influence feel a need to eliminate inoperable vehicles from the city. Since they are politically powerful they have no difficulty impressing upon the equally middle-class police management the importance of enforcing this law. According to classic theory a uniform policy is developed and officers are instructed to enforce the law in a nondiscriminatory fashion (that is, they cannot make exceptions to the enforcement policy), and they carry out the policy in a highly impersonal manner.

Although not blatantly apparent, this kind of enforcement is highly discriminatory. First, the lower-income citizens are generally the only people who have inoperable vehicles where the police can detect them; second, lower-income people cannot afford to maintain their cars in as good a state of repair as can higher-income people; and, third, lower-income people need the parts from their inoperable autos to repair the ones they are currently driving. In addition, an abandoned vehicle law has no social utility for people with lower incomes if they are not disturbed by the presence of inoperable cars. The value of having such a vehicle may be greater to them than a tidy backyard.

The centralized authority and responsibility of the police to develop a policy facilitate their manipulation by the powerful persons and groups, while it precludes other less powerful groups from legitimately influencing these policies. In other words, classic organization concepts do not facilitate adequate policy flexibility. If the police adhere to classic principles, they cannot develop their policies to meet legitimate needs and values of individual subcultures or groups—even when these variations might improve justice, as in the preceding example. This inflexibility is detrimental to police-community relations.

Classic theory also supports police reformers who insist that police departments be isolated from politics. As police departments become more refined and move nearer this goal, they move further away from another basic goal of democracy—guaranteeing every citizen access to and influence with governmental agencies. Under a highly developed police bureaucracy, nearly all citizens view their police department as essentially beyond their understanding and control. Where the police department is a highly developed traditional bureaucracy, its structure

and its philosophical underpinnings will eventually cause the organization to become socially irrelevant and ineffective. This situation in turn will have a profoundly damaging effect upon police and community relations.

Once a negative police-community relationship begins to develop, communications problems increase and may worsen geometrically. The classic organization impedes improvements by further restricting communications and by failing to facilitate personalized attention to subgroup problems. This situation makes it impossible to develop a significant level of role consensus between minority groups and the police.

Police employee morale. The classic organization model appears to support a perpetual state of low morale among employees of bureaucracies. Max Weber is quoted as having condemned this aspect of bureaucracy (Bendix, 1962: 464):

It is horrible to think that the world could one day be filled with nothing but these little cogs, little men clinging to little jobs and striving toward bigger ones—a state of affairs which is to be seen once more, as in Egyptian records, playing an ever-increasing part in the spirit of our present administrative system, and especially of its offspring the students. This passion for bureaucracy is enough to drive one to despair. It is as if in politics we were deliberately to become men who need "order" and nothing but order, who become nervous and cowardly if for one moment this order wavers, and helpless if they are torn away from their total incorporate in it. That the world should know men but these, it is in such an evolution that we are already caught up, and the great question is therefore not how we can promote and hasten it, but what can we oppose to this machinery in order to keep a portion of mankind free from this parcelling out of the soul, from this supreme mastery of bureaucratic way of life.

If employees in a demoncratic environment are to be satisfied, they must be more valuable than cogs in a machine. Their jobs must be challenging and rewarding enough so that they have a sense of pride and self-importance in performing them.

The division of labor and organization structure should be such that an employee can be content doing his job well. A good patrolman or specialist should not be dependent on a promotion to a supervisory position for increases in pay or status. It is irrational to train and coach an officer until he obtains a high degree of competence in performing his specialty, and then promote him into a supervisory position where his skills will be useless to him (Peter and Hull, 1969). Yet in a police department employees are hired for one level but are expected to strive for promotions to completely different kinds of jobs in supervisory positions. Consideration is seldom given to the fact that a good patrolman

may be a poor manager. In fact, under classic concepts it is improper to reward a patrolman with a salary equal to that of a top administrator even though both may be equally important to the successful operation of the organization.

Another major cause of poor morale among police employees is the conflict between generalists and specialists (Wilson, 1963). In police organizations the most important people in the organizations, the generalists or patrolmen, tend to become nursemaids to the specialized officers such as investigators, and juvenile and traffic officers. This situation creates tension between police generalists and police specialists, and results in a lack of cooperation toward the accomplishment of common goals. The reason for this conflict is apparent. The patrolman's duties mandate that he be highly skilled and knowledgeable in handling a wide range of human behavior. However, he is accorded low status and pay, whereas the specialist receives much more of both. Patrolmen often believe the public thinks that detectives solve large numbers of serious crimes (in fact they usually have a far lower arrest rate than patrolmen and a large percentage of their arrests are based upon information provided by patrol officers; and that juvenile specialists are the only police officers who are concerned about helping children. On the other hand, they believe that the public credits uniformed patrolmen only with victimizing citizens and starting riots. These perceptions may so affect the motivation of the generalists that they shunt responsibility onto the specialist at every opportunity.

In addition, low morale among police employees is also caused by feelings about their inability to affect their own working conditions. As the educational level of police employees, rises, they insist that they have a right to be involved in decision-making processes of the police organization. Educated officers believe that they have the ability to make decisions about their jobs. Police activism has increased and a number of jurisdictions have recognized the legitimacy of police employees' groups and unions. Such recognition is contrary to the tenets of monocratic, classic theory, which holds that the ultimate decision-making authority rests with the chief of police and flows from the top of the hierarchy to the positions at the bottom; however, the trend toward employee involvement in decision-making processes is not likely to cease. The continued utilization of classic autocratic managerial techniques by traditional managers only increase employee hostility and dissatisfaction.

Communication and control. According to the postulates of classic organization theory the chief administrator is responsible for controlling

the personnel of the organization. It is surprising that although students have noticed that certain types of control are almost always absent, they have failed to deduce the basic weaknesses in the theoretical foundation of the existing organization structures (Angell, 1967). Apparently, a chief of police of a large department cannot remain loyal to classic principles and at the same time exercise informed control. The explanation for this situation can be traced back to a long recognized problem of bureaucracies—communication.

The hierarchy of authority through which communications travel distorts and filters communications both deliberately and unintentionally (Tulloch, 1965). The chief administrator seldom gets a true picture of what is occurring in his department. When he issues a directive to correct a situation (which he probably has already perceived inaccurately), his communication will be most likely be distorted as it travels through the hierarchy; therefore, it will not have the impact he originally intended. Even with improved communication, the assumption that formal authority to command can force compliance from subordinates appears to be questionable. As Chester Barnard (1968) pointed out many years ago, authority rests with the subordinates rather than with the supervisor. In other words, if the subordinates are not disposed to accept them, orders will receive little or no compliance.

Various functional supervision units established to guarantee employee compliance with departmental expectations have not been notably successful (Angell, 1967). Therefore, it is questionable whether in our culture, traditional bureaucratic principles can accomplish the objective of adequate control.

Conclusion

Weber's concepts of organization may not be adequate for organizing police departments in the United States. The police problems appear to indicate that gaps in expectations and role perceptions exist between actors who are significantly related to police organizations. Further application of the tenets of classic theory at this time in this society would serve only to heighten tension and increase conflict. Therefore, the basic hope for correcting the dysfunctional trends of American police organizations lies in the development of a new model that will be compatible with the values and needs of American society.

THE PROPOSED ALTERNATIVE

The following model is an attempt to develop a flexible, participatory, science-based structure that will accommodate change. It is designed for

effectiveness in serving the needs of citizens rather than autocratic rationality of operation. It is democratic in that it requires and facilitates the involvement of citizens and employees in its processes. It is designed to improve decision-making and role consensus among citizens and employees by increasing the exchanges of information and influence among the people who are related to the organization.

Overview of the Structure

The basic model is an organization with three primary sections: (1) General Services Section, (2) Coordination and Information Section, and (3) Specialized Services Section. This arrangement would not be structured in a hierarchical fashion with formal ranks and formal supervisors. In order to improve communication and increase the flexibility of the organization all supervisory positions, as they have been traditionally defined, have been abolished. Similarly, military titles and ranks are not used.

The controls in this system are varied, in contrast with the single chain of command control required by classic concepts. Although the control responsibilities will be well defined, no single section or individual will be totally responsible for controlling the entire organization. The control system is defined as a system of checks and balances in which one section of the organization has authority in one instance, another section of the organization has authority in a second instance, and the third section in the third. The General Services Section would consist of teams of generalists decentralized to work in a small geographic area. On the other hand, the Coordination and Information Section would be centralized and might even include many jurisdictions (e.g., a regional or state level). Within the Coordination and Information Section would be those activities related to the coordination of activities and housekeeping of the organization (e.g., those activities presently called administrative and staff functions). The Specialized Services Section would contain those specialized activities currently classified as line units (e.g., investigative, juvenile, and traffic functions).

General Services Section. The General Services Section of the organization would consist entirely of police generalists, who would have equal rank and would have no formally assigned supervisor. The leadership is expected to develop situationally as the circumstances dictate. In other words, team members can determine who will lead them and the person who occupies the leadership role may change as the situation changes.¹

Officers will be assigned in teams of five positions by the Coordina-

tion Section to work within an assigned geographic area.² Except for broad guidelines that would prevent extreme or deviant behavior by the generalists, no procedural guidelines will be imposed on these teams by administrators in the organization. The freedom from rules is intended to permit: (1) the local teams to adopt goals and policies consistent with the needs and desires of the people in their community, and (2) the teams to develop their own methods for handling the problems within their geographic area.³ However, the goals, policies, and procedures established by the teams could be registered with the Coordination and Information Section.

A team will be expected to work closely with the community of its area. Each team should be responsible for maintaining a community office that will be its local headquarters. Informal meetings involving team and community members should be held periodically to discuss the policies, procedures, problems, and conduct of the community and police. Attempts should be made in these meetings to get consensus on various police responsibilities and procedures.

The teams are also expected to involve specialists from the other sections of the organization in these community meetings. These specialists will be able to provide additional information that can be used to identify and solve community problems as well as serve as communication links with their fellow specialists.

Team members should also attend intraorganizational communications and training programs and meetings. These activities will be designed to

1. This approach to leadership is not new. According to Maslow (1965: 123), "The Blackfoot Indians tended not to have general leaders with general power . . . but rather different leaders for different functions. For instance, the leader in a war party was the one whom everyone thought to be the best person to lead a war party, and the one most respected or the leader in raising stock was the man best suited for that. So one person might be elected leader in one group and be very last in the second group." Caudill (1963: 39) points out that Confederate soldiers often elected their officers during the Civil War. In addition it is common practice in small hospitals for surgical teams composed of the same members to shift the leadership role for different types of operations. Finally, there is considerable research which suggests many advantages to functional leadership (Katz and Kahn, 1960: 554-570; Coch and French, 1948: 512-532; and Cloward, 1959).

2. Teams of five positions have been chosen because a total of approximately 25 officers would be required to staff five positions on a 24-hour-a-day basis when days off and holidays are considered. Since informal communications among officers is essential, the team must be kept as small as possible to facilitate face-to-face communications and solidify the team.

3. The research indicates that placing such responsibility on employees results in higher worker satisfaction (Katz and Kahn, 1960).

eliminate organizational conflicts and misconceptions and to improve the abilities of team members. In addition, study and supervision groups that include team members may be established, ad hoc or permanently.

The officers on each team will have considerable flexibility in deciding when to utilize the services of the Coordination and Information Section and the Specialized Services Section of the organization. In other words, the generalists within each area will be expected to decide how far to go in each particular situation. For example, they will have the right to decide when they will call an investigator to assist in the investigation of a crime. However, no organizationwide regulations will prohibit them completing an investigation alone. If, on the other hand, a team member decides that he needs the assistance it will be available. This freedom from organizationwide policies does not prohibit individual teams from establishing guidelines for their own members.

The evaluation of these teams could be multiphased such as:

- (1) team evaluation whereby each member of the team would evaluate all other members of the team;
- (2) evaluation by Coordination and Information Section, which could determine whether the teams are adequately accomplishing the organizational objectives: this section probably should not evaluate the procedures that the team uses in doing the job, but rather it would assess how far the team has gone in adequately meeting its obligations and accomplishing its goals;
- (3) evaluation by the community served by a team;
- (4) functional evaluation by specialists in their areas of expertise.

Coordination and Information Section. The Coordination and Information Section of the organization will be made up of functional supervision units (including an ethics unit to ensure that the teams meet the established standards), a planning unit that will provide assistance for the teams, and certain other support units such as detention, records, communications, and training. In other words this section will contain units that are concerned not with policy development, but essentially with providing coordination, support, and minimal supervision for the other sections of the organization.

One of the most important responsibilities of this section is the definition of communities and the assignment of team members to them. This activity involves determining areas where the citizens have relatively homogeneous value systems and assigning teams to these areas in such a way that their workloads are equal.

In the assignment of team members, this section should attempt to

provide each team with generalist members who have complementary skills and attitudes. Every team should be monitored and evaluated constantly, so that improperly assigned officers can be reassigned to other teams and areas where they can perform better. When evaluation reveals that the teams as a whole are not meeting their objectives or not complying with standards, the Coordination Section should be responsible for breaking up the team and reassigning the members. A new team must then be selected and assigned to the area.

The Chief Coordinator of this section should play a role analogous to that of a hospital administrator. It will be his job to:

- (1) represent the organization on occasions when a spokesman for the entire organization is needed;
- (2) oversee the continual updating of the organizational philosophies and long-range objectives;
- (3) coordinate the activities of the various segments of the organization and settle conflicts and duplications of efforts;
- (4) provide employees and teams with maximum, yet equal, support within organization resources.

This official should be selected for the job because of his expertise and abilities in coordinating and managing human organizations. He should have a contract for a definite number of years and be considered for reappointment at the end of his term. Members of the organization as well as the public should be involved in his selection and evaluation. Obviously, his success will depend on his ability to maintain the system.

Specialized Services Section. The third branch of the organization, the Specialized Services Section, will employ and house specialists such as investigators, juvenile specialists, and traffic specialists. These specialists will be available to support and assist generalists. The generalists will have the freedom to establish their own team policy regarding the utilization of specialists. Their policy may leave such decisions up to the individual generalist.

When called by a member of the General Services Section, a specialist will serve at the pleasure of the generalist or team who called him. He is responsible for performing his particular speciality without interference from the generalist in much the same way as an X-ray technician or other medical specialist performs services for a doctor. Therefore, while a specialist will work at the discretion of and as an assistant to the generalist, he is nevertheless responsible for doing a professional job. Once he has completed his work his only responsibility is the submission of a report to the generalist who requested his service. Decisions regarding

further action are the responsibility of the generalist.

Specialists may be evaluated by their fellow specialists, functional supervision units in the Coordination and Information Section, the generalists or teams for whom they work, or any combination of the preceding. If they are not performing adequately, the authority for retraining lies with the Coordination and Information Section; however, these people should have received most of their professional education and training prior to their employment. This procedure will permit the hiring of skilled specialists who are already qualified professionals.

In addition to the traditional specializations of police work, new specialties could be developed to improve the quality of policing. For example, if a decision to disarm the General Service officers were made, a specialized unit might be established to assist the generalists in situations involving explosives or firearms. Such a unit could be kept on reserve in much the same way as firemen are kept ready. Members of this unit could be highly trained and adequately equipped to respond immediately anywhere in the jurisdiction. The potential for such specialization is limited only by the imagination.

Although the specialists will have a considerable amount of freedom to perform as they see fit, it should be reemphasized that they will be working for the generalists rather than for an independent supervisor as they do now. On the other hand, these specialists may be expected to evaluate the quality of the activities performed by generalists in their area of expertise (e.g., investigators might evaluate the quality of investigations performed by the various teams).

EXPECTED ADVANTAGES OF THIS MODEL

This organizational arrangement offers the potential for solving many of the problems that elude solution under the classic police organizational arrangements. First, by eliminating formally assigned supervision and by providing officers with more control over their own jobs, it should increase the morale and effectiveness of employees. In addition, it should result in improvement in the ability of the groups to establish and achieve goals.

The decentralization of these groups will give citizens more influence in policy decisions. This influence should provide the generalists with more direction than police officers currently have for the establishment of socially relevant enforcement policies as well as the exercise of discretion. It will also provide more flexibility in policy, so that the various segments of the population will receive more appropriate police service. These factors should improve the relationships between the public and police officers, and thereby improve the effectiveness of the police.

This organizational structure increases the professional standing and prestige of the generalist without damaging the status of the specialist. It recognizes that the generalist is important and has the intelligence needed to make decisions about his job. On the other hand, the importance of the specialist is recognized and rewarded. Since this plan permits hiring from outside the organization, highly skilled persons could be selected for specialized jobs, thus saving the organization training expenses.

In essence this organizational structure destroys the formal classic hierarchy. It establishes a system of checks and balances somewhat like that of the federal government. Some aspects of this arrangement are analogous to a hospital situation, and other features are very similar to those used in universities. It provides for increased communications and more adequate information about perceptions and expectations of the various actors in the system. It provides employees with the authority and responsibility necessary for attaining professional status. It facilitates citizen involvement and organizational responsiveness, the hallmarks of democratic institutions. And it should encourage the development of more mature employees and citizens.

RELATED CHANGES

In order for this model to work substantial changes in aspects of management other than the organization per se will be necessary. One of the most important of these changes will be the modification of police training programs. The traditional training method utilized in police academies—the lecture—is inadequate to prepare employees for the decision-making responsibilities they will encounter in this type of organization. For this system to function properly personnel must have a broad education that emphasizes improving their decision-making abilities. The generalists will, because of structure, have to be well versed in human relations and dealing with people, politics, management, and a broad range of other activities, with which they are not too familiar at the present time. Training activities for General Services officers may utilize techniques such as the crisis intervention program that has been developed by Mort Bard in New York City (Bard, 1969) and the community-based training program that has been implemented in Dayton, Ohio (Igleburger and Wasserman, 1970). The training of the specialists will be facilitated because people can be hired from outside into these positions; therefore, they will be trained to perform at a high level of efficiency before they enter the organization. The Coordination and Information Section can be staffed by management specialists, planners and other specialists who have the appropriate training and education. Many such positions might

be staffed by students, researchers, and educators to increase the relevance of higher education and draw on the ideals of its personnel.

A second area where changes may be necessary is salary. Under this organizational structure there should be no significant differences among the salaries of the various people. A patrolman or a generalist is equally important in his particular area as an administrator is in his area, and the investigator is as important as an administrator or a police generalist. Therefore, the starting salaries might be in the neighborhood of \$9,000 or \$10,000 with merit increases to about \$20,000 a year. Since the work of people in all three areas is equally important, they should also receive merit and seniority salary increases up to the same maximum. Such salaries would eliminate the need for patrolmen to be promoted to a supervisory position for salary increases, and it would improve efficiency by allowing employees to concentrate exclusively on their jobs.

A third important activity that might be necessary is the establishment of an ethics committee. This committee might consist of employees and citizens who would hear complaints regarding the behavior and decisions of various members in sensitive, well-defined areas. It would have the power to take certain kinds of action to correct misbehavior and improper decisions by professionals within the organization. Part of the value of this unit would be in the information it would provide for decision about training and organizational improvements. Although this unit might be part of the Coordination and Information Section of the organization, it does not necessarily have to be located in this section. Other arrangements, such as an independent unit outside the organization, may be equally desirable.

However, the most important change necessary is in attitudes. Police executives will need to place more confidence in their officers, and the officers will have to accept increased responsibility and deal with it realistically. Executives will be tempted to impose their values about how things should be done on the teams and they will have to resist this temptation and evaluate teams on their results. Team officers will be constantly frustrated by the ambiguous, unstructured, insecure nature of their jobs and they will need to learn to accept and deal with the problems inherent in such an environment. Naturally, people currently holding middle-management positions will have the biggest adjustment to make in order to understand why their positions are unnecessary. Members of the organization and many citizens will have difficulty adjusting to this arrangement. Democratic ways are never tension-free or easy.

CONCLUSIONS

The problems related to the utilization of the military or classic model for municipal police organizations that have heavy service goals are numerous. I have attempted to present an alternative organizational model which I believe would be an improvement on the existing approach to police organization. This model is democratic in that it rejects the dictatorial, classic approach and facilitates the involvement of many people in its decision-making processes. On the other hand, it also provides for control of its employees and coordination of their activities. It provides methods for making policy differentials as well as for maintaining organizational efficiency. Significantly, it increases the probability of the police officer's job becoming a full-fledged profession.

Implementation of the recommendations should be well planned and tied to a program of evaluation. A department might be reorganized to continue the existing approach in all but two experimental areas where teams constructed along the lines recommended would be implemented. The communities where these experimental units are implemented could be subjected to pre- and postevaluations. Comparisons of attitudes and changes related to the operation would be essential. Such evaluation would require an extensive interdisciplinary research effort of a caliber never before undertaken in the police field.

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IV. PATROL DEPLOYMENT

As the largest single element in the police department and the component responsible for the vast majority of police-citizen encounters, the patrol force becomes the primary vehicle of expression for a department's goals and objectives. It is, therefore, imperative that goals and priorities be reflected in the formulae used to determine the proper deployment of patrol resources.

The ensuing selections attempt to outline the most sophisticated deployment methods currently available, while placing into clear focus the untested assumptions that underlie these procedures. The first two selections, consecutive chapters from a Rand Corporation report, specifically address each of these purposes. The Rand report points to the need for research and experimentation in patrol. Such experimentation must seek: (1) to specify the relationship between police preventive patrol activity and crime prevention, deterrence, and on-scene criminal apprehensions; (2) to establish the relationships both quantitative and qualitative between the speed and type of police response and the rates of crime deterrence, on-scene apprehensions, the availability of witnesses, and the public satisfaction with police services; (3) to predict crime and the volume of called for services, so that a response capability can be developed and deployed, based on more accurate knowledge of the need for police service in each geographic area and time period; and (4) to test alternative methods of deploying patrol manpower.

The last selection in this section, summarizes the results of a study performed by Nelson Heller on reported crime in the city of St. Louis. Heller introduces the concept of scaling incident seriousness and relating it to patrol operations. The picture painted by Heller indicates that there is an inverse relationship between the seriousness of crime and its visibility and amenability to traditional patrol practices. Heller concludes that commonly used allocation modes may actually be misallocating police resources.

Methods for Allocating Police Patrol Resources

by The Rand Corporation

In this chapter we discuss present methods, employed in the six departments surveyed, for allocating police patrol personnel. The benefits and limitations of these methods are considered, as well as alternative methods now available but not yet in use. Finally, we propose an approach that should offer a substantial improvement.

THE DECISIONS TO BE ADDRESSED

Methods to be discussed in this section are aimed at providing guidance for the three basic types of decisions in patrol program management mentioned at the outset:

1. The size of patrol force necessary to provide satisfactory levels of service and protection to the public.
2. The deployment of a given number of patrolmen by time and place.
3. The operational rules, tactics, and command-control hardware to be employed by the patrol force. Examples are priority policies and "stacking" rules for calls for service and the costs and benefits of car location systems.

All of these decisions depend on the definition of a satisfactory level of protection and service; a useful working definition cannot now involve effectiveness measures such as true crime rates, number of crimes prevented, or the total social and economic impact of crime, since none of these quantities is easily measurable, nor is the relation of patrol force levels and tactics to these quantities known. Instead, proxy measures of effect that are relevant to both the particular jurisdiction and decisions under consideration must be chosen. Earlier, we suggested several such measurable criteria.

PRESENT METHODS: BENEFITS AND LIMITATIONS

A wide variety of techniques are currently in use. The techniques discussed below are command discretion, hazard formulas, and three operational computer-assisted methods.

Reprinted from James S. Kakalik and Sorrel Wildhorn, *Aids to Decisionmaking in Police Patrol*, a report prepared by the Rand Corporation, for the Department of Housing Development, Santa Monica, 1971, pp. 53-71.

Command Discretion

In some large police departments no formalized quantitative procedures are employed either to substantiate requests for changes in police force size or to aid in deploying men to duty tours and patrol districts. Two of the departments surveyed were in this category.

When no quantitative aids are used to assist in the allocation of police manpower, much information contained in readily available data cannot be effectively exposed because of the sheer volume and detail of the data. Without technical aids, relatively well-known but complex relationships between manpower levels and measures such as response time and patrol frequency cannot be incorporated into the decision.

On the positive side, we stress that judgment and discretion must of necessity play a significant role in every deployment decision, since community, institutional, and police morale considerations often govern the decisions as much as do considerations of effectiveness, efficiency, and equity. The quantitative methods primarily relate to the latter factors and should serve only as useful *inputs* to decisions.

Hazard Formulas

Currently, many departments employ "hazard formulas"¹ as a partial basis for assigning manpower. Generally speaking, such formulas subjectively combine (into a single number) all factors thought to be relevant to determining the need for police services. Men are then assigned to districts in proportion to the relative "hazard" of each district. The list of factors included varies from city to city but often includes reported crime, number of radio calls, arrests, number of business establishments, area, and population. The hazard rating for the district is arrived at by multiplying each factor by a weight (indicating the importance of the factor in relation to other factors) and adding together all weighted factors.

Hazard formulas used in two different cities are given below.

Example 1. Hazard for district i =

- percent of city's *Part I crimes* occurring in district i
- + percent of city's *Part II crimes* occurring in district i
- + percent of city's *custody arrests* occurring in district i
- + percent of city's *injury accidents* occurring in district i
- + percent of city's *ambulance runs* occurring in district i
- + percent of city's *fires* occurring in district i
- + percent of city's *police "services"* rendered in district i

- + percent of city's *population* in district i
- + percent of city's *population density* in district i
- + percent of city's *area* in district i
- + percent of city's *road miles* in district i
- + percent of city's *licensed premises* in district i
- + percent of city's *store doors* in district i
- + percent of city's *schools* in district i.

Example 2. Hazard for district i =

- [5] [percent of city's *selected crimes and attempts* in district i]
- + [4] [percent of city's *radio calls handled by radio cars* in district i]
- + [3] [percent of city's *felony arrests* in district i]
- + [1] [percent of city's *misdemeanor arrests* in district i]
- + [1] [percent of city's *property loss* in district i]
- + [1] [percent of city's *injury traffic accidents* in district i]
- + [1] [percent of city's *vehicles recovered* in district i]
- + [1] [percent of city's *population* in district i]
- + [1] [percent of city's *street miles* in district i]
- + [1] [percent of city's *population density* in district i].

Notice that in the first example all factors have equal weighting, whereas in the second example crimes, radio calls, and felony arrests are considered more important than the remaining factors.

Compared to command discretion, this technique is beneficial in that it requires police administrators to specify explicitly the elements of police workload and their relative importance. Geographically disaggregated data, in addition to the overall hazard scores, provide useful inputs to the deployment decision.

When these formulas evolved more than 20 years ago, they were the best methods available, since neither the data nor the mathematical theory were well developed enough to support better methods. Such is not the case today.

The hazard formula method is unsatisfactory for several reasons. The weighted linear (additive) combination of the many hazard factors neither reflects the highly complex interactions among the factors nor gives individual attention to any single factor. As typically used, hazard formulas reflect past conditions and data for a district rather than current and predicted future conditions for day and shift as well as district. More importantly, existing hazard formulas do not relate meaningful measures of effectiveness to operational policies. That is, the hazard formulas in use fail to provide a police administrator with such policy-relevant information as the response time of the patrol force, or the probability that a patrol car will detect a crime in progress. Also, the

1. O. W. Wilson, *Police Administration*, 2nd Edition, McGraw-Hill, 1963.

formulas are not relevant for determining the total size of the patrol force required to satisfy certain service-level criteria.

In 1967, the British Home Office published what might be called a "hazard formula" relating police strength ("establishments" in British lexicon) to several variables.² In all but two of the 29 British police departments, the actual police strength and the police strength predicted by the formula were within 2½ percent of one another. The formula is as follows:

$$\text{Police strength} = \frac{\text{residential population}}{1000} + \frac{\text{acreage}}{350} + \frac{\text{road mileage}}{2.9} + \frac{\text{recorded crime}}{40}$$

The formula was apparently intended to point out those departments with police forces that were significantly different from a "typical" force.

The Phoenix Method

In Phoenix, the hazard formula concept is employed in an innovative and helpful manner. The basic hazard is defined as the delay plus travel plus service times for all calls during a given time period in a given place. Cars are deployed by district, shift, and day of week in proportion to the fraction of the total citywide hazard predicted to occur in that time period and geographic area. A computer is used to extrapolate the data of the previous ten weeks on the number of incidents and elapsed time (defined as delay time plus travel and service time) for each shift, day of week, and one-fourth-square-mile geographic area.

The three constructive innovations are (1) the use of predicted calls in the formula rather than calls actually experienced in the past, (2) the use of elapsed time rather than just volume of calls, and (3) an allocation simultaneously by day, shift, and district rather than by district alone. However, preventive aspects of patrol are not addressed. Another limitation is that all calls (serious crimes in progress, past crimes, sick call, cat in tree) receive the same weighting.

2. R. Catstree, T. J. Kempton, *Assessment of Police Establishments by Formula—Proposed Yardstick for City and Borough Forces*, Report No. 3/67, Police Research and Development Branch, Home Office, London. The coefficients were determined using linear regression techniques.

The St. Louis Method

The most advanced operational method of patrol force deployment currently in use has been developed and applied in St. Louis.³ In their scheme, demand for police services is predicted by hour and geographic area, using projections based on past demand data with modification for weekly and seasonal variations. A simple mathematical technique is then used to estimate the number of patrol cars needed to immediately answer, without dispatching delay, 85 percent of the predicted incoming calls for service in each geographic area by day and four-hour time period. The remainder of the patrol force is assigned to preventive patrol.

To predict call-for-service workload,⁴ exponential smoothing of past dispatch data is employed. Total calls for service in eight categories⁵ are predicted for each small geographic area (approximately 10 square city blocks). Total weekly demand is first estimated, taking into account a multiplier for seasonal factors gleaned from historical dispatch data. The hourly demands for service are estimated by assuming that the estimated weekly demand follows a typical pattern over the hours of the week. In effect, the exponential smoothing technique estimates future calls by "averaging" the volume of calls experienced in past weeks, with the more recent weeks' data being given the most weight. The seasonal adjustment factor is also estimated using exponential smoothing. This prediction technique is simple to use on a computer and requires as input data the number of calls for service in each geographic area by hour. Exponential smoothing is only one of several possible prediction methods. The St. Louis Police Department is currently investigating the utility (and methods) of incorporating weather data in the predictions.

To enable the number of cars needed in each area to be estimated, the length of time required to service each of the eight types of calls is also estimated, using exponential smoothing of past service time data.

Only one criterion of satisfactory police response is used. *The number of response cars is set so that less than 15 percent of all calls will incur a delay in dispatching due to car unavailability.* The remaining cars, typically a small fraction of the patrol force, are then assigned to preventive patrol activity. Those cars on preventive patrol may be asked

3. Allocation of Patrol Manpower Resources in the St. Louis Police Department: an experiment conducted under Office of Law Enforcement Grant No. 39, Vols. I and II, St. Louis Police Department, July 1966.

4. Number of calls requiring the dispatch of a patrol car.

5. High severity crimes against person, theft, destruction of property, fraud, sex offense, general misconduct, traffic, and others.

to respond to urgent calls if the entire response force in the area is busy.

The number of response cars to be assigned to each police district is estimated by applying queueing theory. The predicted calls for service are assumed to arrive at random times (i.e., arrive according to a Poisson probability distribution). It is assumed that (1) calls are serviced by any one of a number of cars, C , in order of call arrival, (2) the average length of service is equal to the value predicted from past data, and (3) service times obey an exponential probability distribution. The number of cars, C , in the mathematical model is varied until the probability of the average call having to wait before a car is dispatched is approximately 0.15. That number of cars for which 15 percent of the calls in a district are delayed is then the recommended response force size. The "15 percent delayed" figure was set by St. Louis Police as representing a satisfactory level of service, but it can be easily changed if desired.

The St. Louis efforts are a commendable beginning toward improving techniques of police patrol deployment. However, their deployment methods are severely limited in that the *sole criterion* used in the mathematical technique to determine the required number of *response cars* (i.e., the split of the patrol force into response and preventive units) is the fraction of calls that cannot be answered immediately by a response car. Requirements for *preventive patrol* are not explicitly considered when assigning cars, and the question of the relative value of a car on response and one on preventive assignments is not addressed. Also, certain policy issues cannot be addressed, such as the determination of the appropriate size of the total mobile patrol force.

The LEMRAS Method⁶

Based on the St. Louis method, the IBM Corporation has developed a computer program which it will lease to police departments for \$350 per month. The Los Angeles Police Department, for example, has already installed the system in one division and plans to implement it citywide. Because of its proprietary nature, the LEMRAS computer coding is not readily decipherable (at least by the LAPD), so that changes desired by local police may be difficult to implement without assistance from IBM.

While the LEMRAS and St. Louis techniques are basically similar, the IBM product does include a more flexible model of the manner in which calls are serviced: namely, priority service for certain types of calls is allowed if desired. Being so closely related, these two methods

6. LEMRAS stands for Law Enforcement Manpower Resource Allocation System.

offer essentially the same benefits and suffer from the same limitations. The marketing of this technique by the IBM Corporation thus has mixed blessings. We believe that better methods (described below) could be developed rather easily. The introduction of the LEMRAS patrol allocation programs in major police departments therefore may occur at the time that those programs are superseded by improved allocation methods.

In a later section we present a method which has several distinct advantages over any of those currently in use—and we expect it would cost only negligibly more than current computer-assisted methods to operate.

EXAMPLES OF MANPOWER ALLOCATIONS USING DIFFERENT METHODS

In our survey, we found no systematic quantitative methods currently in use for supporting a police department's requests for patrol manpower. Intercity comparisons on the basis of police per capita, per call for service, per crime, etc., were presented in Chapter III. As was pointed out, wide variation in some of these input measures from city to city was not accompanied by any obvious closely related variation in output measures, such as crime per population. The uncertainties surrounding the relation of criminal justice system inputs to system effectiveness are probably largely responsible for the lack of any accepted quantitative methods to provide guidance on patrol force size.

In deploying a given patrol force, moreover, two cities in the survey reported that patrolmen were allocated to districts strictly on the basis of hazard ratings. In neither case did the average number of patrol cars actually deployed in each district during the sample one-week time period closely match the hazard rating for the district. Figure 11 is an illustration of (1) the actual allocation of 185 patrol cars within one city, (2) the allocation of 185 cars which would result from using that city's hazard formula, and (3) the allocation of the same number of cars to equalize the probability of delay in dispatching in each district due to car unavailability (the St. Louis criterion). The average difference between the actual allocation of 185 cars and the allocation that would result from their hazard method is 24 percent. The biggest change occurs in district 12 where the hazard formula indicates 22 cars would be needed and 15 were actually allocated. The number of cars actually allocated represents the average number of regular district (excluding special tactical unit) cars on the street for a shift during a one-week period. We caution that without an in-depth look at the data, no firm conclusions

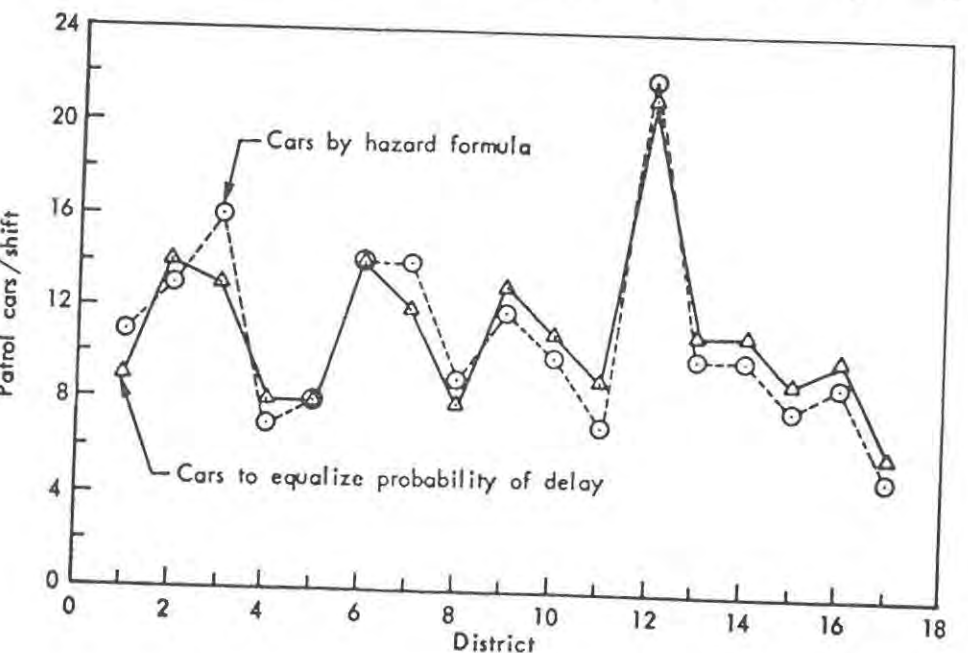
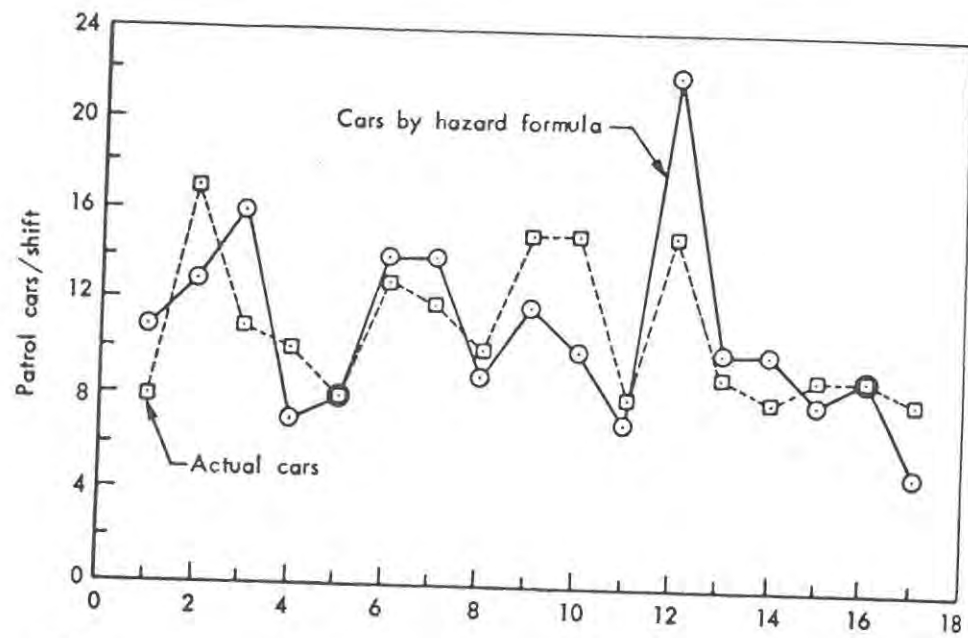


Fig. 11—Patrol car allocation method comparison

should be drawn. However, the data do suggest that cars actually on duty do not conform closely with (presumably) intended allocation by hazard formula.

As can be seen in Fig. 11, the number of cars allocated to a district during an average shift to equalize the probability of dispatch delay due to car unavailability is somewhat different from the "hazard" allocation of the same number of cars. The average difference is 12 percent, with the biggest difference (3 cars) occurring in district 3. The average difference between the actual deployment and deployment that results in equalizing the probability of dispatch delay is 16 percent.

The need for police services varies significantly by day of week, shift, and geographic area. Flexibility is best maintained if deployment decisions are made by time and area simultaneously. Until the introduction of a fourth platoon in New York City last year, manning varied significantly only by geographic area, since manning by shift was relatively constant. Thus, while an 8 to 1 ratio of demand for police service was common between late evening and early morning hours, the comparable ratios of patrol resources allocated to those times were only about 1.2 to 1.⁷

As an example of how dramatically different allocations can be when allocation methods are changed and varying demands are considered by day, shift, and district simultaneously, consider one of the cities surveyed on a slow day (Thursday) as compared to a busy day (Saturday). Figure 12 presents the percentage of difference between the actual deployment of car-shifts using the city's "hazard" method and the deployment of the same number of car-shifts (a car-shift is one car for an 8-hour tour of duty) in a manner to equalize the probability of delay in each area and time period. We are using the single criterion of delay probability for illustrative purposes only because this city is currently implementing the LEMRAS deployment method. We prefer deployment methods which employ multiple criteria. In Figure 12, the average difference in number of cars allocated is 30 percent. The maximum difference in any district was 120 percent. The number of cars in all districts (city-wide) for each day and shift are compared in Table 9. Of the 158 car-shifts, 92 were shifted between Thursday and Saturday, 64 were shifted between districts on the same day and shift, and 2 were intershift differences on the same day. This example suggests that significant differences can result from a change in allocation procedure and criteria.

7. Unpublished reports by The Rand Corporation of work for the New York Police Department.

Table 9

ALLOCATION OF PATROL CARS BY DAY AND SHIFT

Day and Shift	Actual Cars	Cars to Equalize Probability of Delay
Thursday		
Night	110	112
Day	189	150
Evening	245	190
Saturday		
Night	133	193
Day	172	201
Evening	254	257
Total	1,103	1,103

In Figure 13 we present data from our survey on various measures of workload or responsibility per car for one city. There is wide variation among districts. The cars in various districts of this city clearly do not have equal workloads, as judged by any of the simple criteria displayed. Resident population per car ranges from 3,632 to 16,034. (Daytime populations were not available.) Average assigned road miles per car ranges from 9.07 to 30.83. Average Part I crime per car-shift ranges from 0.3 to 1.1. Percent time spent on calls for service per car-shift ranges from 20 percent to 39 percent (assuming 30 minutes per call). Thus the percentage time free for preventive patrol and other noncalling duties ranges from 61 percent to 80 percent in this city. We could not evaluate the relative need for preventive patrol in each district in terms of suppressible crime from the data available.

Figure 14 compares police inputs and several measures of demand for police services for each district of one city surveyed. For each district, we give the percentage of the city's population, Part I crime, calls for police services for each district of one city surveyed. For each district, the actual victimization rate (i.e., Part I crimes per capita).

Regarding the issue of the equitable distribution of patrol services, for illustrating extreme cases, consider the very significant changes in deployment if cars were to be allocated solely in proportion to any one of the variables displayed in Figure 14. In the city whose data are illustrated, actual cars allocated seem to be more closely related to the presentage of call-for-service volume than any other one of the potential criteria illustrated. To change this would mean that certain low-priority calls would

Percent difference =

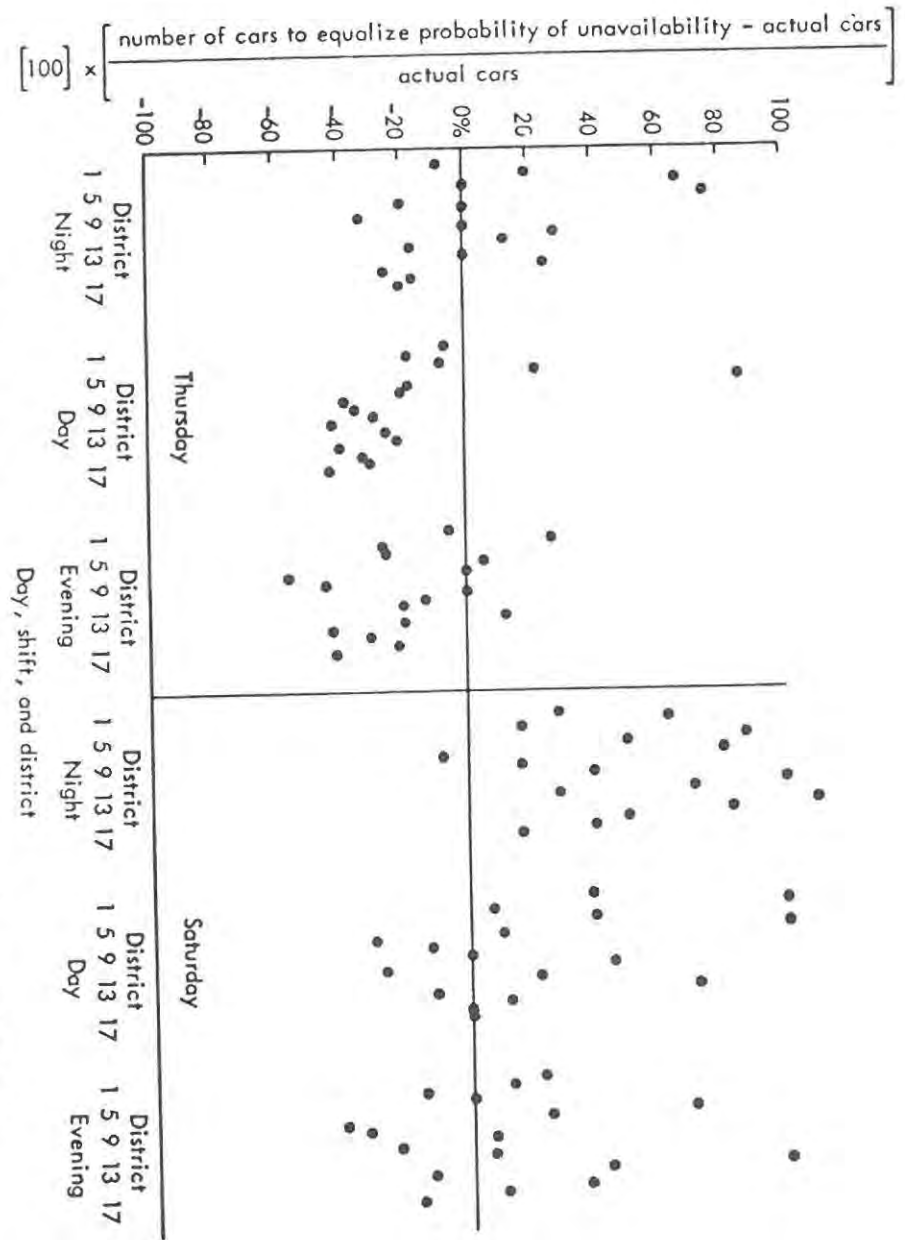


Fig. 12—Difference between cars allocated to equalize probability of car unavailability and cars actually allocated

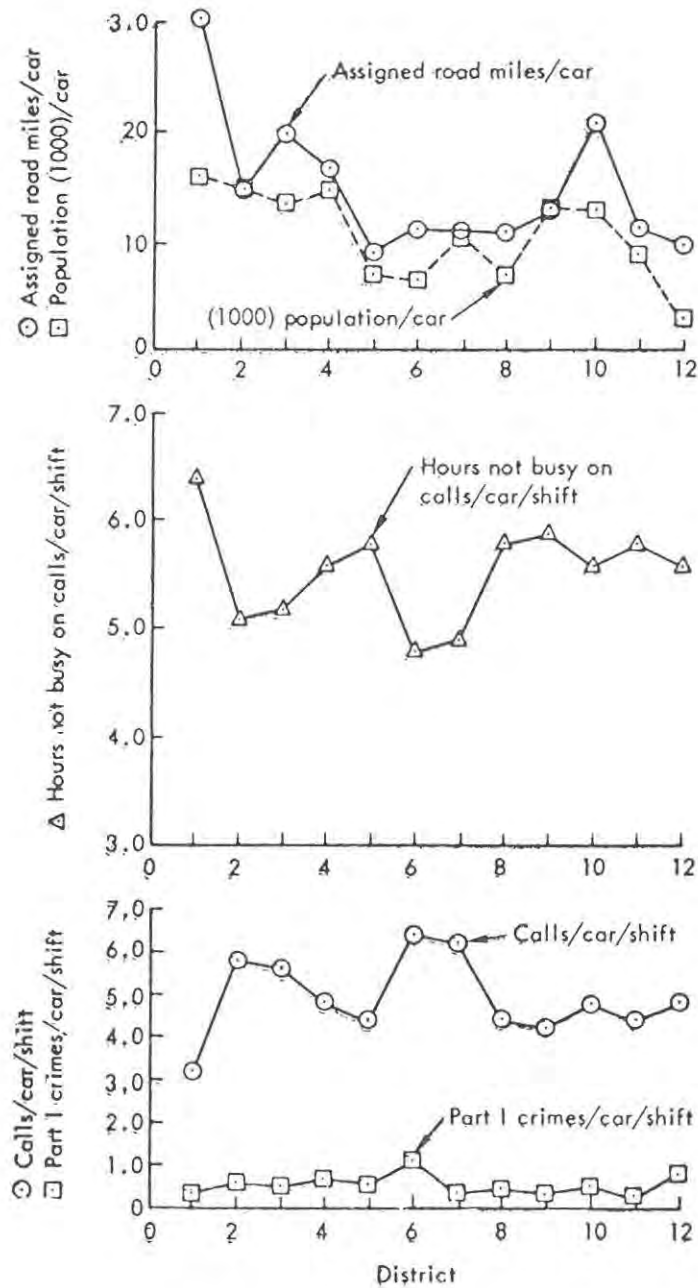


Fig. 13—Patrol car workload

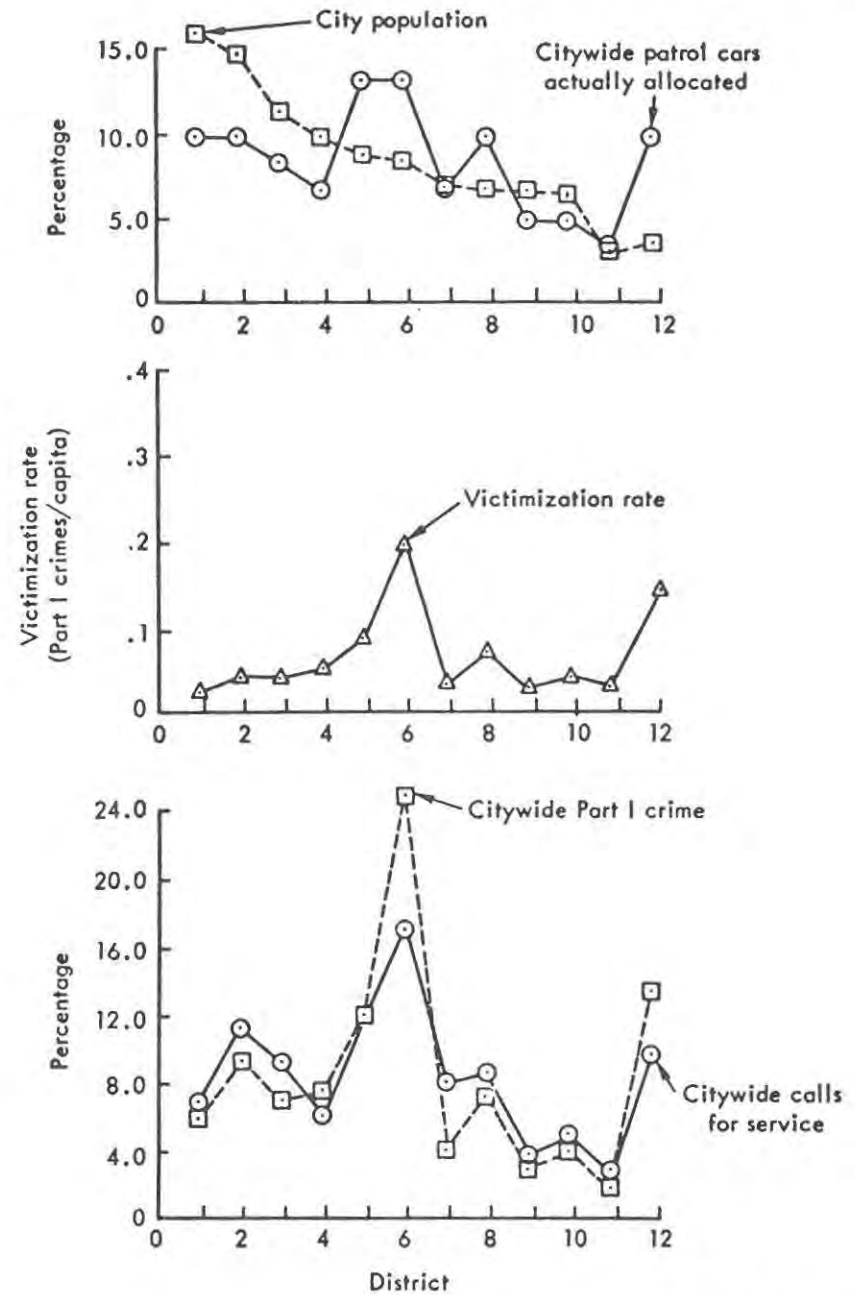


Fig. 14—A comparison of demands and police inputs by district

receive poorer service and that workload (in terms of calls per car) would become more unbalanced. Clearly, it is not possible to achieve all concepts of effectiveness and equity simultaneously. The tradeoffs will depend on local situations and preferences.

IMPROVED ALTERNATIVE APPROACHES

Two patrol allocation methods, mathematically feasible but different from any now in use, possess logical advantages over those described above.

The first method involves the use of *multiple criteria with each measure treated separately*. Probabilistic models are used to predict measures such as dispatch delay, average response time, preventive patrol frequency, and the amount of time available for preventive patrol, as a function of the number of patrol cars in an area. Then mathematical programming techniques are used to specify the best deployment of patrol resources such that all measures in each district are at specified acceptable levels or better.

A second method involves the simulation of patrol activities on a computer and would be useful in situations where some critical part of the patrol operation cannot be mathematically analyzed in a manner useful for policymaking.

As examples of research and development in the above methods, we will outline below some of the work of Dr. Richard C. Larson, of the Massachusetts Institute of Technology, a consultant to The Rand Corporation. While his work is probably the most advanced in the field, it has not yet been fully developed, experimentally tested, and applied.⁸

The descriptions of the two methods that follow include the data requirements, details of issues that may be addressed, and outputs available from the methods.

Later in this chapter we shall suggest some potential improvements. For a detailed review of other work in the field, refer to Albert Bottoms' work.⁹

The Deployment Analysis and Allocation Method

This approach, which is fully programmed for computer use, involves analytic models that predict the performance of a specified manpower level and police deployment in terms of dispatch delay, average response time, patrol frequency, and amount of time available for preventive

8. R. C. Larson, *Models for the Allocation of Urban Police Patrol Forces*, Technical Report No. 44, Operations Research Center, Massachusetts Institute of Technology, November 1969.

9. A. Bottoms, *Allocation of Resources in the Chicago Police Department*, Vols. I and II, Final Report on research conducted under Grant No. 195, from the Office of Law Enforcement Assistance, U.S. Department of Justice, November 1969.

patrol. The measures used are flexible and any set of criteria which can be analytically related to patrol manpower may be utilized. This method applies dynamic programming¹⁰ as its mathematical allocation technique. It allows the police to determine the manpower necessary to provide acceptable levels of service in terms of each of the measures, and also to allocate a specified patrol force size to neighborhoods, by time of day and week, so as to yield the highest service level obtainable with the given force. This technique is more comprehensive than the one used in St. Louis, in terms of the multiple criteria which may be used, and because it addresses the preventive as well as the response aspects of patrol.

In its current form, the method can be used to *evaluate the effect of a given police manning level and deployment* in terms of the expected number of preventive patrol hours for each outside crime, the expected frequency of patrol in the neighborhood, and the average time required to travel to the scene of a reported incident or call for service.

The method can also be used to *determine the manning level necessary during each time period and in each neighborhood to meet set levels of performance* which are measured in terms of the three quantities mentioned above, plus the added constraint that a certain minimum number of patrol cars be present at all times in the neighborhood.

This method can serve to *allocate a given number of men to patrol precincts and shifts such that satisfactory service levels are maintained* and, in addition, the average delay in dispatching due to car unavailability will be minimized.

The minimum levels of services provided may be set by the police or community and may vary with the neighborhood or time of day, depending on conditions. The various service level criteria used in this method are flexible but currently include the following:

1. The average number of preventive patrol hours for each outside crime shall not be less than a specified value in each neighborhood.
2. That average frequency of patrol (which is related to outside crime-detection probability) in a neighborhood shall not be less than a specified value.
3. The average time required to travel to the scene of a reported incident or call for service shall not exceed a specified value.
4. The number of patrol cars for each neighborhood shall not be less than an administratively set minimum.

10. R. E. Bellman and S. E. Dreyfus, *Applied Dynamic Programming*, Princeton University Press, 1962.

The use of these measures of service is based on the assumption that additional preventive patrol and reduced response time have a positive effect on crime deterrence and on increasing the chance of apprehending a criminal near the scene of a crime. The existence of such an effect and its actual degree are not known and should be investigated experimentally. Until the relative value of assigning men to increased preventive patrol time as opposed to reducing response time is known, the deployment problem may be resolved by allocating patrolmen to satisfy subjective "target levels" of various criteria of patrol effectiveness. The four measures of service used in the current model are clearly arbitrary and open to revision to suit the local situation.

Procedurally, the number of cars necessary to provide minimum levels of service on each criterion for each district and time period are calculated. The remainder of the force is then deployed (using dynamic programming) to minimize the dispatching delay due to unavailability of free cars.

For this technique, the data needed for each command and shift to which police are to be assigned are:

- Area.
- Patrollable street miles.
- Average travel speed of a patrolling car by time of day and day of week.
- Average travel speed of a responding car by time of day and day of week.
- Volume and distribution over time of various types of calls for service.
- Volume and distribution over time of reported outside crimes.
- Average total service time for each type of call.¹¹

The outputs of the deployment analysis and allocation methods are:

- An analysis of the present deployment giving (a) expected response time, (b) expected frequency of preventive patrol, and (c) expected total number of preventive patrol hours.
- A reallocation of current manpower to satisfy all constraints on levels of service and to minimize delay in dispatching cars due to temporary unavailability of a free patrol car.
- An analysis of the reallocation of manpower in terms of (a), (b), and (c) above.

11. It is our impression that these data could be obtained or estimated to the required degree of accuracy without excessive difficulty and expense.

- A determination of the minimum force level necessary in each patrol district to just satisfy each service level constraint.

In a computational exercise using this model and data from New York City, the predicted variation in service levels among precincts was greatly reduced, while average time delay in dispatching due to car unavailability was cut from about 4 minutes to less than 1 minute by reallocating the same citywide level of manpower. In addition, all measures of acceptable service level were met, whereas they were not all satisfactory when the existing allocation of manpower was used.¹²

The method could easily be generalized to include the use of other measures such as gearing preventive patrol hours to victimization rates or placing limits on the maximum acceptable response times for different types of calls for service. Various police agencies could undoubtedly generate other measures.

Other objectives could be used in deploying the remainder of the force, such as minimization of response time or maximization of the probability of on-scene arrest throughout the city.

Simulation of Patrol Deployment

The simulation technique allows much more detailed and complicated questions to be investigated than can be satisfactorily addressed by any of the analytical techniques described earlier. The price paid for this increased flexibility and generality is that longer computer processing time is required.

The advantage of the simulation method comes from its ability to investigate the implications of rather complicated allocation and deployment strategies and tactics by use of a computer before expensive field tests are begun. The relatively inexpensive computer studies would then point the way toward desirable improvements which could be tested experimentally in the city.

One such simulation, developed by Larson,¹³ is organized in the following manner. The city or region to be studied is broken into small geographic areas from which demands for service may originate. The crimes or other calls for service occur at random and may be of any number of priorities. The rate at which incidents occur depends on the time of day, week, and year. The geographic cells may be grouped to represent single- or multiple-car beats and districts. In this computer simulation,

12. Unpublished reports by The Rand Corporation of work for the New York City Police Department.

13. Larson, op. cit.

when an incident is brought to the attention of the police, an attempt is made to dispatch a police car. Almost any set of *priorities and dispatching rules* may be employed in the computer program. Rules on *"stacking" calls, assigning cars from other areas, and relocation of cars to perform preventive patrol* can also be very flexible. To enable the simulated testing of various *car locator systems*, the dispatcher may be given information of any degree of accuracy on the location of the incident, time of dispatch, location of dispatched car, time of arrival, and completion of work at the scene of the incident, and may also collect statistics on the location, status, and workload of each car in the city.

The data needed for this model are of the same general nature as those required for Larson's analytic deployment model but are of finer detail, i.e., data are needed for each geographic cell rather than each car beat or patrol district.

Since the simulation technique is extremely flexible, outputs on almost any quantity of interest to police planners may be obtained. A sampling of statistics that may be recorded are listed below:

- Total time from reporting to arrival at the scene of an incident.
- Total service time required for a call.
- Workload of each patrol car.
- Travel time of a car to the scene of an incident.
- Number and waiting time of calls that are not immediately dispatched.
- Fraction of calls in a sector that are answered by the car assigned to the sector.
- Frequency and type of intersector dispatching.
- Amount and time of preventive patrol coverage for each geographic area.

The deployment simulation method can also be used to explore such questions as the following: How does changing the size and shape of patrol car beats affect operation? What are the effects of assigning several patrol cars to one (merged) beat? What are the relative cost and response time benefits of introducing patrol car locator systems versus simply adding more patrol cars? In what way is system operation improved by redeploying patrol cars dynamically? What are the effects of different priority dispatching schemes? Which rules on intersector dispatching seem advantageous? What are the interrelationships between dispatching rules and preventive patrol coverage?

A PROPOSED APPROACH

During the past twenty years, mathematical aids to resource allocation have developed to a point where they are potentially useful for police

patrol planning. It is not necessary to use computers in conjunction with these decisionmaking aids, but their use would enable alternative estimates of effective deployments of patrol manpower to be made in a few minutes. This means that deployments can be dynamic, if desired, to respond rapidly to changing needs for police service.

Three of the cities surveyed are utilizing some of the available mathematical techniques to aid in making patrol deployment decisions. No city is exhausting the available tools. This does not seem to be because of decision to limit their use, or because of recurring costs of using those techniques, but because a "ready to use" package is not currently available, and because the police rarely have any employees who have sufficient relevant (e.g., mathematical) training to understand, interpret, use, and communicate the results of such techniques. It is our impression that police administrators in most of the cities we surveyed understand that analytical techniques and analytically trained personnel may have high potential payoff, but the individual police departments are unable, for budgetary reasons, to initially develop that potential.

Throughout this chapter we mentioned several desirable attributes of methods for assisting decisionmaking on patrol force strength, deployment, and operational policies and tactics. In summary, to be of maximum possible value, such methods should:

- Provide answers rapidly.
- Use data that can be readily obtained.
- Allocate on the basis of predicted future conditions and demands rather than past conditions.
- Use several evaluation criteria so that several policy-relevant aspects of each proposed manpower allocation can be adequately evaluated.
- Focus separately on each criterion rather than on a conglomerate measure.
- Provide the capability of allocating and deploying resources by day, shift, and district rather than by district only.
- Be relevant to decisions on force size and deployment for preventive patrol as well as for response to calls for service.
- Provide the capability of evaluating alternative operational policies, tactics, and command-control hardware.

After analyzing all available major techniques, we find that no one method has all of the desirable attributes. However, the combination of the good qualities of the St. Louis method and Larson's Deployment Analysis and Simulation Methods would come close to possessing all of the desirable attributes.

We suggest the simulation method as a valuable aid to decisionmaking on new patrol operational policies, tactics, and command-control systems. The method can be employed most advantageously prior to expensive field experimentation.

We suggest the following approach to aid decisionmaking on patrol force strength and its deployment by neighborhood, day, and shift. The steps in the approach are:

1. *Prediction of the incidence of crime and calls for service*, by type, for each geographic area and desired time period. These would be relevant to both decisions on current deployments and the number of additional patrolmen needed in the near future. The St. Louis technique would be one feasible approach.

2. *Specification of a set of criteria and the desired target levels of performance* for each such measure. The criteria and target levels should be made explicit by officials of the local police jurisdiction. Any set of criteria which can be analytically related to patrol manpower can be utilized.

3. *Estimation of the number of men required to achieve various target levels of performance*. Analytic methods are available for relating number and deployment of patrolmen to measures such as average or maximum response time, percent of calls not immediately dispatchable, preventive patrol frequency, hours available for preventive patrol, or probability of on-scene arrest. Unfortunately, basic knowledge is not available for relating manpower to arrests, crime, and public order. That basic knowledge deficiency is the weakest element of every available method. However, relating manpower to responsiveness and patrol coverage, as this suggested approach would, is an important step forward.

4. *Allocation of patrol manpower*. Quantitative techniques, known as mathematical programming, can be used to specify the deployment of a given patrol force, by time and place, to achieve certain specified levels of service in terms of each criterion. A particular overall patrol force level might not provide sufficient manpower to meet minimum acceptable service levels for all criteria. In that event, the method can be employed using various potential patrol force levels to determine the minimum force level required to meet all minimum service levels. In this way, the approach also can be used to address the patrol force strength issue.

The approach outlined above, combining the more desirable attributes of existing methods, is sufficiently flexible to meet the needs of a variety

of police departments. A police department might choose not to use all of the measures mentioned above or to add criteria such as percentage of calls that cannot receive an immediate dispatch due to car unavailability. A flexible approach is taken where any criteria may be used as long as the effect of patrol manpower levels and deployments on those measures can be predicted.

This approach is more comprehensive than any of those presently in use. The overall improvement would come from the combination and simultaneous use of crime and call-for-service prediction techniques, multiple criteria, target levels for each criterion, quantitative methods for estimating the tradeoffs between manpower levels and performance measures, and finally, mathematical deployment algorithms.

This suggested approach logically seems to promise significant improvements, although our resources were too limited to demonstrate this contention in a quantitative fashion. We have no doubts that the mathematical techniques and approach are valid and that operational versions of this method can be developed which are sufficiently flexible to be applicable to a large number of police departments. The benefits to be derived will come from police decisions based on new information not currently being sifted from the data potentially available, and from deployments which are more effective and equitable than those which can be made without the use of advanced resource allocation techniques.

Areas of Needed Research and Experimentation

by The Rand Corporation

We believe that there are significant knowledge gaps which make it impossible to allocate, as rationally as should be, the more than \$1 billion devoted annually to police patrol programs. Because of these knowledge gaps, police administrators currently must plan principally in terms of *input measures* (such as number of patrolmen on the street or number of patrol hours) although what they are trying to affect are *output measures* of police effectiveness (such as true crime rate, apprehension rate, and speed and quality of service in response to calls for service). These knowledge gaps are one of the most important factors limiting the development of effective aids to police patrol decisionmaking.

In identifying these knowledge deficiencies and areas of needed research on police programs, we limit our attention to resource allocation and usage. Our suggestions are intended as expansions of certain rather general recommendations made in the area of resource allocation by both the Police and the Science and Technology task forces of the President's Commission in 1967. In discussing police planning, the Police Task Force¹ suggested that crime trends be studied and that experimental projects be devised to test police techniques on a limited scale and under controlled conditions. The Science and Technology Task Force² recommended that police departments develop appropriate statistical procedures for manpower allocation, by time and by geography and also suggested that the entire police command-control function be reexamined in the light of new technology, including an examination of the extent to which preventive patrol deters crime, and how response time can be reduced. In another sense, our comments expand on a discussion of gaps in research

Reprinted from James S. Kakalik and Sorrel Wildhorn, *Aids to Decisionmaking in Police Patrol*, a report prepared by the Rand Corporation, for the Department of Housing and Urban Development, Santa Monica, 1971, pp. 72-76.

1. The President's Commission on Law Enforcement and the Administration of Justice, *Task Force Report: The Police*, U.S. Government Printing Office, Washington, D. C., 1967, p. 49.

2. The Presidents' Commission on Law Enforcement and the Administration of Justice, *Task Force Report: Science and Technology*, U.S. Government Printing Office, Washington, D. C., 1967, p. 25.

contained in a 1968 Institute for Defense Analyses report regarding a national program of research on law enforcement and criminal justice.³ That report included the following priority projects, in light of current research gaps: analysis and experimentation with preventive patrol strategies and techniques; analysis of factors leading to apprehension of criminals; and improving the allocation of criminal justice system resources by time, place, and function.

We also suggest that research and experimentation be undertaken to identify the *value of various levels and types of preventive patrol*, to provide information on the *effect of the speed and types of response to a call for police service*, and to *predict crime and the volume of calls for services* so that police can be recruited and deployed based on accurate knowledge of the need for police service in each geographic area and time period. Finally, we suggest that *improved methods of deploying patrol manpower* (which were described in Chapter IV) be tested experimentally, modified (if indicated by test results), and implemented.

Preventive Patrol

The relationship between police preventive patrol activity and crime prevention, deterrence, and on-scene criminal apprehension is not well known. It seems reasonable that, *ceteris paribus*, crime should decrease as preventive patrol intensity increases. However, even that belief in the value of preventive patrol is not universally held. The Director of Planning in one major city which we surveyed asserted that preventive patrol was of "no value." While many people might accept the statement that crime and preventive patrol time are inversely related, the quantitative degree of the relationship is still unknown. To allocate resources effectively between preventive patrol and other types of police activity, police administrators need to be able to evaluate each activity in terms of output, or measures of effect. For each type and amount of preventive patrol they need to know how much crime is prevented and how many criminals are likely to be apprehended. They also need to know how much crime is merely displaced to other locations and time periods by preventive patrol. It is intuitively reasonable, but not as yet verified, that preventive patrol affects some types of crime more than others. Such information, along with predictions of where and when various types of crime are likely to occur, would be useful in allocating

3. A. Blumstein, et al., *A National Program of Research, Development, Test, and Education on Law Enforcement and Criminal Justice*, Institute for Defense Analyses, Arlington, Virginia, prepared for the Law Enforcement Assistance Administration, U.S. Department of Justice, November 1968.

preventive patrol effort spatially and temporally. The relative effectiveness of various tactics of preventive patrol (e.g., conspicuous or covert presence, continued presence or intermittent saturation of an area, one- or two-man cars, etc.) also are not known. In short, between one-third and one-half of all patrol time is devoted to preventive patrol and the police cannot specify with confidence what effect it has on crime and criminal apprehension. In such a situation, police administrators cannot know if resources are being allocated effectively. Analytical and experimental studies are needed and could result in very substantial changes and improvement in the use of police manpower.

Experiments aimed at understanding the relationship between police patrol inputs and performance criteria such as crime rate are fundamental but very difficult to design and evaluate. There are potential evaluation problems in estimating what crime would have been in the absence of experimental changes in the patrol program. Despite those difficulties, we feel that the relationships sought are so fundamental to better decision-making on patrol programs, that this class of "activity-effect" experiments should be pursued.

Given the generally large variability in reported crime with time and neighborhood, we suspect, for statistical reasons, that large variations in preventive patrol force size and tactics will have to be tested if their effects are to be evaluated during a short experiment of a year or less. These preventive patrol experiments would also have to be designed to test to what degree, if any, crime is displaced to surrounding areas.

If major changes in effectiveness measures, such as crime and arrest rate, are observed before and during such an experiment, it is necessary to know how much of the change is in true crime as opposed to reported crime. Since the police know only of reported crime, and since changes in crime reporting rate, for any crime category, might occur because an experiment is in progress, victimization surveys are necessary. A Hawthorne effect might arise—i.e., perhaps police will keep better records because an experiment is in progress; or, if more preventive patrol is introduced, victims might tend to report more crimes because it is easier and more convenient to find a policeman. A victimization survey prior to and during an experiment would reveal, in a rough way, whether the reporting rate of certain crimes⁴ had changed significantly and how much the true

4. A victimization survey could not be expected to reveal true levels of crimes without victims (e.g., gambling, narcotics abuse, prostitution), since many participants in such crimes cannot be expected to respond with candor and honesty.

crime rate had changed. Analysis of the data from such surveys might indicate methods of improving crime reporting by citizens.

In an analysis of a patrol manning experiment, designed and implemented in New York City prior to The Rand Corporation's studies of the Police Department, we encountered many of the difficulties we have described here. No victimization surveys had been taken. The record-keeping procedures in the test precinct were different from those in the rest of the city. The citywide crime reporting system was changed significantly only a few months prior to the experiment, resulting in a large (about 70 percent) sudden rise in reported crime. We could not compare community attitudes before and during the experiment, since our involvement with the test precinct was limited to the period after the experiment. Thus, we were able to observe that statistically significant changes in reported crime did occur for some crime categories and not for others, but were unable to judge whether or not the true crime rate changed because of increased preventive patrol.

The experimentation, if successful, could have high payoffs in that it could generate information on the relationships between patrol programs and their effects on crime, criminals, and the general population, and thus enable allocation and deployment of patrol resources in many departments to be made on a more rational and informed basis than is currently possible.

Response to a Call for Service

The quantitative relationships between speed and type of police response on the one hand, and crime rate, deterrence of crime, probability of an on-scene apprehension, availability of witnesses, and citizen satisfaction, on the other hand, are not known. Knowledge of this sort, if available, should influence and significantly change decisions on the number and deployment of patrolmen for response to calls for service, and the priorities assigned to various types of calls.

The decision on what proportion of one- or two-man cars to deploy greatly affects police responsiveness and accessibility as well as the manpower required. While personnel safety has often been advanced as the argument for two-man cars, the data necessary to support that argument have not been systematically collected. The use of one-man cars, coupled with a policy of two-car response to certain types of calls, may be no more dangerous than two-man cars; at the same time, it nearly doubles the effective patrol force size for the same cost.

Prediction of Crime and Calls for Service

Predictions of crime and police workload have short-term utility in aiding the deployment of men and cars and longer-term utility in making estimates of new recruits needed to meet required future force levels. Such workload predictions are also necessary in evaluating patrol experiments.

The St. Louis and Phoenix prediction methods employ only past crime and call-for-service data in making short-term predictions. A comprehensive comparison of the predictive quality of those two methods and other available techniques has not been conducted. However, St. Louis is evaluating the desirability of incorporating noncrime factors which are thought to influence the number of crimes and calls (such as weather, holidays).

The successful evaluation of the results of "activity-effect" experiments requires a means of detecting whether a new experimental patrol program activity has an effect on crime and other criteria which differs from the effect the current patrol program would have had if no experiment had been conducted. The difference in the quantitative effects of two alternative patrol programs can never be precisely known, but it is possible to estimate the patrol program impact on crime and arrest rates by the use of the short-term predictive methods mentioned above. Conceptually, a better approach would be to compare the two patrol programs in two identical districts—that is, in a control district that is identical to the experimental district. The difficulty that arises is that no two districts are truly identical in all respects. Thus, it is necessary to ask, for example, which demographic, socioeconomic and criminal justice system characteristics explain the observed variation in reported crime among neighborhoods, so that adjustments may be made for the variation in crime across neighborhoods attributable to factors other than preventive patrol variations. In Chapter III some alternative models of crime were explored using citywide values of crime, police, and demographic measures. We concluded there that such models should be explored further, but where feasible using time-series data and/or data disaggregated by small geographic area.

During the period of experimentation, changes other than police activities also may take place that would affect the crime rate. These changes might be social or economic in nature, or might be attributable to other characteristics of the criminal justice system. A model of the determinants of crime would also be useful to adjust for variation in crime within a given geographical area over time. Knowledge of the determinants of crime also would have broader uses, for example, in

evaluating alternative social programs that impinge on crime, including those of other criminal justice agencies.

Methods for Allocation of Patrol Forces

As indicated in the President's Commission Task Force Report⁵ of the 1967 President's Commission on Law Enforcement and the Administration of Justice:

Many American police forces do not utilize their available field personnel effectively. The most significant weakness appears to be the failure of departments to distribute patrol officers in accordance with the actual need for their presence.

In Chapter IV we outlined what we believe to be the best currently feasible approach to aid in allocating patrol forces in response to the constantly changing patterns of need for police services. It involves prediction of crime and call-for-service workload, using multiple criteria with each measure treated separately, analytic models relating patrol inputs to the criteria, and a mathematical programming technique that will estimate the patrol program which best satisfies the criteria specified. For evaluation of specific and complex alternative patrol tactics or command-control systems, the system could be simulated.

The approach we suggest for aiding in deploying patrol by neighborhood and time periods is theoretically feasible and logically seems to have significant advantages over any deployment method that is currently operational. Further research and experimentation is needed to test, refine, and implement this method in actual patrol operation.

5. *Task Force Report: The Police*, p. 51.

The Use of an Incident Seriousness Index in the Deployment of Police Patrol Manpower

by Nelson Heller

A new picture of crime in a city has emerged from the crime seriousness data developed in this project. The picture is based on measures of the harm—that is, the amount of physical injury, property loss, and intimidation—incurred by victims of crime in St. Louis during a recent two-month period. The resulting glimpse of the city's crime problem has suggested some remarkable conclusions:

- two-thirds of the harm from crime may be attributed to property loss, and one-sixth each to physical injury and intimidation;
- the average seriousness of a crime against the person is more than four times as great as the average seriousness for a crime against property;
- crimes against the person accounted for 12.5 percent of the incidents but 37.5 percent of the seriousness;
- the injury and property loss occurring in the average traffic accident is over fifty percent more serious than that occurring in the average Part I offense;
- crimes which occur in places not readily viewed by police on patrol ("non-suppressible" crimes) are substantially more serious than those taking place on the streets; and,
- if the seriousness of crime is assumed to be an important factor in allocating police manpower then some commonly used methods of allocation may actually be misallocating resources.

These conclusions are based on an incident seriousness rating procedure adapted from the quantitative index of delinquency developed by Sellin

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and Wolfgang. Their studies indicate that the subjectively perceived seriousness of a crime depends on the presence or absence of the component events listed in the following table, and that a measure of the seriousness is given by the sum of the seriousness scores for the relevant events, multiplied by the number of times each has occurred.

	<i>Score (Units)</i>
<i>Injury Component</i>	
Victim Assaulted:	
Minor injury	1
Treated and discharged	4
Hospitalized	7
Killed	26
<i>Intimidation Component</i>	
For each forcible sex offense:	
The sex offense	10
Intimidation by weapon	2
For non-sex offense:	
Physical or verbal intimidation	2
Weapon intimidation	4
<i>Property Component</i>	
Premises forcibly entered	1
Stolen vehicle	2
Value of property stolen:	
Under \$10	1
\$10-\$250	2
\$251-\$2,000	3
\$2,001-\$9,000	4
\$9,001-\$30,000	5
\$30,001-\$80,000	6
Over \$80,000	7

Using this scale the research team computed the seriousness of all

Part I offenses reported in St. Louis from April 4 to May 29, 1971, a total of 9,827 offenses. Included were 1,226 crimes against the person:

homicide	38
rape	75
robbery	651
agggravated assault	462
	1,226

and 8, 601 crimes against property:

burglary	2,738
larceny	4,090
auto theft	1,773
	8,601

The average seriousness for these offenses was found to be 3.00 units, consisting of the following components:

injury	0.49 units	15.9%
intimidation	0.53 units	17.7%
property loss	1.99 units	66.4%
	3.00 units	100.0%

and the average property loss in dollars was found to be \$104.72.

The seriousness averages for Part I offenses were used as yardsticks for comparing the relative seriousness of other types of crime. For example, the average seriousness was found to be 9.02 units for crimes against persons, making the average harm incurred in a crime against the person about three times as great as that for the average Part I offense.

The UCR crime index is equal to the number of Part I offenses, excluding non-negligent manslaughter and larceny under \$50, reported during a specified period of time. This statistic effectively considers each

type of offense equally serious. Estimates of the average seriousness per offense, however, indicate the values are far from equal:

homicide	33.29 units
rape	15.33 units
robbery	6.43 units
aggravated assault	9.74 units
burglary	2.64 units
larceny	2.26 units
auto theft	2.29 units

Crimes against the person, when compared with crimes against property, were found to be substantially more serious, as reflected in the per incident seriousness averages and components:

	<i>person</i>	<i>property</i>
injury	3.90 units	—
intimidation	4.21 units	—
property loss	0.92 units	2.14 units
total	9.02 units	2.14 units
dollar loss	\$65.52	\$110.31

Significant differences between crimes against the person and crimes against property were also found in their distributions or seriousness by day of week, watch, and police district.

Crimes which could have conceivably been viewed by an officer on routine patrol are classified "suppressible" by the St. Louis Police Department. Crimes which are not suppressible are classified "non-suppressible." The average seriousness per incident was found to be significantly greater for the non-suppressible Part I offenses:

	<i>suppressible</i>	<i>non-suppressible</i>
injury	0.38 units	0.97 units
intimidation	0.47 units	0.80 units
property loss	1.98 units	2.05 units
total	2.82 units	3.82 units
dollar loss	\$97.49	\$138.10

To compare the seriousness of the harm incurred in traffic accidents with that incurred in crime, the research team employed the injury and property damage elements of the Sellin-Wolfgang index to estimate the average seriousness of three classes of accidents. The resulting averages seem surprisingly high:

fatal and injury accidents	7.80 units
property damage accidents	3.00 units
all accidents	4.53 units

Using data on 25, 897 traffic accidents and 47,164 Index offenses reported to the police in St. Louis in 1969, the total seriousness for accidents was found to be 66 percent of the total for the Index offenses.

A substantial part of the study was devoted to ways in which crime seriousness information could be usefully employed in methods for determining police manpower allocation. In most cases two types of allocations were considered: one making use of incident seriousness data and one based on conventional allocation methods which do not utilize seriousness considerations. The incident seriousness allocation (compared to the one based on incident frequency) usually:

- increases the police presence at those areas and times corresponding to the most serious incidents; and,
- permits faster response to those incidents which tend to involve more serious injuries and criminal acts for which the community is particularly anxious to see the offender arrested.

Eight manpower allocation problems were studied. Briefly, the problems and allocation procedures suggested for them were:

- the deployment of preventive patrols in proportion to the distribution of the seriousness of suppressible crime;
- the deployment of small, special purpose squads dealing with a specific type of crime according to the distribution of the seriousness of the crime;
- the allocation of detectives to police districts according to a procedure based on the seriousness of the offenses to be investigated and the likelihood that they would be solved;
- revision of the workload formula used in St. Louis to allocate patrol manpower to districts so that the weighting factors reflect the seriousness of the related incidents;

- the deployment of traffic enforcement patrols in proportion to the distribution of accident seriousness;
- the design of patrol beats so that, in addition to balancing the expected workload in each, the total seriousness of crime in each is balanced;
- modification of the queuing models used to determine the number of called-for-service patrols required each watch in a police district so that the average response delay is reduced when the average seriousness of injury, intimidation, or property loss in the district is above the city-wide average; and,
- the expansion of police programs of public education regarding crime prevention and how to deal with crime when it does occur as a way of focusing police resources on non-suppressible crime.

Crime seriousness data may also prove useful in measuring the effectiveness of police operations. Seriousness-based measures of effectiveness have been suggested for three types of activities:

- intervention in crimes in progress;
- apprehension of offenders; and,
- criminal investigation.

Finally, the study has suggested that exponential smoothing techniques may be used to forecast the total seriousness of crime by month and district.

The accuracy of crime statistics of most kinds has been widely questioned. Many crimes go unreported; for those that are reported, the information given is sometimes unreliable. These problems, which presently affect the validity of UCR statistics, will also apply to crime seriousness statistics. Despite such deficiencies, the crime seriousness data developed in this study warrant serious consideration for supplementing UCR requirements. The data also indicate sufficient variation in average seriousness by type of crime, time, and place to bring into question the validity of many conventional planning techniques.

V. THE EVALUATION OF PATROL EFFECTIVENESS

The need for evaluation and experimentation is supported by an increasing need to make more effective use of limited police resources. In recent years, demands for police service have continued to grow at rates which far outstrip the increases in police manpower. Efforts to find solutions to problems facing the police and the criminal justice system must begin with the recognition that there probably will not be any massive infusion of resources. Equally important, the heightened controversy concerning many traditional police practices, such as field interrogation, mandates that competent evaluation of these practices be undertaken, if they are to be defended in a court challenge as a legitimate and necessary police tactic.

The evaluation of ongoing programs frequently runs into opposition from proponents who subjectively "know" that their activities are effective. Patrol programs are usually introduced in response to a rising problem such as crime or traffic accidents. Rarely, are the responses introduced in an experimental fashion permitting comparisons that effectively assess the contribution of the "treatment" to alleviating the problem. Therefore, it is usually impossible to determine whether it was a new program that affected the problem reduction or whether the pattern returned to some level of normalcy following an abnormal deviation.

Without a research capability to test and understand underlying assumptions, the police will continue to function as technicians rather than as professionals. Traditionally, police departments have had neither the research skills nor the financial resources to conduct detailed program evaluation. The infusion of funds by the federal government and private foundations has, however, permitted in some instances the introduction of these resources.

The four articles in this section have been selected to acquaint the reader with the concept of evaluative research. The first selection by Edward Suchman defines the elements of the evaluation process. He points up the need for a clear statement of values underlying public service efforts and the articulation of objectives and assumptions necessary to measure goal achievement. Suchman identifies the dynamic inter-relationship between evaluation and programming and notes that inherent conflicts in values between the program administrator and the evaluator may emerge in the process.

Carter follows Suchman with a layman's description of the evaluation process. Like Suchman, he argues that evaluation must begin with a clear and explicit statement of the objectives of the program. He then argues for consistency in objectives, standards and methodologies if the merits of alternative program strategies are to be measured. Such paired comparison will become increasingly important as many new police operations are measured against one another and traditional patrol modes.

The last two selections are illustrative of evaluative research. The first outlines an experiment presently underway in Kansas City, Missouri which seeks to measure the effectiveness of preventive patrol through a systematic alteration of levels of patrol coverage. The subsequent measurement of effects will proceed on several dimensions including victimization, citizen perceptions of security, citizen satisfaction with police service and traffic violations and accident rates. This experiment has also provided a framework upon which the San Diego Police Department is undertaking a systematic analysis of the "payoffs" in the field interrogation process.

The last selection provides an example of results from a research effort. It examines police-citizen encounters in an effort to identify the determinants of citizen satisfaction or dissatisfaction as affected by police behavior in these contacts. This type of analysis, Bordua and Tifft hope will permit the introduction of "potential hostility costs" into the planning of police strategies.

Concepts and Principles of Evaluation

by Edward Suchman

Currently, the term "evaluation," despite its widespread popularity, is poorly defined and often improperly used. For the most part, its meaning is taken for granted and very few attempts have been made, even by those most concerned, to formulate any conceptually rigorous definition or to analyze the main principles of its use. The result is wide disagreement, with many other terms such as "assessment," "appraisal," and "judgment" often being used interchangeably with evaluation.

More serious than this looseness of definition is the absence of any clear-cut understanding of the basic requirements of evaluative research. One finds a wide variety of statistical records, inventories, surveys, testimonials, and experiments all classified as evaluation studies. Such studies vary from the "Is everyone happy?" approach to complex experimental designs. They include highly subjective assessments and detailed statistical analyses. As a consequence, the field of evaluative research is notable for its lack of comparability and cumulativeness of findings. Different results obtained for different purposes by different methods and based on different criteria lead to a confusion which is doubly difficult to resolve in the frequent absence of any explicit statement of objectives or methods of procedure by the evaluator.

The purpose of this chapter is to examine the various uses of the term "evaluation" and the different ways in which evaluation studies are conducted in an attempt to make evaluative research more systematic. While it would be premature and pretentious to offer a framework upon which all might be expected to agree, we do believe that an analysis of the key dimensions of the evaluation process will help greatly to further common understanding and to advance the field of evaluative research. First, we propose to examine various definitions of evaluation, both conceptual and

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operational; second, to relate evaluative research to two main elements in evaluation—values and objectives; and third, to discuss various types and classifications of evaluative research. This conceptual analysis, we hope, will constitute a first step toward the future development of a “theory and method” of evaluation.

Concepts of Evaluation

An examination of the use of the term “evaluation” in the literature reveals an inextricable mixture of conceptual and operational definitions—with the greater emphasis being upon the latter. The conceptual definitions, for the most part, do not attempt any logical formality but rather offer a list of characteristics descriptive of evaluation as a cognitive and affective process. The operational definitions concentrate upon the purposes of evaluation and the procedures involved in conducting an evaluation study. This is not especially surprising in an area lacking any formalization of theory or method and is probably a necessary precursor to the development of a more systematic approach.

To begin with, the American Public Health Association offers the following conceptual *and* operational definition in its “Glossary of Administrative Terms in Public Health.”¹

The process of determining the value or amount of success in achieving a predetermined objective. It includes at least the following steps: Formulation of the objective, identification of the proper criteria to be used in measuring success, determination and explanation of the degree of success, recommendations for further program activity.

The key conceptual elements in this definition are “the value or amount of success” and “predetermined objective,” while the significant operational terms are “objective,” “criteria,” and “determination and explanation of the degree of success.” Thus, inherent in evaluation is the process of assigning value to some objective and then determining the degree of success in attaining this valued objective. These two ideas are recognized quite explicitly by Riecken, who defines evaluation as “the measurement of desirable and undesirable consequences of an action that has been taken in order to forward some goal that we value.”²

Riecken introduces two further concepts in his definition: (1) the object of study in evaluation is some activity; and (2) this activity may have

1. “Glossary of Administrative Terms in Public Health,” *American Journal of Public Health*, vol. 50, February, 1960, pp. 225-226.

2. Riecken, Henry W., *The Volunteer Work Camp: A Psychological Evaluation*. Addison-Wesley Press, Cambridge, Mass., 1952, p. 4.

negative as well as the desired positive consequences. In this sense an evaluation study presupposes the existence of some program or activity to be evaluated. Thus, we now locate evaluation in the area of programmatic or goal-oriented activity and recognize that the activity will have multiple effects, some of which may be undesirable. Riecken further delimits the evaluation process when he concludes that any intentional social action can be the object of an evaluation study. According to this approach, the activity being evaluated will usually be one of deliberate social change; in other words, evaluation is the process whereby man attempts to check upon his own ability to influence other men or his environment. This definition of evaluation is supported by Borgatta, who finds that “research problems in evaluative research . . . recur in the many circumstances where programs operate manifestly to improve existing conditions, or where efforts are being made to prevent or stop deterioration of existing conditions.”³

This emphasis upon social change as the subject of evaluation study is underscored by Hyman, who defines evaluation as “the procedures of fact-finding about the results of planned social action.”⁴ Hyman’s definition clearly identifies evaluation as a form of “applied” research whose major objective is not the production of new basic knowledge but rather the study of the effectiveness of the application of such knowledge. This distinction between evaluative and basic research is also stressed by the Subcommittee on Evaluation of Mental Health Activities of the National Advisory Mental Health Council as follows: “Evaluation thus connotes scientific method, but has characteristics that distinguish it from that type of research whose objective is the accumulation and analysis of data in order to formulate hypotheses and theory for the sake of new knowledge itself, irrespective of judgment of the value of the knowledge.”⁵

“Effectiveness” is the key term in the definition offered by several other research workers. Greenberg and Mattison would restrict evaluation to the “follow-up” of results. “Evaluation of public health programs should denote a measurement of the effectiveness of the program. This effectiveness should be measured in terms of the fulfillment of the program’s

3. Borgatta, Edgar F., “Research Problems in Evaluation of Health Service Demonstrations,” *Milbank Memorial Fund Quarterly*, vol. 44, October, 1966, part 2, p. 182.

4. Hyman, Herbert H., Charles R. Wright, and Terence K. Hopkins, *Applications of Methods of Evaluation: Four Studies of the Encampment for Citizenship*. University of California Press, Berkeley, 1962, p. 3.

5. *Evaluation in Mental Health*. U.S. Department of Health, Education, and Welfare, Public Health Service, Publication No. 413, Government Printing Office, Washington, 1955, p. 2.

objectives."⁶ James states simply, "Program evaluation can be defined as the measurement of success in reaching a stated objective,"⁷ while Anderson qualifies the reaching of the objective in terms of "measuring achievement of *progress* toward predetermined goals."⁸ Anderson would go farther in his definition of goals by examining the value of the goals themselves. "It is also concerned with determining whether the goals themselves are valid."⁹ As we shall see later, the relationship of objectives to their underlying assumptions is, indeed, a crucial aspect of evaluative research.

While very few discussions of evaluation in the literature attempt to formulate conceptual definitions, almost all do offer some operational definitions in terms of either what evaluation tries to do or how it proceeds. According to this approach, one recognizes a study as being evaluative by its purpose or its method. In general, whenever one asks such questions as—"How good is the program?" "What effects are we having?" "Is the program working as we expected?"—and uses such instruments as rating sheets, appraisal forms, evaluation guides, or research designs which involve comparing accomplishment before or after or in the presence or absence of a particular action, one may be said to be conducting an evaluation study. Thus, Klineberg defines evaluation as "a process which enables the administrator to describe the effects of his programme, and thereby to make progressive adjustments in order to reach his goals more effectively."¹⁰ Bigman expands upon these purposes of evaluation by listing six main uses of an evaluation study.¹¹

1. To discover whether and how well objectives are being fulfilled.
2. To determine the reasons for specific successes and failures.
3. To uncover the principles underlying a successful program.
4. To direct the course of experiments with techniques for increasing effectiveness.
5. To lay the basis for further research on the reasons for the relative success of alternative techniques.
6. To redefine the means to be used for attaining objectives, and even to redefine subgoals, in the light of research findings.

These purposes strongly suggest an almost intrinsic relationship between evaluation and program planning and development. Evaluative research

6. Greenberg, Bernard G., and Berwyn F. Mattison, "The Whys and Wherefores of Program Evaluation," *Canadian Journal of Public Health*, vol. 46, July, 1955, p. 299.

7. James, George. "Planning and Evaluation of Health Programs," in *Administration of Community Health Services*. International City Managers' Association, Chicago, 1961, p. 124.

8. Anderson, Otis L., as reported in *First National Conference on Evaluation in Public Health*, University of Michigan, School of Public Health, Ann Arbor, 1955, p. 7.

9. *Ibid.*, p. 7.

provides the basic information for designing and redesigning action programs. Just as nonevaluative research holds out the hope of increased understanding of basic processes, so does evaluative research aim at an increased understanding of applied or administrative processes. Thus, according to Klineberg's definition, the goal of evaluative research extends beyond simply determining success or failure toward knowing why success or failure occurred and what can be done about it. Evaluation, in this sense, involves more than judging; it also encompasses understanding and redefinition.

This emphasis of evaluation upon the analysis, as well as the measurement of effectiveness, is implied in some of the questions proposed by Herzog for a "satisfactory evaluation of effort":¹²

1. What kind of change is desired?
2. By what means is change to be brought about?
3. What is the evidence that the changes observed are due to the means employed?
4. What is the meaning of the changes found?
5. Were there unexpected consequences?

These questions also point up the kinds of methodological problems that are likely to arise in the course of making an evaluation study. These methodological problems are the focus of attention of a comprehensive review of evaluation research in the field of mental health. The major concern is with the reliability and validity of the measures of effectiveness and with an understanding of the reasons for success or failure. This review lists the following six steps as essential for evaluation:

1. Identification of the goals to be evaluated.
2. Analysis of the problems with which the activity must cope.
3. Description and standardization of the activity.
4. Measurement of the degree of change that takes place.
5. Determination of whether the observed change is due to the activity or to some other cause.
6. Some indication of the durability of the effects.¹³

These conditions for evaluative research clearly place evaluation within the camp of scientific research and will be discussed in detail in the fol-

10. Klineberg, Otto, "The Problem of Evaluation," *International Social Science Bulletin*, vol. 7, no. 3, 1955, pp. 346-352.

11. Bigman, Stanley K., "Evaluating the Effectiveness of Religious Programs," *Review of Religious Research*, vol. 2, Winter, 1961, p. 99.

12. Herzog, Elizabeth, *Some Guide Lines for Evaluative Research*, U.S. Department of Health, Education, and Welfare, Social Security Administration, Children's Bureau, Washington, 1959, p. 2.

13. *Evaluation in Mental Health*, *op. cit.*; see especially p. 21.

lowing chapters on methodology. But what, then, do we do with the overwhelming majority of hundreds of evaluation studies that do not and cannot satisfy these standards of scientific methodology? This is a major question for the field of evaluation today in such public service fields as health, education, and social welfare. Certainly, as Anderson points out, evaluation studies today are made for different purposes, use different methods, have different objectives and criteria for measuring success in attaining these objectives.¹⁴

Based on this awareness that an evaluation study may take several different forms and a recognition that the primary function of most evaluation studies is to aid in the planning, development, and operation of service programs, we would like to propose a distinction between *evaluation* as the general process of judging the worthwhileness of some activity regardless of the method employed, and *evaluative research* as the specific use of the scientific method for the purpose of making an evaluation. This separation of evaluation as a goal from evaluative research as a particular means of attaining that goal would then permit one to classify evaluation studies according to different objectives or purposes and according to the type of method used. Examples of these different bases for classifying evaluation studies will be given in a later section.

For the present, we may simply indicate that range of variation by defining evaluation as the determination (whether based on opinions, records, subjective or objective data) of the results (whether desirable or undesirable; transient or permanent; immediate or delayed) attained by some activity (whether a program, or part of a program, a drug or a therapy, an ongoing or one-shot approach) designed to accomplish some valued goal or objective (whether ultimate, intermediate, or immediate, effort or performance, long or short range). This definition contains four key dimensions: (1) process—the “determination”; (2) criteria—the results”; (3) stimulus—the “activity”; and (4) value—the “objective.” The scientific method with its accompanying research techniques then provides the most promising means for “determining” the relationship of the “stimulus” to the “objective” in terms of measurable “criteria.”

This does not rule out the use of “nonscientific” methods for evaluation, even if it clearly places a premium upon the use of “scientific” methodology. The emphasis, however, is where it belongs—upon the evaluation process as a goal rather than upon evaluative research as one means toward attaining that goal. There are many evaluational questions in pro-

gram planning, development, and operation which can be answered without research, and many, in our present state of knowledge, that cannot be answered even if the best research techniques are used. Evaluative research is a tool, and like all tools, to be most effective, it must be designed for a specific function. The one final caution we would like to add is that the evaluator must be aware of which tool he is using and, if the evaluation requires a scientific research approach, that he does not substitute a subjective appraisal. It is also our conviction that the need today is for more scientific evaluative research and that greater progress in evaluation will be made the more one attempts to examine the objectives of a particular program including the underlying assumptions, develops measurable criteria specifically related to these objectives, and then sets up a controlled situation to determine the extent to which these objectives, and any negative side effects, are achieved. The satisfaction of these three basic requirements is the *sine qua non* of evaluative research that is truly research and not just subjective judgment.

Evaluation and Values

One of the major concepts appearing constantly throughout the above discussion is that of *values*. The value-laden nature of one's objectives constitutes a major distinction between evaluative research and basic research aimed at hypothesis-testing. A precondition to an evaluation study is the presence of some activity whose objectives are assumed to have value. In this section, we will attempt to make a little more explicit this relationship between values and the evaluation process.

“Value” may be defined as any aspect of a situation, event, or object that is invested with a preferential interest as being “good,” “bad,” “desirable,” “undesirable,” or the like. As defined by King, “values are the principles by which we establish priorities and hierarchies of importance among needs, demands, and goals.”¹⁵ Clearly, value orientations are

15. King, Stanley H., *Perceptions of Illness and Medical Practice*. Russell Sage Foundation, New York, 1962, p. 53. In relation to health and disease, King offers the following examples: “The person or group with a time orientation toward the present will have difficulty in seeing the value of inoculations against disease, a future occurrence. Emphasis on collateral relationship to others in distinction to individualistic will cause difficulty in perceiving the importance of taking a person out of a family and putting him in a tuberculosis hospital miles away. The view that man is subjugated to nature may lead an individual not to seek medical help in time of disease, in the belief that the inevitable or fate cannot be overcome. In like vein, this person may not see health as a positive value, much to the dismay of the highly educated physician or public health specialist, who views man as overcoming nature and as able to reach levels of health beyond those of the past.” (p. 61)

14. Anderson, Otis L., op. cit., p. 7.

highly relevant to all public services and to other areas of purposeful human activity. Such values, on the part of both professionals and the public, do much to determine the objectives of public service programs, the kinds of program operations that may be established, and the degree of success achieved by these programs.

Values are modes of organizing human activity—meaningful, affectively charged principles which determine both the goals of public service and social action programs and the acceptable means of attaining these goals. Such values may be *inherent* in the object or activity itself, or they may be *conceived* as being present whether they really are or are not. They may be *operative* as determinants of behavior, or they may have little actual influence on behavior. The relationships between inherent, conceived, and operative values vary greatly from area to area and are largely a matter for empirical investigation.¹⁶ These relationships are obviously of tremendous importance in analyzing the objectives and underlying assumptions of any public service program. For example, any program designed to reduce the incidence of lung cancer by changing the smoking habits of individuals must first establish the *inherent* value of smoking as a cause of lung cancer, then it must create within smokers the *conceived* value of the undesirability of dying from lung cancer, which finally must be translated into the *operative* value of giving up cigarettes as a preferred form of enjoyment. As we shall see later, public service values at times may not coincide with people's values.

It may be helpful to visualize the evaluation process as a circular one, stemming from and returning to the formation of values, as shown in Figure 1.¹⁷

Evaluation always starts with some value, either explicit or implicit—for example, it is good to live a long time; then a goal is formulated derived from this value. The selection of goals is usually preceded by or concurrent with "value formation." An example of "goal-setting" would be the statement that fewer people should develop coronary disease, or that not so many people should die from cancer. Goal-setting forces are always in competition with each other for money, resources, and effort.¹⁸

16. Morirs, Charles, *Varieties of Human Value*. University of Chicago Press, Chicago, 1956.

17. This chart was suggested by Jack Elinson.

18. As Vickers states in his analysis of the "goal setting" in public health, "When we open our eyes to the scene around us, we find goals already set. Policies are being implemented, institutions are in action with all the historical momentum of buildings and establishments. Men are in mid-career. Budgets, even budget headings, have acquired prescriptive rights. . . ." Vickers, Geoffrey, "What Sets the Goals of Public Health," *The Lancet*, vol. 1, March, 1958, p. 599.

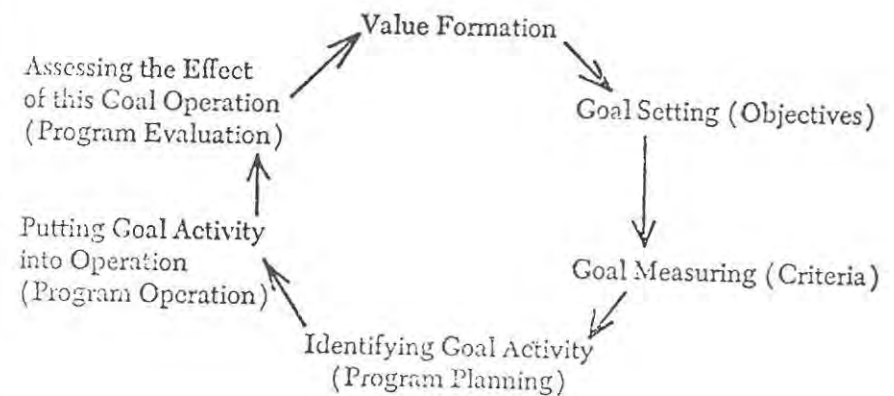


Figure 1. EVALUATION PROCESSES

There next has to be some way of "measuring goal attainment." If we set as our goal that fewer people should die from cancer, then we need some means of discovering how many are presently dying from cancer (for example, vital statistics). The nature of the evaluation will depend largely on the type of measure we have available to determine the attainment of our objective.

The next step in the process is the identification of some kind of "goal-attaining activity." In the case of cancer, for example, a program of cancer-detecting activities aimed at early detection and treatment might be considered. Then the goal-attaining activity is put into operation. Diagnostic centers are set up and people urged to come in for check-ups.

Then, at some point, we have the *assessment* of this goal-directed operation. This stage includes the evaluation of the degree to which the operating program has achieved the predetermined objectives. As stated previously, this assessment may be scientifically done or it may not.

Finally, on the basis of the assessment, a *judgment* is made as to whether the goal-directed activity was worthwhile. This brings us back to value, or we may reaffirm, reassess, or redefine an old value. For example, diagnostic centers. At the end of the evaluation process, we may get a new value, or we may reaffirm, reassess, or redefine an old value. For example, if the old value was "It is good to live a long time," the new value might be, "It is good to live until 100 if you remain healthy, but if you can't remain healthy it's better not to live past eighty."

In actuality, when the evaluation process begins, activities may be, and

usually are, already going on.¹⁸ The evaluator may come in at any point. Starting with one's basic values may appear logical, but in reality there is an ongoing matrix of activity which the evaluator must dissect into its components. It is not necessary to begin at the value formation stage. Values may already be formed and goals already set. Nor is the sequences of operations in the process invariable. Almost any combination of simultaneous operations is possible.

Let us examine another illustration of the evaluation process. Suppose we begin with the value that it is better for people to have their own teeth rather than false teeth. We may then set as our goal that people shall retain their teeth as long as possible. As a measure of our goal, we might count how many people have lost their teeth and at what ages. In effect, identifying a measure of our goal usually determines the indicators we will use of having attained that goal. Then we plan a goal-directed activity. In this case, we might decide to put dentists into the public schools to detect dental problems early, on the assumption that this will reduce the loss of teeth in later life. Now we put our goal activity into operation—we obtain the services of the dentists and set up the school clinics. Next we want to find out the effect of our goal-activity operation—is it, indeed, saving teeth that would otherwise be lost? There are many ways of doing this from the elaborate scientific model involving control groups and rigorous experimental conditions to the least scientific use of self-designated experts testing that the program is working well. Finally, we turn to value formation. In this example, an administrator may say the dental program is working so well in one place it ought to be introduced into other places as well.

The foregoing description of the evaluation process strongly underscores the close interrelationship between evaluation and program planning and operation, and touches upon the possibility of a conflict in values between the program administrator and the evaluator. These problems will be discussed in more detail in the chapter dealing with the administrative considerations in program evaluation.

Implicit in any action program intended to change the knowledge, attitudes, or behavior of the public are the values of the professional group desiring to produce this change. The definition of evaluation as the study of the effectiveness of planned social change would indicate the highly value-laden context of evaluative research. Even on a very general level, a value premise exists that change is good, that it can be planned and brought about. Underlying such a value premise one can often find other presumptions, such as if people are rational and properly instructed and

informed, they can be relied upon to do the "right" thing. Perhaps the most common assumption here is that information can lead to a change in one's attitude and that changed attitudes will result in changed behavior.¹⁹ Another common assumption is that any action is better than doing nothing, and that effort, in and of itself, is a sign of accomplishment.²⁰

This problem of values and social change has been treated extensively by social scientists and need not concern us beyond pointing out the intimate relationship between values, social change, and evaluation.^{21, 22} As analyzed by Foster in relation to intercultural health programs "directed culture change" refers to the recognition of and conscious attempt to meet social problems. Such directed change usually involves an interference with the community's customary way of life and needs to take other values besides those of the innovator into account. "Intercultural health programs require decisions and action which some people will feel violate their rights."²³

Public service in general, as a professional form of activity dedicated to social planning and change, is naturally highly permeated by value judgments. Both the goals or objectives of public service and the means to be used in attaining these objectives are subject to professional and public determinations of what is "acceptable and appropriate." A keen awareness of these professional and public forces, and of the conflicts that are inevitable both within the professional and public groups and between the

19. This is the underlying rationale of most health education programs despite increasing evidence of its limited validity. Literally hundreds of evaluation studies in the field of health education have documented the fact that knowledge is rarely a sufficient basis for action. A good review of such studies is given in *Review of Research Related to Health Education Practice*. Health Education Monographs, Supplement No. 1, Society of Public Health Educators, Rye, N. Y., 1963.

20. Williams offers an excellent discussion of the emphasis in American culture upon rationality and activity as solutions to social problems that is directly applicable to the field of public service. For example, he states, "The Western world generally, however, has tended to unite activity and substantive rationality, focusing upon a choice of the most effective means for a given end. Since systematic wealth-getting, technological achievement, and productive organization of effort have been strongly sanctioned, pressure has been created to search for 'better methods,' with the result that America epitomizes high regard for efficiency in techniques. In this kind of social climate, there is high sensitivity to such epithets as 'backward,' 'inefficient,' 'useless.'" Williams, Robin M., *American Society*, Alfred A. Knopf, Inc., New York, 1952, p. 401.

21. See, for example, Goodenough, Ward H., *Cooperation in Change*, Russell Sage Foundation, New York, 1963.

22. Bennis, Warren G., Kenneth B. Benne, and Robert Chin, editors, *The Planning of Change: Readings in the Applied Behavioral Sciences*. Holt, Rinehart, and Winston, New York, 1961.

23. Foster, George M., *Problems in Intercultural Health Programs*. Social Science Research Council, Pamphlet 12, New York, 1958, pp. 7-8.

profession and the public is essential for any intelligent evaluation of the success or failure of a public service program. Social values in large part set the boundaries of a social problem and determine the nature of any remedial actions.

We cannot in this report discuss the basic value orientations of the various fields of public service or analyze the major sources of internal and external conflict. This is an important area which has not received the attention it warrants from those concerned with public service planning and evaluation.²⁴ Occasionally, when the conflict becomes unavoidable, as in the case of medical care for the aged, the battle lines are more clearly drawn and the underlying assumptions of what is or is not a public service responsibility come to the fore. Areas of conflict are bound to increase as the distinction between preventive, treatment, and rehabilitative programs becomes increasingly difficult to maintain. Certainly, for example, the World Health Organization's definition of health as "a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity,"²⁵ while admittedly more a statement of creed than a blueprint for services, sounds a call for a much broader interpretation of what should be considered successful public health action.

From the point of view of evaluation, conflicting values introduce serious problems for the determination of the criteria by which the success of a public service program is to be judged. As Parsons has indicated, medicine constitutes only one subsystem in American society which may have values and goals in conflict with other subsystems.²⁶ For example, population control is a crucial area of public health and welfare concern, but the values and goals of our religious subsystem strongly influence the nature and success of programs involving the use of contraceptive measures. The economic subsystem is constantly pointing to both the economic costs and consequences of public service activities as a major criterion to be

24. An exception would be an analysis of social and medical forces influencing public health programs by Sir Geoffrey Vickers. As Vickers points out, "There are, I suggest, three contributions which public health can thus make to the setting of its own goals. It can evaluate health by the criteria which we currently use. It can criticize these criteria and thus help to deepen and refine them. And it can explore those processes of decision by which public health policy is defined and implemented." Vickers, Geoffrey, *op. cit.*, p. 602.

25. *Constitution of the World Health Organization of the United Nations*. World Health Organization, Geneva, Switzerland, 1946.

26. Parsons, Talcott, "Definitions of Health and Illness in the Light of American Values and Social Structure," in Jaco, E. Garty, editor, *Patients, Physicians, and Illness*. The Free Press, Glencoe, Ill., 1958, pp. 165-187.

taken into consideration in evaluating service programs.²⁷ Political forces combine with economic forces in support of or opposition to any form of "socialized" medicine.²⁸ Thus, a public service program may be judged desirable or successful according to one scheme of values and undesirable or unsuccessful according to another.

Sigerest has stressed the dependence of medicine and public health upon the social, economic, and political structure of a society.²⁹ Such current public health problems as air pollution, fluoridation, narcotics addiction, venereal disease, accident prevention, radiation, use of insecticides, and smoking, to name a few, will have to be met within the area of public controversy over means and ends.³⁰ Both the extent to which public health should attempt to institute programs in these areas and the type of program to be established are subjects of heated debate. As stated by a public health professional, "Having only recently emerged scarred and nonvictorious from the battlefield of cigarette smoking versus cancer of the lung, I can testify that the dairy and beef trusts, as well as the hamburger and custard stands, will not willingly give up their vested and powerful interests."³¹

There can be little question that values play a large role in determining the objectives of public service programs and that any evaluation study of the desirable and undesirable consequences of such programs must take social values, especially conflicting values, into account. In the next section, we will look more specifically at the way in which values and assumptions affect the formulation of objectives for evaluative research.

Objectives and Assumptions

The most identifying feature of evaluative research is the presence of

27. Economists are particularly concerned with the consequences of public health programs in the underdeveloped areas of the world. By directly affecting the quantity and quality of the labor force, such programs have an important effect on plans for economic development. Myrdal advocates an integrated approach: "An effort to reach permanent improvements of health standards aimed to have a maximum beneficial effect on the well-being of the people will, in other words, have to be integrated in a broad economic and social reform policy." Myrdal, Gunnar, "Economic Aspects of Health," *Chronicle of World Health Organization*, vol. 6, August, 1952, p. 207.

28. Somers, Herman M., and Anne R. Somers, *Doctors, Patients, and Health Insurance*. Doubleday and Co., Garden City, New York, 1962.

29. Roemer, Milton I., editor, *Henry E. Sigerest on the Sociology of Medicine*. M.D. Publications, New York, 1960.

30. Suchman, Edward A., *Sociology and the Field of Public Health*. Russell Sage Foundation, New York, 1963, pp. 58-70.

31. Spain, David M., "Problems in the Study of Coronary Arteriosclerosis in Population Groups," *Annals of the New York Academy of Sciences*, vol. 84, December 8, 1960, p. 831.

some goal or objective whose measure of attainment constitutes the main focus of the research problem. Evaluation cannot exist in a vacuum. One must always ask evaluation "of what." Every action, every program has some value for some purpose—therefore, it is meaningless to ask whether a program has any value without specifying value for what. Gruenberg makes this point quite emphatically when he argues, "I feel strongly that evaluation research requires of the investigators that they force the administrative structure they are investigating to specify the values that the administration is seeking, at least to the point where some visible research question is specified. And if there is no *value* being sought by a service, I don't see how you would do evaluation work."³² In reverse, if any activity has an objective, then it can be made the subject of evaluative research. Thus, one may evaluate not only action programs, but one may also evaluate a research project in terms of the degree to which it successfully attains its own objectives, that is, the test of some hypothesis, or even a research technique in terms of its ability to produce reliable, valid, and relevant data bearing on an hypothesis.³³

Given the basic importance of a clear statement of the program objectives to be evaluated, it is not difficult to understand why so many, evaluation studies which fail to define these objectives prove unproductive. This is tantamount to undertaking a basic research project without first formulating one's hypotheses. An evaluation project may be viewed as a study of change—the program to be evaluated constitutes the stimulus or "causal" or independent variable, while the desired change is similar to the "effect" or dependent variable. Characterized this way, one may formulate an evaluation project in terms of a series of hypotheses which state that "Activities A, B, and C will produce results X, Y, and Z," Note that this formulation requires both a statement of the end result, or objectives of the program, *and* the specification of what it is about the program that might be expected to produce these results. In the chapters on methodology we will carry this analogy farther when we discuss the

32. Gruenberg, Ernest M., editor, *Evaluating the Effectiveness of Mental Health Services*, Milbank Memorial Fund Quarterly, vol. 44, part 2, January, 1966, p. 353. (Entire issue.)

33. In a very real parallel, the concept of evaluation is similar to that of validity in methodological research. Validity also implies some purpose and, to be meaningful, one must always specify validity for what. Just as early research on validity was held back by a failure to recognize this essential fact, so is evaluative research today greatly confused and subject to needless argument. An insightful discussion of this problem in regard to validity may be found in Stouffer, Samuel A., and others, *Measurement and Prediction*, Princeton University Press, Princeton, N. J., 1949.

problem of establishing causal connections between one's activities and one's results.

The clear-cut definition of program objectives and the identification of the responsible program activities is not an easy task. As Hyman so clearly points out, "The many difficulties suggested—the breadth of the thing subsumed under a particular objective, the multiple objectives encompassed by many programs, the ambiguity inherent in any or all of the objectives as stated, and the disagreement as to the objectives—are characteristic of many programs and are enough to stagger the imagination of the evaluator."³⁴

Some of the difficult questions that arise involve the *kind* of change desired, the *means* by which this change is to be brought about, and the *signs* by which such change is to be recognized.³⁵ In regard to the definition of the kind of change, one must be able to specify change from what to what. One must be able to determine the existing state of affairs before the program activity is initiated and then to define what the desired change is to be. Thus, before one can evaluate the success of an action program, one must be able to diagnose the presence or absence of a social problem and to define goals indicative of progress in ameliorating that condition.³⁶ Greenberg and Mattison draw a direct parallel between the clinical process aimed at diagnosing what is wrong and prescribing a course of treatment which can then be evaluated in terms of the patient's progress and the public health process of determining community health needs, developing public health programs to meet these needs, and following up these programs to evaluate their success or failure.³⁷

The specific procedures for formulating significant program objectives, for deciding upon the criteria by which the achievement of these goals will be judged, and for developing reliable and valid measures of these criteria constitute basic methodological problems in evaluative research and will be discussed in the following chapters on research design. At the present time we wish only to raise some of the more general considerations

34. Hyman, Herbert H., and others, *op. cit.*, p. 7.

35. These questions are raised and discussed in Herzog, Elizabeth, *op. cit.*, pp. 9-36.

36. As several evaluations of mental health programs have pointed out, the difficulty of diagnosing mental illness and of measuring improvement constitute major stumbling blocks in evaluating the success or failure of mental health programs. See, for example, Howe, Louisa P., "Problems in the Evaluation of Mental Health Programs," in Kotinsky, Ruth, and Helen L. Witmer, *Community Programs for Mental Health*, Harvard University Press, Cambridge, Mass., 1955, pp. 225-295.

37. Greenberg, Bernard G., and Berwyn F. Mattison, *op. cit.*, pp. 294-296.

involved in the formulation of objectives for evaluative research. Among the more compelling of these are the following:

1. *What* is the nature of the content of the objective? Are we interested in changing knowledge, attitudes, and/or behavior? Are we concerned with producing exposure, awareness, interest, and/or action? Answers to these questions permit the evaluator to determine what Hyman calls the "regions within which the concepts are set."³⁸ Hovland and his colleagues in evaluating the effectiveness of propaganda films, for example, specify four different areas of interest: knowledge, beliefs, attitudes, and motivations.³⁹ As we shall see later, public service programs may operate on different levels of objective, ranging from the ultimate one of preventing a problem from developing to the more immediate one of distributing information on the problem.

2. *Who* is the target of the program? At which groups in the population is the program aimed? Are we seeking to change individuals, groups, or whole communities?⁴⁰ Are we seeking to reach the target group directly or indirectly through some related target group such as friends or relatives?⁴¹ These questions help to identify the present and potential "clients" for a public service program and serve to define the population to be studied. In general, we may distinguish between programs aimed at the large-scale, undifferentiated mass or public-as-a-whole; at discrete target groups viewed as the direct objects of change; or at indirect groups conceived as sources of influence upon the ultimate target group. Any program will have differential effects among various segments of the population and success or failure can only be measured in terms of whom one is attempting to reach. The evaluation literature is full of examples of self-selected audiences already favorably disposed or involved, thus constituting highly biased groups for evaluative purposes.⁴²

38. Hyman, Herbert H., and others, *op. cit.*, p. 9.

39. Hovland, Carl I., Arthur A. Lumsdaine, and Fred D. Sheffield, *Experiments in Mass Communication*. Princeton University Press, Princeton, N. J., 1949, pp. 33-45.

40. "This population need not be defined as a whole population in the demographic sense, but may be restricted in terms of age, sex, occupation, club or school membership, or in some other way. . . . Depending on the nature of the program to be offered, there may be further specification of the group within the population that is expected to be the particular target of the preventive or therapeutic measures." MacMahon, Brian, Thomas F. Fugh, and George B. Hutchison, "Principles in the Evaluation of Community Mental Health Programs," *American Journal of Public Health*, vol. 51, July, 1961, p. 965.

41. The importance of indirect personal influence in changing behavior has been the subject of a number of public health studies. See, for example, Rosenstock, Irwin, and others, *The Impact of Asian Influenza on Community Life*, U.S. Public Health Service, Publication No. 766, Government Printing Office, Washington, 1960.

42. See, for example, Kline, Nathan S., "Samples and Controls in Psychiatric Research," *Psychiatric Quarterly*, vol. 27, July, 1953, pp. 474-495.

3. *When* is the desired change to take place? Are we seeking an immediate effect or are we gradually building toward some postponed effect? In general, we may talk about short-term, discrete programs of a single, one-shot nature; cyclical or repetitive programs that are continuously renewed; or long-term, developmental programs that keep building toward some long-range goal. Some objectives take longer than others to attain and the evaluation must take into account the length of time that the program has been in effect.⁴³ Many evaluation studies show immediate signs of success only to have these disappear as the novelty and enthusiasm of a new program wear off.⁴⁴ Other programs appear to be unsuccessful at first, but create a type of "sleeper" effect which shows up at a later time. Related to this question is one on how long one expects or desires the effect to last. Not all programs aim at the same degree of permanent or transient change.⁴⁵

4. Are the objectives *unitary or multiple*? Is the program aimed at a single change or at a series of changes? Are these changes the same for all people or do they vary for different groups of people? It is rare that any program will have only one purpose or one effect. This means that the evaluator must usually provide for the measurement of multiple effects requiring the allocation of priorities for study. It also means careful attention to unanticipated or undesirable "side effects."⁴⁶ As in the case of evaluating the effects of drugs, one must always be on the alert for contra-indications.

Time Orientation	Target Population	
	Community Support	Individual Behavior
Single action	A	C
Continued action	B	D

5. What is the desired *magnitude* of effect? Are we seeking widespread or concentrated results? Do we have to attain any particular proportion of effectiveness before the program can be considered a success? Are there any specified standards of accomplishment that we have to meet? Too many programs assume unrealistic goals of total success. The objectives for most action programs must be much more modest, involving amelioration rather

43. Morris, Don P., Eleanor Srooker, and Genette Burruss, "Follow-up Studies of Shy, Withdrawn Children—I. Evaluation of Later Adjustment," *American Journal of Orthopsychiatry*, vol. 24, October, 1954, pp. 743-754.

44. Riecken points out, "All experience with action programs indicates that their real effects cannot be gauged without considering the long-run forces that may support, negate, or even reverse the immediate effects." Riecken, Henry, *op. cit.*, p. 22.

45. Elsewhere, we have developed a classification of public health programs which takes into account both the time dimension and the nature of the target population, as follows (Suchman, Edward A., *op. cit.*, p. 77):

46. Opler refers to these as "secondary" and "tertiary" effects. "All plans are sure to have mixed consequences." Opler, Morris E., *Social Aspects of Technical Assistance in Operation*. Tensions and Technology Series, UNESCO, No. 4, Washington, 1954, p. 67.

than elimination and aimed at lessened damage and better functioning rather than total prevention.⁴⁷

6. How is the objective to be attained? What means are to be used to put the program across? Will one depend primarily on voluntary cooperation or will an attempt be made to secure legal sanctions? Will personal or impersonal, formal or informal appeals be made? To an increasing extent public service programs will have to relinquish their dependence upon legislative action and seek community support for their objectives. This will greatly increase the need for social action programs to find ways and means which appeal to the public and which do not require a high degree of motivation or personal inconvenience.

These six considerations deal with basic questions that need to be answered in formulating the objectives of a program for the sake of evaluation.⁴⁸ While some of these questions may be irrelevant for operational purposes, they play a crucial role in determining which objectives one selects for evaluation and how one designs the evaluation study. Such methodological problems as sampling, selection of controls, preparation of measuring instruments, method of field administration, and techniques of analysis are strongly affected by the kinds of answers one gives to the questions specified above, as will be shown in the chapters on methodology. It is also probable that, in the course of seeking answers to these questions in an evaluation study, the program administrator will find himself forced to sharpen his own picture of what he is attempting to do.

Many of the answers to the questions raised above will require an examination of the underlying assumptions of the stated objectives. This is to be expected, since inherent in the idea of evaluation is a critical attitude of mind, a challenging of the status quo. An evaluation rarely takes place in an atmosphere of complacency and satisfaction. The call to evaluate is usually the result of dissatisfaction somewhere. Where everyone takes it for granted that a program is successful, there will be little pressure for evaluation.

The process of seeking to understand the underlying assumptions of an objective is akin to that of questioning the validity of one's hypothesis.

47. For example, several studies have questioned the value of the current vital statistics system as a yardstick for the measurement of public health needs and accomplishments in chronic disease. See Ciocco, Antonio, "On Indices for the Appraisal of Health Department Activities," *Journal of Chronic Diseases*, vol. 11, May, 1960, pp. 509-522. As stated by Gruenberg, "Death rates, which have ruled the roost for so long as the sole measure of the improvement of a community's health, are insufficient measures of today's public health programs." Gruenberg, Ernest M., "Application of Control Methods to Mental Illness," *American Journal of Public Health*, vol. 47, August, 1957, pp. 944-952.

Involved is a concern with the theoretical basis of one's belief that "activity A will produce effect B." Such concerns are the earmark of professional growth. So long as one proceeds on faith in accepted procedures without questioning the basis for this faith, one is functioning as a technician rather than a professional. The future development of the various fields of public service as science as well as art will depend to a large extent upon their willingness to challenge the underlying assumptions of their program objectives. As stated by James and Hilleboe, "It [evaluation] is after all primarily a critical point of view. It becomes a question of proving to scientific colleagues how we know our efforts have been successful, what assumptions were required in order to establish this proof, and what degree of confidence we demand for these assumptions."⁴⁹

Assumptions may be classified into two types—value assumptions and validity assumptions. Value assumptions pertain to the system of beliefs concerning what is "good" within a society or a subgroup of that society. Thus, we may have such almost universally accepted value assumptions as, "Human life is worth saving"; "Unnecessary suffering is bad"; "Good health is to be desired." One might say that the main objectives of the public service movement itself are based upon the value assumption that the government owes its people protection from undesirable social conditions. Such value assumptions, as we have noted previously, may vary from group to group and result in value conflicts that create public controversy over goals and means of public service programs. These conflicts are implied in the evaluative question, "Success from whose point of view?"

Validity assumptions are much more specifically related to program objectives. Such assumptions, for example, underlie our belief that the cause for much perinatal mortality may be found in a lack of care during pregnancy and that prenatal clinics which supply information to expectant mothers can improve such care and result in a reduction in perinatal mortality. These validity assumptions help to explain the current move from mental institutions to home care based on the belief that people are better off at home than in institutions. A basic validity assumption underlying mass chronic disease detection programs is that those people who are

48. Hutchison lists the three basic questions of evaluative research as: (1) Does the program meet its objectives? (2) To what degree does it meet its objectives? (3) How efficiently are the objectives met? Hutchison, George B., "Evaluation of Preventive Services," *Journal of Chronic Diseases*, vol. 11, May, 1960, pp. 497-508.

49. James, George, and Herman E. Hilleboe, "Evaluation During the Development of a Public Health Program in Chronic Disease," *American Journal of Public Health*, vol. 45, February, 1955, p. 149.

found to have a chronic disease are "better off" than they would have been had the disease not been detected.⁵⁰ Similar validity assumptions lie behind the recommendation to see one's physician regularly for preventive check-ups. The Subcommittee on Evaluation of Mental Health Activities lists the following validity assumptions as the basic rationale for many mental health programs.⁵¹

Community clinics will have many patients from State hospitals.

The basis of prevention is correction of faulty child-rearing practices and the treatment of emotional disorders in childhood.

Mental health is a state for which individuals can be educated by disseminating knowledge about emotional processes through pamphlets, popular books, movies, posters, exhibits, radio, television, and lectures.

Unconscious psychological determinants are the major explanation of maladaptive reactions.

One has only to look at random through the 1960 *Guide to a Community Health Study* for similar statements of assumptions whose validity is taken for granted as the basis for setting up public health programs. For example, in regard to housing—"Healthful housing is paramount to the attainment of a healthful life" (page 166); in regard to obesity—"Weight control programs in the community provide opportunities through group or individual discussion for persons to reach and maintain optimum weight" (page 104); in regard to schools—"The environmental conditions of lighting, heating, ventilation, etc., have a direct bearing on the efficiency of learning, and play an important part in forming attitudes of the future community leaders towards cleanliness" (page 168).⁵²

Obviously, all programs designed to produce change must make validity assumptions concerning the worthwhileness of their services. It is impossible to secure proof of the effectiveness of everything one wishes to do. Nor is it desirable. Operating personnel must proceed on the basis of the best available knowledge at the time. The question is one of how freely such validity assumptions are made and how much is at stake. Certainly an attempt should be made to identify clearly and objectively as many of the validity assumptions underlying a program as possible—and the more important and consequential the program, the more need there will be to challenge these assumptions. A projected major hospital construction pro-

50. Enterline, Philip E., and Bernard Kordan, "A Controlled Evaluation of Mass Surveys for Tuberculosis and Heart Disease," *Public Health Reports*, vol. 73, October, 1958, p. 867.

51. *Evaluation in Mental Health*, op. cit., pp. 5-6.

52. *Guide to a Community Health Study*. American Public Health Association, New York, 1960.

gram for the treatment of narcotic addicts, for example, requires much more careful analysis of the assumption that institutionalized treatment is necessary for narcotics addiction⁵³ than does a community day care center for handicapped children.

The administrator who seeks positive answers to all validity questions before initiating public service programs will spend a great deal of his time and resources in contemplation and offer very few services. He must call upon his own knowledge and skill to develop practical programs whose assumptions are clearly set down. If evaluation is built into the program, then the results may prove or disprove the significance of these assumptions. Should other investigators provide new evidence, he can adjust his objectives accordingly. Hence, when a social science study of health education techniques indicated that these were not effective in motivating people to have tuberculosis x-rays, a health department was able to curtail sharply the further dissipation of its resources in that direction.⁵⁴ On the other hand, when several programs on the use of fluoridation for the prevention of dental caries proved the safety and effectiveness of this procedure, health officers throughout the world could urge the addition of up to one part per million of fluoride to a communal water supply in the knowledge that this assumption had now been proved beyond reasonable scientific doubt.⁵⁵

Important elements in the establishment of assumptions are the concepts of validity and reliability. Each assumption assumes the *validity* of an objective, that each objective is a valid means for the achievement of some desired value. This assumption of validity is actually a step toward the refinement of scientific theory. However, while we may assume validity, we are not as free to assume reliability. If we assume a result which actually varies upon repetition by ourselves or other qualified investigators, then we have no fixed point of reference. We may, for example, assume that a screening level of 160 mg. per cent of blood sugar can be used to detect early diabetes, despite the fact that such a screening level

53. This validity assumption is vigorously challenged in Chein, Isadore, Donald L. Gerard, Robert S. Lee, and Eva Rosenfield, *The Road to H. Basic Books*, New York, 1964. This book marshalls convincing evidence to explode many of the commonly held, preconceived notions about the nature of drug addiction and its treatment.

54. Metzner, Charles A., and Gerald Gurin, *Personal Responses and Social Organization in a Health Campaign*. University of Michigan, Bureau of Public Health Economics, Research Series No. 9, Ann Arbor, 1960.

55. Arnold, Francis A., Jr., H. Trendley Dean, and John W. Knutson, "Effect of Fluoridated Public Water Supplies on Dental Caries Prevalence," *Public Health Reports*, vol. 68, February, 1953, p. 141.

will give us a number of false negatives and false positives. Subsequent study will indicate to what degree we are correct and how many false negatives and false positives will appear in our series. However, in making this assumption we must be sure that we are speaking about a particular method of detecting blood glucose; we must be sure that we are performing this procedure on a well-described population, that the tests are run at a given time after a carbohydrate meal and that the blood has been handled in such a way as will not permit the deterioration of the blood sugar in the sample. Unless we have taken these steps to ensure reliability, we will have no certain way of relating our efforts to work done in other areas, to changes which may occur from time to time within our own program, and to future findings in the realm of validity of the test procedure itself. Thus, while we may accept validity on the basis of theory, we must always prove reliability empirically.

The stability of program objectives rests largely upon the reliability of the assumptions made—if we view reliability as the consistency or dependability of these assumptions. Where the underlying assumptions of a program are constantly changing, it is impossible to formulate valid objectives. This is most likely to be the case in problem areas lacking in established theory or factual knowledge. Evaluations of many of the newer programs in public service, such as urban renewal, accident prevention, or population control, suffer from a high degree of inconsistency or disagreement concerning underlying assumptions. It is difficult to compare the relative success of different approaches if these are based on conflicting assumptions. Obviously, programs based on assumptions with low reliability must necessarily have low validity. Since high validity presupposes high reliability, evaluative research usually concerns itself mainly with problems of the validity of the assumptions.

From this discussion of the relationship of evaluation to values, of values to objectives, and of objectives to assumptions, we see that evaluation is inherently a normative subjective process. Borgatta stresses this point when he states: "Professions have norms that may not have a rational basis . . . similarly, with tendencies that are called bureaucratization, institutionalization, and so forth, processes once established tend to be maintained by the authority systems in which they reside. Thus, many things may exist where success or failure of the intended action is not at all clear, yet authority, convention, and other forces may tend to keep them as they are."⁵⁶

56. Borgatta, Edgar F., *op. cit.*, p. 183.

This does not mean, however, that one cannot develop objective methods for studying this normative process. It does mean that the form which such evaluative research takes and the criteria of judgment developed need to take into account the importance of existing values to the evaluation process.

The Evaluation of Police Programs

by Robert M. Carter

Although responsible police administrators are concerned with and anxious to use evaluation as a management tool, many administrators are uncertain about the nature of evaluation. The President's Crime Commission noted that university-trained research personnel frequently approached organizational problems from an academic frame of reference or that they were almost completely unacquainted with operational problems. They used a mysterious language of "contingency coefficients" and "multiple linear regressions" and their techniques and methodologies for evaluation were equally mysterious. Conversely, administrators were generally neither trained in a social science approach to evaluation nor able to envision a continuing research and evaluation program within their agencies.

It is not surprising that this background has produced some considerable confusion and suspicion about the nature and process of evaluation. And yet, the process of evaluation is not a stranger to the police administrator. Evaluation based upon sound data is the key to decision-making, and decision-making capability is of first importance among all administrative activities. Careful assessment and evaluation mark the appropriate decision; inadequate or partial evaluation most assuredly limits the administrator's ability to make sound judgments.

At bottom, however, the process of evaluation is not especially complex—particularly when its major components or elements are dissected and analyzed. There are four identifiable parts in the spectrum of evaluation: objectives, programs, standards and methodologies. I will examine them separately and then join them together into a simple model of evaluation.¹

1. The approach outlined below has been successfully utilized for program evaluation at the Delinquency Control Institute of the University of Southern California and at the California Youth Authority Juvenile Law Enforcement Officers' Training Course. Police participants, examining police programs and following the model step-by-step, have found the procedure to be useful.

Reprinted with permission from *The Police Chief*, November, 1971, pp. 57-60.

Evaluation of a program or process does not begin with the program, but with a clear and explicit *identification of the objectives toward which the program is geared*. The police administrator must be able to outline his goals or purposes, not only in general terms, but also as precise, clear objectives: "Objective number one is . . . objective number two is . . .," and so on. Further, he must recognize that the objectives may be either a primary "need to achieve" objective or a secondary "nice to achieve" objective. There may be one or more of each type of objective and accordingly a priority or special emphasis may be placed upon the accomplishment of one objective rather than another. For the purposes of model construction, the objectives may be represented as a target.

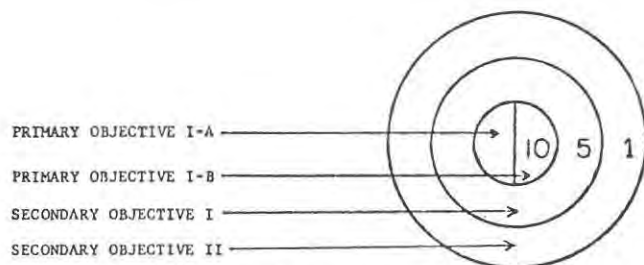


Figure 1. Objectives

Figure 1 indicates that there are two equally important primary objectives represented by the two segments of the bull's-eye. There are also two secondary objectives, not of equal importance, assigned to the 5 and 1 rings.

It is emphasized that the administrator should be aware of the objectives and their priorities without recourse to outside consultants or experts.

The second component of the evaluation process is the explicit *identification of the program or process and its parts*. As in the case of objectives, the police administrator should be aware of most of the elements comprising a particular program. It is not sufficient to identify the program in broad terms; specifics are required. As an example, the police administrator who tells us that he has a delinquency prevention program has in fact told us very very little. To understand his program would require some considerable detail about basics like who is involved and why, how did they get involved and when, the degree of involvement, the specific nature of the program and so on.

For model construction purposes a neat, symmetrical representation of

"program" is inappropriate, since all components cannot be identified. There are pieces which are elusive or hidden, and there are some whose existence is unsuspected. Accordingly, our model presentation (Figure 2) is somewhat amoeba-like with most, but not all, components identified. The unknown elements are identified by "x."

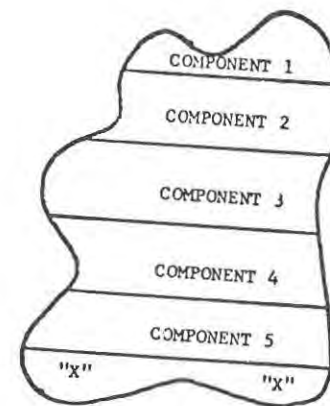


Figure 2. Programs

When objective and program are fused into the model, the thrust of evaluation becomes evident, as shown in Figure 3. Programs are evaluated against—or in terms of—objectives.

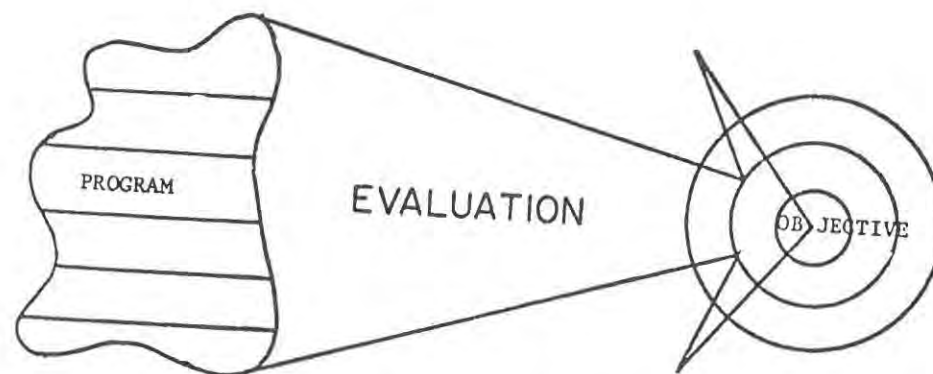


Figure 3. Direction of Evaluation

Evaluation cannot exist in a vacuum and be only an examination of program components and objectives. One must develop a type or types of measures to determine how well programs and objectives mesh. The third element in the process of evaluation is the *development of one or more measures or standards or criteria* for evaluation. These measures may be few or many, simple or complex; but, as was the case for objectives and programs, they should be precise, explicit and identifiable by the police administrator. Since these standards serve as the measuring device to determine the fit of program to objective, the model utilizes a simulated ruler as in Figure 4. The ruler for this model has six units representing cost, time, personnel, ease of operations, politics and effort required. The ruler, of course, may be longer or shorter with finer or coarser or different and varying units of measure.

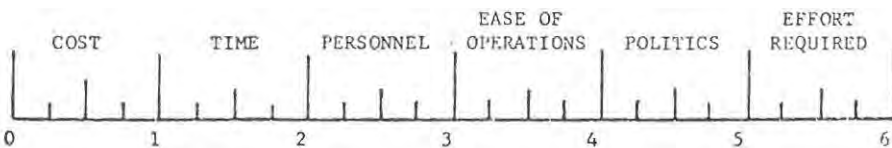


Figure 4. Measures, Standards or Criteria

At this point, three of the four elements of evaluation have been identified: objectives, programs and standards. It has also been pointed out that the police administrator should have fairly complete knowledge about the specific components of these three elements without recourse to experts from outside his agency. The fourth element of evaluation is methodology. *Methodology provides the techniques for evaluation* and focuses on four questions—who, when, where and how? These questions may take the following forms: “Who will do the evaluation—the agency itself or outside consultants?” “When will it be done—at the beginning, during or end of the program?” “Where will the evaluation be done—in the agency, in a research division or on a campus?” “How will the evaluation be done—by computer, subjective techniques or by tic marks drawn on a yellow tablet?” Although it is possible that the administrator will not know the answers to these and related methodological questions, he should be aware of the questions. They recur whatever the nature of the evaluation task.

Figure 5 presents the completed model for the evaluation process.

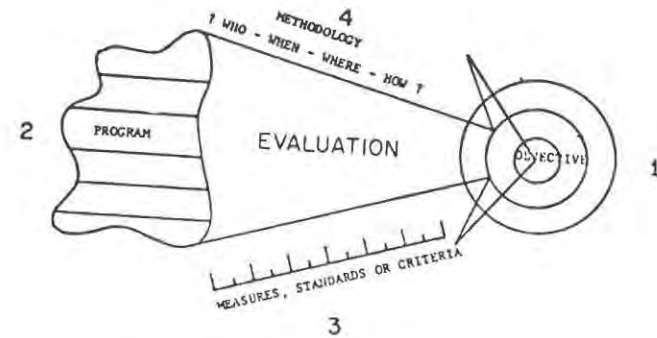


Figure 5. A Model for Evaluation

The model focuses on the evaluation of a single *program* against one or more *objectives* by a set of *standards* utilizing a specific *methodology*. The model did not assume the existence of alternative programs, but if alternatives exist, and this is the usual experience, one must determine which available program alternative is most appropriate in terms of the agency and its operations.

In comparing two or more programs, it is absolutely essential to recognize that an accurate evaluation is impossible if there are different standards or methodologies or changed objectives. Simply put, Programs “A” and “B” cannot be evaluated, one against the other, if objectives are changed or if different sets of standards or methodologies are used. One simple evaluation guideline exists for comparison of programs: Of the four variable, *only* programs may vary; all else must remain constant. In short, programs cannot be compared if we use different targets, different rules for measurement, or different questions or methodologies. The model for this kind of evaluation appears in Figure 6. Note that only program varies.

When alternative programs are evaluated against identical objectives, using common standards and the same methodology, two criteria are used to determine which program is the most appropriate. The first is “best fit”; the second is an analysis of the alternatives by each of the standards. “Best fit” is simply determining how well each program achieves the stated objectives. Figure 7 shows how program “A” covers or achieves less than one-half of the target objectives; program “B” encompasses all

of the primary objectives and some of the secondary objectives. Clearly "B" is the "best fit" of program and objectives.

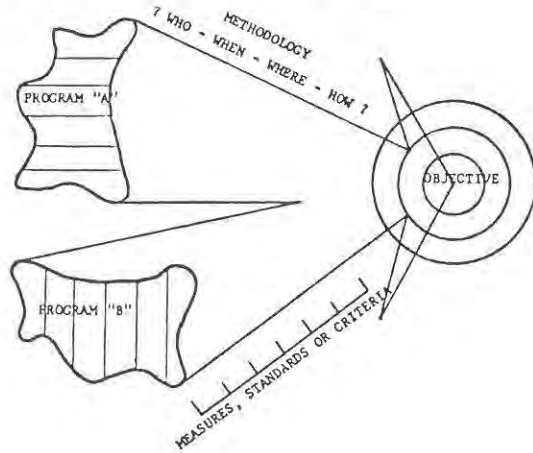


Figure 6. Comparison of Two or More Programs

If two different programs have a similar "best fit," a comparison is made by *analysis of each of the standards in order of their priority*. Using a ruler similar to that presented earlier, a priority of standards is first established, i.e., first priority is cost, second is operational ease, third

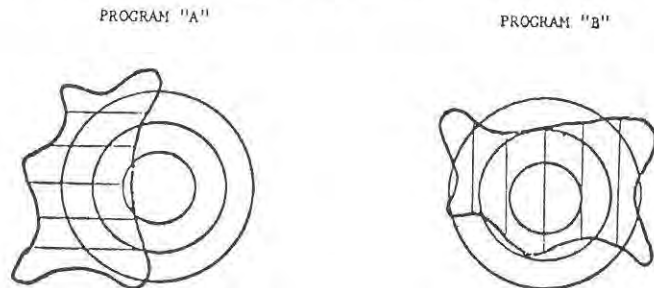


Figure 7. "Best Fit" Programs

is effort, and so on. Then the programs are compared against the standards. Thus, how do these programs compare in cost, in ease of implementation into current operations, in effort required? If minimum cost is the essential standard and "A" is three times that of "B," then "B" is the obvious choice. If the costs are identical, but "A" may become

operational with less difficulty than "B," and all other standards are more or less equal, "A" is the appropriate choice. If cost and operational ease are similar for both programs, we proceed to the next standard—and the one after that—until one alternative is a clear choice over the other. A simple format for such a review of standards appears in Figure 8, in which Program "A" has a clear advantage over "B."

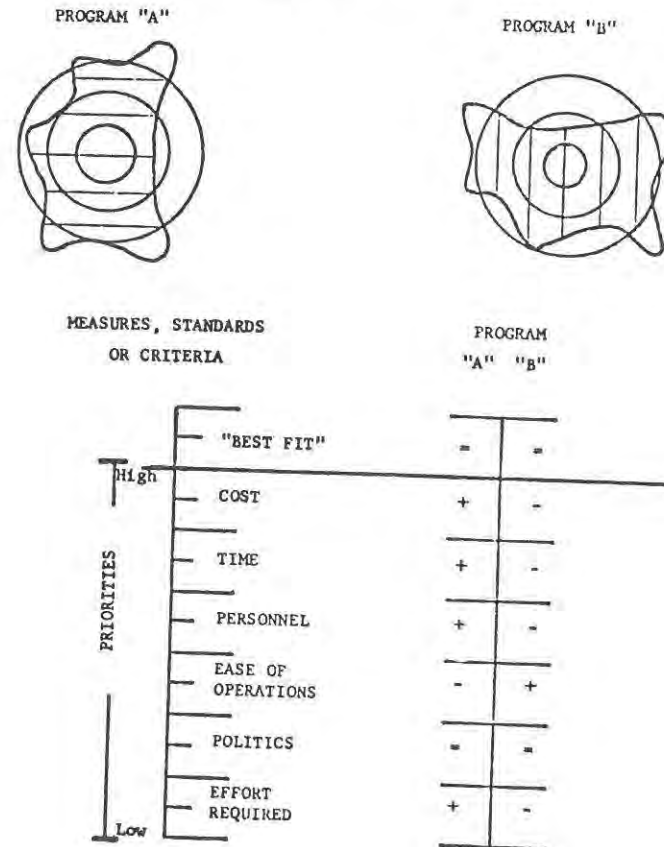


Figure 8. Different Programs with Identical "Best Fit" and Review of Standards

In summary, evaluation can be examined as a process and in terms of a simple model with four major and essential components. A plan for evaluation starts with objectives and flows through programs, standards and methodologies. As a practical matter, these components may be

combined in the development of a plan of evaluation, but it must be emphasized that they are independent of one another and, at some point, must be isolated and examined separately. Further, the police administrator must have first-hand knowledge about the objectives, programs and standards and should at least be aware of several basic questions relating to methodology.

Substantial funds from state and federal sources are available to law enforcement agencies for innovative crime prevention programs and other activities. Almost without exception, applications for research-based, action or demonstration grants require a plan for evaluation. The police administrator must become familiar with the process of evaluation, whether seeking grant funds or simply making decisions about ongoing or contemplated operations. Evaluation is a function of administration and a requirement for the administrator.

The Proactive-Reactive Patrol Deployment Experiment

*by The South Patrol Division Task Force; George L. Kelling,
Evaluation Project Director; Thomas Sweeney, Police
Foundation Kansas City Project Director¹*

At the outset of deliberations, the South Patrol Task Force established its primary aim as the prevention of crime. The task force identified five priority problems and began exploration of creative solutions directed toward their resolution. Immediately, the group was faced with the age-old problem identified by police administrators, namely, the absence of adequate time to effectively attack priority problems. Their non-incident time, the task force members determined, was of necessity directed toward preventive patrol. Preventive patrol, however, appeared to relate to only two of the five priority problems. The effectiveness of preventive patrol next came under scrutiny and it was recognized that the need to test the assumptions underlying that concept logically preceded the development of patrol strategies. The Proactive-Reactive Patrol Deployment Experiment was, therefore, born.

One of the primary tasks of police departments in the United States is preventive patrol, namely, the random cruising of a police car in a given area. The assumption underlying preventive patrol, frequently stated as fact, is that the most effective deterrent to a potential criminal is the direct view of a patrolling policeman, and/or the knowledge that police officers are available to respond rapidly to the scene of a crime, thus increasing the risk of capture while decreasing the apparent opportunity for the successful commission of a crime. The belief in preventive patrol is widely shared by police administrators and is the general basis upon which police field forces are deployed nationwide.

In 1930, Bruce Smith wrote:

"Police are agreed that uniform patrols discourage the commission of certain types of criminal acts, but even this elementary proposition lacks

1. This selection is a draft of a proposal submitted by the Kansas City, Missouri Police Department to the Police Foundation in May, 1972. Task Force membership at that time included: Major Guy Hines; Captain Clinton Kelly; Sgt. Billie Armstrong; Patrolmen Charles Brown, Donald Marcum, Michael Travis, Owen Williams and James Post.

scientific demonstration. So until we have a whole view of controlled experiments which show with some degree of conclusiveness the effect of uniform patrols upon crime rate, and the point where additional patrol strength results in diminishing returns, police service, not only in America but elsewhere throughout the world, will continue to hinge upon expert opinion, while governing bodies and the taxpaying public will be handicapped in appraising demands, for additional expenditures in the highly important field of police protection."²

Forty-two years later, our knowledge about the effectiveness of police patrol is not measurably improved. In 1967, in a discussion of preventive patrol, the President's Commission Task Force on Science and Technology noted, "There is little evidence on how much crime is thereby prevented or how much would be prevented by alternative patrol tactics."³ Restating the position of the Commission somewhat more strongly, a recent report prepared by the Rand Corporation for the Department of Housing and Urban Development concluded:

"We believe that there are significant knowledge gaps which make it impossible to allocate, as rationally as should be the more than \$1 billion dollars devoted annually to police patrol programs. Because of these knowledge gaps, police administrators currently must plan principally in terms of *input measures* (such as numbers of patrolmen on the street or number of patrol hours) although what they are trying to affect are *output measures* of police effectiveness (such as true crime rate, apprehension rate, and speed and quality of service in response to calls for service). These knowledge gaps are one of the most important factors limiting the development of effective aids to police patrol decision making."⁴

The report called for research and experimentation to identify the relationship between police prevention patrol activities and crime prevention, deterrence, and on-scene criminal apprehension.

"In short, between one third and one half of all patrol time is devoted to preventive patrol and the police cannot specify with confidence what effect it has on crime and criminal apprehension. In such a situation, police administrators cannot know the resources are being allocated effectively. Analytical and experimental studies are needed and could result in very substantial changes and improvement in the use of police manpower."⁵

Incidental to the deterrent and detection functions, preventive patrol

2. Bruce Smith, *Police Systems in the United States*. Harper, New York (1960), p. 121.

3. President's Commission on Law Enforcement and the Administration of Criminal Justice. *Task Force Report: Science and Technology*, p. 25.

4. James S. Kakalik and Sorrel Wildhorn, *Aids to Decisionmaking in Police Patrol*. A report prepared for the Department of Housing and Urban Development. Rand Corporation, Santa Monica, California (1971), p. 72.

5. *Ibid.*, p. 73.

provides a means for police personnel to perform a wide range of governmental services, including traffic control, provision of information, and hazard identification. In addition, conspicuous presence of police on patrol is believed to increase citizen perceptions of security, while the opportunity provided for citizen contact improves police/community relations. Increased knowledge about the relative effectiveness of preventive patrol in meeting these objectives also appears vital to effective decision making about patrol techniques.

In a recent discussion of patrol, Albert J. Reiss develops a set of dependent variables which are of interest and relevant to the proposed study. An analysis of patrol activity of the Chicago Police Department, found that only 2.55 percent of patrol time was spent handling criminal matters. Of those criminal matters processed by the patrol division, 93 percent were citizen initiated. It follows from this that only a minute portion of the time on preventive patrol results in the discovery of incidents which are processed in the system of criminal justice. Further he suggests that if the productivity of some of the most highly proactive units of the patrol division are analyzed, it will be found that that unit generates very few criminal or non-criminal incidences.⁶ Pre-test data gathered by personnel of the South Patrol Division through a self-report activity analysis also appears to support these conclusions. In data relating solely to the personnel of that division, it was determined that only 4.7 percent of patrol time was expended on self-initiated, crime-related activities. This figure includes a significant portion spent on non-arrest or non-incident producing building and vehicle checks and on misdemeanor matters.

Another indicator of operational effectiveness that Reiss suggests is the quality of the support that citizens provide to the police when the police are involved in criminal and non-criminal incidences. He thus suggests that since proactive policing alters citizen-police relations, proactive patrol results in qualitatively different support for police while they perform their duties than in reactive patrol. He suggests that in reactive patrol, citizens call for service in order to protect their vested interest and thus provide support for and legitimacy to the police intervention. Indistinction, when the police are the initiating unit, Reiss suggests that there is little support either for the officer who might have difficulty in the situation or for later processing—for example, testifying. Reiss further suggests that the aggressive patrol practices of proactive patrol results in an ever increasing residual, comprised of persons who have had negative encounters with police personnel.⁷

6. Albert J. Reiss, Jr., *The Police and the Public*, Yale University Press, pp. 94-97.

7. *Ibid.*, p. 57-62.

PURPOSE OF THE EXPERIMENT

The proactive-reactive patrol deployment strategy is a rigorous and systematic attempt to test the outcomes of different patrol strategies. As such, it allows for a cost-benefit analysis of varied strategies to determine the most effective methods of undertaking patrol. Further, it allows the department to develop "mixes" of strategies dependent upon fluctuations in need. If, for example, it were determined that reactive strategies are most effective in addressing certain types of problems and proactive more effective in others, then, strategies could be developed consistent with the most effective approach to the problems to be attacked. If it is fact that reactive strategies are most effective in certain areas, then specific tasks would be developed for patrol personnel when not responding to calls for service.

Also included in this experiment is an attempt to establish the quantitative relationships between speed and type of police response and the crime rate, deterrence of crime, probability of an on-scene apprehension, and the availability of witnesses and citizen satisfaction.

This experiment seeks to meet the obligation of a professional organization to test its methods in the light of developing theory and new methodologies. Since the effectiveness of preventive patrol is not self-evident and because the capacity of the department to deal with crime is a central function, the experiment fulfills a real professional need that has not been addressed by other police agencies. In addition, the proposed analysis of response time outcomes would, hopefully, lead to the development of an empirically based queuing system to guide the dispatch and deployment of patrol personnel. The implementation of this experiment would help to maintain a climate of innovative creativity and self-evaluation, not only on the part of the department as a whole, but also with individual officers. This experiment would develop the capacity of the Kansas City, Missouri Police Department to organize and carry out rigorous valid experimentation with only a minimum need for outside expertise.

EXPERIMENTAL METHODOLOGY

Fifteen beats were designated as the experimental area. These beats were computer matched into similar triplets on the basis of crime, called for service, ethnicity, median income and transience of population. Each triplet was reviewed by task force personnel. Attempting to establish a geographic dispersion that permitted maintenance of acceptable response time, one beat in each triplet was designated as proactive, another reactive and still another as control. Three distinct sub-area groupings of five

beats each were, therefore, defined. (Figure No. 1 depicts a mock distribution in which R = reactive, P = proactive, C = control and numerals designate common triplet beats.)

R ₍₁₎	P ₍₃₎	R ₍₄₎	P ₍₂₎	R ₍₅₎
C ₍₂₎	C ₍₃₎	P ₍₁₎	C ₍₄₎	C ₍₁₎
R ₍₂₎	P ₍₄₎	C ₍₅₎	R ₍₃₎	P ₍₅₎

Figure I. SIMULATED DEPLOYMENT CONFIGURATION

Different levels of patrol coverage were assigned to each subarea. The deployment sought to maximize the range of potential coverage to measure differential impact between extremes of patrol intensity.⁸ In the control beats, the standard departmental assignment of a single, one-man unit with sixty-five percent committed time would be maintained. In the reactive areas, patrol units would enter the area only in response to calls for service. Uncommitted time would be directed toward preventive patrol on the beat perimeter or in an adjacent proactive beat. In addition to increased patrol coverage provided by the cars assigned to reactive areas, the regular units assigned to the proactive beat would be supplemented by up to five support cars. The resulting effect would be a level in the proactive areas four to five times the regular level of patrol intensity. The experimental deployment pattern would be maintained for one year.

Crime trends would be monitored weekly to identify experimentally induced variations and to insure that the public is given the greatest possible protection. Monitoring activities will be conducted through the use of data provided by the Crime and Traffic Analysis Unit and by daily printouts from Data Systems. If trends emerged which gave early

8. Deployment modifications relate only to regular patrol units. The purpose of the experiment as seen by the task force was specifically to ascertain the effectiveness of their division's personnel. Specialized units such as the Traffic, Tactical, K-9 and Helicopter Units continued to work in the test area using the same allocation patterns as prior to the experiment.

indication of results which jeopardized the public, steps would immediately be taken to return to standard patrol.

To provide baseline information concerning the activities of patrol personnel, task force personnel have developed and will conduct a task analysis. This self-reporting system will precisely identify services delivered in the experimental area. It will specify the actual amount of time committed to preventive patrol and other activities in each of the test sub-areas. In addition to its contribution to baseline data, this analysis will provide valuable input to the improvement of training and personnel programs.

Present patrol patterns will not be altered to change response time. Instead, the chance variation in response time will be analyzed for the full range of called for services. True response time will be determined by combining dispatch response time (elapsed time between receipt of call and dispatch) and field response time (elapsed time between dispatch and arrival of the patrol units). Incident analysis and follow-up surveys will be undertaken in a random sample of called for services. That sample of incidents, stratified by response time, will be drawn from cases recorded by the observers. Officer, citizen and observer perceptions of the same incident will be compared to identify elements of citizen satisfaction.

HYPOTHESES TO BE TESTED

The following hypotheses have been stated for the purpose of measurement through the experimental methodology outlined below:

A. Preventive Patrol

1. Crime, as reflected by victimization survey and offenses known to the police, will not vary by type of patrol.
2. Citizen perception of service will not vary by type of patrol.
3. Citizen cooperation in processing of incidents will be greatest in the reactive areas.
4. Citizen complaints about police service will be greater in the proactive areas.
5. Citizen fear and behavior as a result of fear will not vary by type of patrol.
6. There will be no variations in the types of calls for service by type of patrol.

7. Traffic accidents will increase in the reactive areas.
8. Traffic violations will increase in the reactive areas.

B. Response Time

1. As response time increases, on-scene apprehension of offenders will decline.
2. As response time increases, the extent and nature of injuries to victims will increase.
3. As response time increases, the availability of witnesses will decrease.
4. As response time decreases, citizen dissatisfaction with police service will decrease.
5. As average response time in an area decreases, the incidents of predatory street crime will decrease.

MEASUREMENT OF OUTCOMES

Effort to measure the differential impact of the alternative levels of patrol coverage will employ analysis of departmental data, structured observation and survey research. Measurement techniques and dependent variables are depicted in Figure II.

The analysis of Kansas City, Missouri Police Department data will compare dependent variables between the three sub-areas, as well as for the twelve months preceding the experiment. Pre- and post-test observations will be conducted on traffic flow patterns in the three sub-areas. Observers would ride with police officers to assess the effects of the differential patrol strategies, proactive or reactive, on patrol personnel and the effects of those designations on encounters with citizens. The peacekeeping and order maintenance are elusive and difficult to quantify. Observation will be utilized to ascertain the effects of differential patrol strategies on such peacekeeping activities as order maintenance in tavern areas, school vicinities, crowd control, etc. Systematic observation of these kinds of activities would be maintained during the entire length of the experiment to note what changes might take place in such activities.

One of the great concerns the department has in developing the Proactive-Reactive Patrol Experiment is the response of community residents and businessmen to this experiment. One thousand two hundred households will be interviewed in the experimental area before the com-

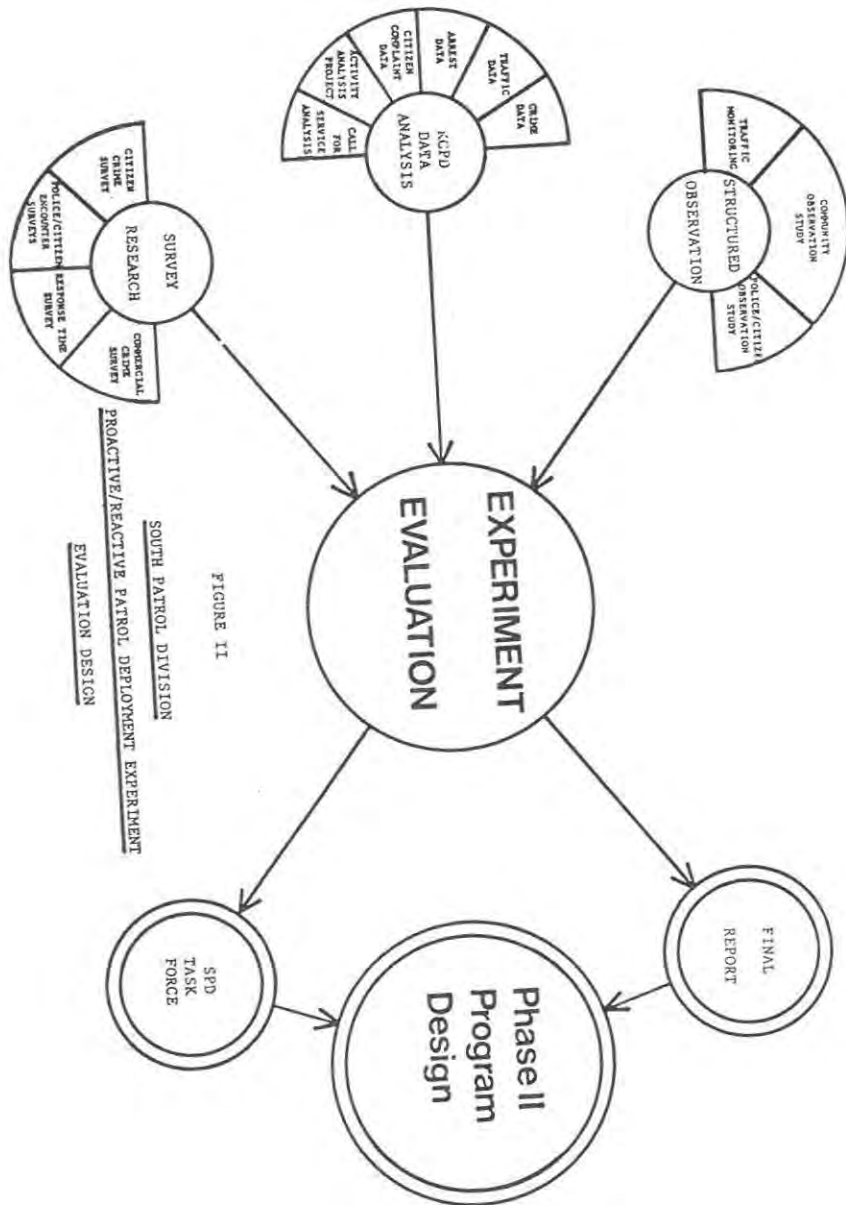


FIGURE II

SOUTH PATROL DIVISION
PROACTIVE/REACTIVE PATROL DEPLOYMENT EXPERIMENT
EVALUATION DESIGN

mencement and at the close of the experiment. The surveys will seek to determine whether the citizens' perceptions of the quality of police service vary in response to differential patrol strategies. These surveys will seek to measure change in terms of the citizens' fear of crime, the citizen awareness of the police presence, a change in the victimization rate, and generally what happens to citizen satisfaction as a result of the various strategies attempted.

DEPENDENT VARIABLES

1. Victimization:

A victimization survey will be executed. The instrument will be delivered to 1,200 households and 160 businesses before and at the close of the experiment. This component will be employed to compare crime variations in the alternative sub-areas. The survey will permit analysis of reporting variations resulting from the different patrol strategies.

2. Crime Indices:

A crime index will be developed using a model similar to the model developed by Peter Bloch. Qualifying incidents include murder, forcible rape, robbery, aggravated assault, burglary, larceny over \$50 in value, and auto theft. Crime will be weighed according to seriousness and by deterability. These decisions will be made in terms of seriousness and deterability. Street crimes will be weighed heavily under the assumption that they are usually thought to be affected by preventive patrol. Armed robbery will be weighed especially heavily since many believe that it is the most single accurately reported crime and, further, that it may be susceptible to police preventive patrol.

3. Community Satisfaction:

As part of the community and business surveys, data will also be gathered on merchant, resident and consumer satisfaction with police services. A survey instrument has been developed which attempts to obtain other than stereotype responses toward the police. Wherever possible, questions about views of police officers will be directly related to actual experiences. (One of the reasons why citizen attitudes towards police seem to be independent of the police services is that questions about police services have tended to be global rather than tied to actual experiences.) In addition, consumer satisfaction will also serve as a critical measure for the response time component of this proposal.

4. Calls for Services:

A random sample of calls for service from the three areas will be

analyzed to determine if there are significant differences both within and between the areas. Seasonal variations will have to be considered in the "within area" comparisons.

5. Fear:

The community and commercial surveys will attempt to establish how fearful the community is and what behaviors have resulted from that fear. Subsequent analysis will attempt to see if this varies significantly within or between sub-areas as a result of the experiment.

6. Arrest and Processing Ratios:

Police records will be analyzed to determine if there are significant variations in the proportion of arrests as to citizen initiated contacts versus police initiated contacts. Successful processing of a case, including willingness of victims and bystanders to testify, will also be related to type of patrol and response time.

7. Complaints About Police Service:

Complaints will be analyzed to see if there are differences within and between areas. This analysis will include complaints as to police conduct as well as citizen satisfaction with the patterns of patrol activities in their area.

8. Traffic:

Traffic will be monitored on a random time basis to see if violations vary as a result of different patrol strategies. An accident pattern of patrol ratio will be developed.

Citizens Interviews, Organizational Feedback and Police Community Relations Decision

by David J. Bordua and Larry L. Tifft

POLICE-COMMUNITY RELATIONS PROGRAMS

Police-community relations programs are intended to be long-range, full-scale efforts to acquaint the police and the community with each other's problems and to stimulate action aimed at solving problems; they have been criticized, however, as being concerned mainly with raising the professional image of the police in the minds of the public (President's Commission, 1967a: 100). In some ways, they seem to have functioned to slow down change and to maintain present police policies and practices.

The President's Commission on Law Enforcement and Administration of Justice (1967b: 178) has indicated that some of these policies and practices cannot be justified. The National Advisory Commission on Civil Disorders (1968: 158) comments that some activities of even the most "professional" police departments may heighten tension and enhance the potential for civil disorder.

Although some professionals differentiate between programs such as public relations and crime prevention and "true" community relations, the main thrust has not been on this last category, i.e., city-wide advisory councils, neighborhood advisory committees, youth discussion groups, human relations commissions, police-community relations store fronts, etc. Rather, it has been on stop-crime programs and traditional public relations. The effect seems to have been to convince whites that riot

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contingency plans and anti-riot protections are available or necessary in increased budgets and that crime fighting technology is being improved. For blacks, the police-community relations programs seem aimed at cooling and calming tempers and alleviating frustration. These programs have even been interpreted as reestablishing the "power structure's" value system in the ghetto and politically demonstrating that something is being done for minorities in the city (Robinson, 1969). However well intentioned the personnel involved in these programs may be, the structure of police-community relations programs is often such that real issues are begged.

Program Organization

Generally, police-community relations units or divisions are organized as separate operating units within departments. This arrangement tends to mean that police-community relations are handled by this unit and not on the street by the officers. It also means that police policies that directly contradict, make necessary, and aggravate the work of these special units or programs are not challenged. Further, it means that the patrolman on the street feels "they do the police-community relations; we do police work."

Therefore, by and large, police-community relations programs are criticized as not significantly intertwined with or reactant upon police operations or everyday street policies. No matter how good these programs are, the officers on the beat are the ones that count (Germann, 1968: 27; Bordua, 1968). However, it is not only these patrolmen and their manner, but the tasks and operations they are instructed to carry out as "their job" that are significant (President's Commission, 1967b: 178-193). Police-community relations are in large measure a result of the everyday actions of patrolmen carrying out their duties on the street.

Organizational Feedback Problems

Not only have social scientists paid little attention to analyzing police-community relations, i.e., attitudinal effects of various police practices and policies, but police administrators and planners either have little concern for these consequences or are ignorant of them. Part of this seeming ignorance or indifference results from the fact that this type of detailed information and feedback is for the most part structurally invisible to police department executives. Only the unorganized public affected has access to this knowledge (Tifft and Bordua, 1969). The most basic change necessary for police departments is to conduct research or to create a departmental role which can discover and present detailed information concerning the effect of various police practices on community

attitudes so that policy decisions can be made rationally and knowledgeably. The information can make possible decisions which weigh the "costs" and the "gains" of each practice or policy as it is actually operationalized on the street.

THE FIELD STUDY

Since 1967 we have been involved in a descriptive-comparative analysis of the control structures and environments within which police tasks are carried out, and the effects of these systems on the activities and performances of police officers. In our research we have analyzed the control structures of five different units within a large municipal police department. Briefly, we found that alternative control mechanisms (supervision, formal rules, training, etc.) vary in their influence depending on the nature of the task, the social environment of the work, etc., so that the organization, utilizing all of its control mechanisms, must be viewed as having limited and varying weight in influencing members' behavior.

Moreover, we recognized very early in the research that there was such great variation in police operations and attendant divisional and work unit structures that no generalizations about "police supervision" would likely prove meaningful. The entire range of work unit structure described in the organizational literature as obtaining between organizations was observable within a single large department (Tifft, 1968). We also realized that non-members of the department (citizens) were also important in influencing the policeman's behavior. All of these considerations led us to focus on observing police-citizen encounters in assessing the implications of alternate modes of supervision and control.

The same strictures concerning variation apply to police-citizen encounters. Whether for purposes of social science analysis or of policy recommendation, the complexity and variety of encounters must be reflected in research procedures. For this reason, observation instruments were constructed which varied across the five divisions studied: Patrol, Tactical Force, Vice, Traffic, Detective.

Data gathering on these encounters involved the systematic observation of policemen carrying out their everyday activities. Although this observation was carried out in five different departmental divisions, we were particularly interested in the activity of regular patrolmen and Tactical Force officers. This report will focus on these two divisions. In addition to observation of encounters, the study involved interviewing a sample of the individual citizens who had come into actual contact with police officers of the Patrol and Tactical Force in the encounters we observed. Again, slightly different interview instruments were used.

These interviews, which were conducted in the summer of 1968, were intended to provide data on: 1) the kind and degree of selective perceptions of the observers; 2) citizen perceptions and evaluations of the encounter; 3) the kind and degree of behavior-monitoring by citizens; and 4) the effects of different types of police contact and handling on the attitudes of citizens toward the police. It is the latter of these issues that will be dealt with in this paper.

Interview Content and Contact Populations

In addition to requesting a detailed account of what occurred in the observed incident, we also asked interviewed citizens to respond to general "police-community relations" questions which had previously been asked in two separate victim surveys (Reiss, 1967; Biderman, et al., 1967).

Because of our method of selecting interviewees, we were able to identify specific contact populations. The populations contacted by different kinds of police differ greatly and in order to provide information of use to police *line* officials it is necessary to distinguish these contact populations. For such general questions as whether the police are highly reputed in the neighborhood or receive the respect they deserve, it is important to note the difference between populations. Different populations may vary in their attitudes and opinions of the police. In addition to questions of police unit differentiation and consequent creation of different contact populations, the *manner* of the police in these encounters is also crucial.

Similarly, it is important to distinguish different sub-populations of policemen, even though the public often does not make distinctions between uniformed officers assigned to different specialized units within the police department. For example, the citizen stopped for a traffic violation may be dealing with a special traffic officer, a tactical force officer, or a patrolman. Yet from our larger study we noted that the traffic stop is viewed differently by the *officers* assigned to these various units, is handled differently and for different purposes by these different units, and reflects different policing policies.

Patrol and Tactical Force Operations

Patrol officers are involved in the bulk of police-citizen contacts and are the largest segment of any police force. These officers are engaged in patrolling a neighborhood and in answering calls for service. They rarely see a crime in progress. Most of their activity involves handling disturbances between neighbors, domestic disturbances, loud parties, and social service type activities such as aiding sick persons and drunks, etc.

In addition, about 20% of their work requires the preliminary investigation and report-taking of a crime that is "cold"; no offender is on the scene. Although Patrol is to some extent involved in traffic violation activity and aggressive preventive patrol, these are mainly left up to other units in the department studied.

In the city studied, the Tactical Force handled aggressive preventive patrol among its other duties. As in other cities, this police department has adopted aggressive preventive patrol in which tactical officers are encouraged *routinely* to stop, question, and search persons on the street or in cars who are unknown to them and who are suspicious looking or acting suspiciously. This type of practice has presented a major problem in police-community relations in several cities. In San Diego, for example, where officers engaged in this type of activity are instructed specifically and at length to give the citizens an explanation and to act courteously, a University of California study found that an explanation is not frequently given (President's Commission 1967b: 158).

Interview Procedure

Citizens who had been involved in observed encounters with patrol or tactical force officers were interviewed—generally in their places of residence. In no case were the observer and the interviewer the same person. The interviewers had had prior experience in observing police operations and were familiar with the city neighborhoods where most of the interviewing was completed. Almost all the interviews in Patrol were conducted by two black interviewers, as the respondents were also mainly black persons. Black persons who had contact with Tactical Force operations were also interviewed by these black interviewers. White respondents contacted in Tactical Force operations were interviewed by white interviewers.

The names and addresses of persons to be interviewed were obtained from the observer's work sheets, compiled during observation periods with the officers. From these sheets a list was compiled of persons whose names and addresses we had, whose encounter was not of an arrest nature, who was not a known criminal, and where the encounter's substantive content was not thought to be of such a personal nature that the interview should be excluded. These strictures resulted in the exclusion of seven Patrol and 27 Tactical Force encounters from the sampling list.

There were and are serious ethical problems involved in doing this interviewing even when making the exclusions mentioned. There are any number of consequences that the interviews might have had such as embarrassment and interference with a respondent's personal life, possible

encouragement of further police contact through rekindling their feelings, and causing a "beef" to be made against policemen involved, or revelation of knowledge about a police contact to others, e.g., parents of young adults. We strongly attempted to avoid these consequences.

The interviewers made personal contacts—generally within 30 days after the originally observed encounter—and carried a letter of identification, introduction, and authorization with a phone number to call if the interviewee doubted the interviewer's identity and legitimacy. In addition, the interviewer was instructed *not* to pressure anyone into an interview.

In accordance with the larger study's major emphasis on control structures and styles of supervision, the selection of the specific interviewees from the list of those available was made by constructing separate lists of persons observed under different styles of supervision. Because of limited time, a quota sample of persons observed under each different supervisory style observed in the larger field study was drawn. Care was taken to insure that a variety (rather than a select few) of officers were represented in the contacts with interviewees. Table 1 gives the breakdown for the divisions (Patrol and Tactical Force) and the reasons interviews were not completed.

Table 1
INTERVIEW COMPLETION BY POLICE DIVISION

Interview Status	Patrol		Tactical Force	
	No.	%	No.	%
Sample list	93	100.0	120	100.0
Persons interviewed	56	60.2	42	35.0
Refused to cooperate (shut door in face, said "hell no, none of your business")	4	4.3	1	0.8
No such address; building demolished; non-residential	4	4.3	20	16.7
Moved; didn't live at address; couldn't locate	4	4.3	24	20.0
Lived at address but not home; no answer; on vacation	16	17.2	12	10.0
Didn't remember incident; couldn't speak English	1	1.1	2	1.7
Address not in city	0	0.0	4	3.3
No contact attempted as quota filled	8	8.6	3	2.5
No contact attempted as interviewer felt location was too dangerous; feared for his safety if he entered	0	0.0	12	10.0

As is obvious in Table 1, interviews were relatively easy to obtain from the persons observed in Patrol encounters; very few of these persons refused to participate. The cooperation of this group of respondents may be based on the fact that most were women and that most resided at the place where the Patrol encounter occurred. The Tactical Force contactees were, on the other hand, very hard to find and interview; most had been stopped on the street or in their cars and not at their residences. The address for the sampling list was obtained from the driver's license—which could be up to three years old. This sub-population was largely made up of young men who were very mobile. No fewer than 48 persons of 120 on the list were not at the given address. In some cases, no such address existed. In others, the building had been demolished. In other cases, persons had been drafted, moved to another city, etc. With this select population, then, the driver's license is a weak source of information.

We then had an interviewed sample completion rate of 60.2% (56 of 93) in Patrol or a 21.1% sample of all our 266 observed Patrol encounters. In Tactical Force we had an interviewed sample completion rate of 35.0% (42 of 120) or a 12.0% sample of 349 observed encounters.

Comment on Numbers and Procedures

The totals of 56 and 42 completed interviews are painfully small. As will soon be apparent, cell frequencies can fall well below usual limits. We felt, however, that because of the special nature of the research problems involved and because of the special implications for police policy and administration we should proceed nonetheless. It is for this reason that we have described our procedures in some detail. Adaptation of these procedures for more routine use will pose considerable difficulty.

RESULTS: TACTICAL FORCE ENCOUNTERS

First let us deal with the reactions to Tactical Force activity or aggressive preventive patrol. Working mainly in the high crime areas, these officers (all in our sample were white) were mainly out to get in on felonies and to make arrests. One team stops a car for anything suspicious: wired-on plates, bored-out trunk lock, broken vent window, slouched-down driver, etc. The basic operation is to stop people, question and/or search them and their car, primarily for guns and narcotics.

The population in our *observational* study subject to this type of police contact was 99% males who were generally young—73% between the ages of 16 and 30. The percentage of black persons stopped varies with the areas in which the Tactical Force works in the city. Our study covered two different areas: the percentage of black persons stopped was 91%

in one and 20% in the other. The sample interviewed were also young males, having some high school or having completed high school. The 18 minority respondents (15 black and 3 other) tended to be employed at unskilled occupations whereas the 24 whites were equally divided between these categories and white-collar jobs. Of the 18 minority young men, 15 were searched and/or had their car searched. The comparable figure for white was 14 of 23. For those not searched, the encounter was much like a traffic violation for which they were warned and given a pass. But for those who were searched, this was quite a different experience.

The respondents were asked, "Do you feel the officers had a right to do what they did?" Of those who were searched, 60% of the minority persons said "No" as compared to 30% of the whites. The respondents were also asked what they thought of this type of activity and why the police did it. Of those searched, very few felt that it was "justified," "good," "OK," or "very good"—only four minority and four whites.

Respondents' opinions of the stop and search procedure were varied, but largely negative. Minority members felt: "I didn't like it"; "just one of those things"; "lousy"; "mostly harassment"; "it's O.K. to stop cars, but when they search you, it makes you feel ashamed before your friends"; "very bad"; "they only do this to Negroes"; "very bad for poor people"; "it's right to check it out, but they went too far."

When asked, "Why they do it?", the minority contactees responded: "Because they have the power to take advantage of people"; "like to show the people that they can do what they want with them"; "because they can get away with it"; "because they think people are uninformed about the law"; "they seem to get a kick out of it"; "harassment, to cause me trouble"; "they enjoy acting and being rough and tough"; "one reason may be looking for people evading the law"; "a percentage is for meanness or a racial thing."

When asked what they thought of this type of activity, of the stop and search procedure, whites felt: "Should have a better reason for making the stop"; "pretty rotten deal, I hadn't broken a law"; "stupid and illegal"; "I didn't feel it is right"; "I don't know, it depends on the individual"; "very good for bad Negro neighborhoods, but I lost a half hour—all baloney"; "good, it could have been a stolen car, but I don't like being searched"; "it was a bit overdone, and humiliating to me being searched"; "don't mind stop and frisk if they explain what they are doing and why."

When asked, "Why they do it?"; whites said: "They're paid for it—nothing better to do"; "to prevent an accident"; "probably thought I had

done something wrong"; "maybe they could make a name for themselves on the force"; "if I got smart, they could take me in"; "harassment, to cause me some trouble"; "some are sincere in their jobs, feel it's their responsibility"; "cut down on stolen cars, accidents." While neither blacks nor whites liked the stop-and-frisk search incident, whites were more likely to see a possible legitimate reason for the procedure while blacks interpreted it more often as some form of harassment.

The respondents were then asked how they felt after the incident was all over. The data was shown in Tables 2-4.

Table 2
TACTICAL FORCE CONTACTS: HOW CITIZEN FELT AFTER
THE INCIDENT WAS OVER—BY RACE

Citizen Felt	Race		
	All Cases (42)	Minority (18)	White (24)
Satisfied; all right; relieved	45.2%	44.4%	45.8%
Embarrassed	2.4	0.0	4.2
Frightened; scared; nervous	14.3	5.5	20.8
Unhappy; upset	16.7	16.7	16.7
Very angry	21.4	33.3	12.5
TOTAL	100.0	100.0	100.0

The question put to the interviewees was open-ended and classification of the answers is not an easy matter. We were particularly concerned about staying as close as possible to the data, while at the same time classifying respondents along a continuum of less to greater "upset" or "anger." This required an ordering of emotional terms that do not fall on a single semantic continuum.

As Table 2 indicates, minority persons were much more likely to be very angry, unhappy, and upset about the encounter than whites. The reaction was also dependent on whether the person was searched or had his car searched, as is shown in Table 3.

Because of the interrelationships of race and search in these data, Table 4 controls them simultaneously. Here the problem of small numbers becomes obvious because we have only three minority persons who were

Table 3

TACTICAL FORCE CONTACTS: HOW CITIZEN FELT AFTERWARDS—
BY WHETHER SEARCHED

Citizen Felt	Searched	Not Searched
	(29)	(13)
Satisfied; all right; relieved	34.5%	69.2%
Embarrassed	3.4	0.0
Frightened; scared; nervous	10.3	23.1
Unhappy; upset	24.1	0.0
Very angry	27.6	7.7
TOTAL	100.0	100.0

not searched. In line with our policy of pushing the data for all they may suggest, however, we present Table 4 anyway. The table indicates that being searched still seems to produce more "angry" or "upset" responses in both races. There is also a hint that the minority interviewees seem to react more negatively to search than do the whites, i.e., searched minority members are more likely to give the more angry responses than searched whites.

The anger of blacks who were searched may be related to perceived

Table 4

TACTICAL FORCE CONTACTS: HOW CITIZEN FELT AFTERWARDS—
BY RACE AND SEARCH

Citizen Felt	Minority		White	
	Searched	Not	Searched	Not
		Searched		Searched
	(15)	(3)	(14)	(10)
Satisfied; right; relieved	40.0%	66.7%	28.6%	70.0%
Embarrassed	0.0	0.0	7.1	0.0
Frightened; scared; nervous	0.0	33.3	21.4	20.0
Unhappy; upset	20.0	0.0	28.6	0.0
Very angry	40.0	0.0	14.3	10.0
TOTAL	100.0	100.0	100.0	100.0

racial overtones of the procedure. Sixty-seven percent of the blacks who were searched felt that if they were white, the officers would have treated them differently. It is interesting to note that a similar percentage of whites who were searched (67%) felt that if they were black, the officers would have treated them differently. Many of the whites either said they didn't know if race would have mattered, or agreed with the black respondents that blacks are given a harder time by white officers. Those blacks and whites who were not searched, and presumably viewed it as a traffic stop, almost unanimously felt there was no prejudice involved.

This kind of aggressive-preventive patrol involving search, then, seems to be a particularly costly tactic when employed with blacks. They are more likely to think negatively of it, more likely to see it as a raw exercise of power, more likely to be upset or angry about incident, and more likely to see race prejudice as involved.

Let us now turn to the general attitudes expressed by these persons differentiating by race and type of police action, i.e., searched or not searched. The respondents were read a number of statements and asked whether they agreed or disagreed with them. The data are shown in Tables 5 and 6. Because of the effects of both race and search, discussion will be limited here to Table 5 where both are controlled.

Though the numbers in the categories are very small, we believe inferences can be made from these data. Respondents who were not searched (as compared to those who were) and whites (as compared to minority members) were more likely to feel that the police have a high reputation in their neighborhood (Item 1). The lowest percentage agreeing with this statement was minorities searched—only 26.7%. These same findings hold true with regard to the statement that the police deserve more respect than people in the neighborhood give them (Item 3). It is evident that both blacks and whites who went through this process (stop and search) were less likely to feel that police deserve more respect than people give them. The effects of being searched are also readily visible with regard to the responses to Item 2, which asks whether the people in the neighborhood deserve more respect than the police give them.

What, then, are the solutions to the problem of lack of police-community respect (inferred here to be mainly a result of Tactical Force operations)? Definitely, the solution does not involve simply adding more blacks to the police force, according to our respondents (Item 4). The problem is clarified somewhat by respondents' feelings that there are

Table 5
TACTICAL FORCE CONTACTS: PERCENT AGREEING WITH
POLICE-COMMUNITY RELATIONS QUESTIONS

Item	Cases (41)	Minority		White	
		Searched (15)	Not Searched (3)	Searched (14)	Not Searched (9)
1. By and large, the police have a very high reputation in this neighborhood.	43.7%	26.7%	100.0%	42.8%	55.5%
2. The people in this neighborhood deserve more respect than the police give them.	36.5	60.0	0.0	42.8	0.0
3. The police in this neighborhood deserve more respect than the people give them.	46.2	26.7	100.0	42.8	66.7
4. There would be more cooperation with the police if there were more Negroes on the police force.	19.4	26.7	33.0	13.3	11.1
5. There are just a few policemen who are responsible for the bad publicity the police department gets.	72.9	80.0	66.7	57.1	88.8
6. The police ought to have leeway to act tough with people when they have to.	63.2	46.7	66.7	71.2	88.8
7. There seem to be many police officers who enjoy pushing people around and giving them a hard time.	58.3	86.7	33.3	50.0	33.3
8. People who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police.	77.8	100.0	66.7	71.2	66.7

Table 6
TACTICAL FORCE CONTACTS: PERCENT AGREEING WITH
POLICE-COMMUNITY RELATIONS QUESTIONS

Item	All Cases (41)	Race		Police Action	
		Minority (18)	White (23)	Searched (29)	Not Searched (12)
1. By and large, the police have a very high reputation in this neighborhood.	43.7%	38.9%	47.9%	34.5%	66.7%
2. The people in this neighborhood deserve more respect than the police give them.	36.5	50.0	26.1	51.8	0.0
3. The police in this neighborhood deserve more respect than the people give them.	46.2	38.9	52.2	34.5	75.0
4. There would be more cooperation with the police if there were more Negroes on the police force.	19.4	27.8	13.1	20.7	16.7
5. There are just a few policemen who are responsible for the bad publicity the police department gets.	72.9	77.8	69.6	69.0	83.3
6. The police ought to have leeway to act tough with people when they have to.	63.2	50.0	74.0	55.2	83.3
7. There seem to be many police officers who enjoy pushing people around and giving them a hard time.	58.3	77.8	43.5	69.0	33.3
8. People who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police.	77.8	94.5	65.3	82.8	66.7

only a few policemen who are responsible for the bad publicity that the police departments get—a statement which is supported by most blacks and whites, though only by 57% of whites who were searched (Item 5). Is it a solution to give the police leeway to act tough with people when they have to? Yes, to some extent, according to whites more than blacks, and those not searched more than those searched (Item 6).

Here again, however, we see the differential effect of search upon blacks. Additional evidence that Tactical Force activity produces great ill will is seen in the relationship between the citizen's being searched and his agreement with Item 7. Only 33% of whites and blacks not searched felt that there seem to be many police officers who enjoy pushing people around and giving them a hard time, while 50% of those whites searched and fully 86.7% of blacks searched agreed with the statement. But the attitudinal effects do not end here. A higher percentage of those searched, as compared to their race similars not searched, felt the whole justice system to be discriminatory; as indicated by their agreement with the statement, "People who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police" (Item 8).

RESULTS: PATROL ENCOUNTERS

The sample of interviewees from Patrol contacts is biased by the fact that the knowledge of the persons' names and addresses was usually attainable only in encounters such as crime calls or disturbances. Most of our sample, therefore, were blacks of low socioeconomic status from the ghetto. They are crime victims or complainants in a disturbance situation. They are generally an older adult group. Seventy-three percent were over 30 years old.

In our *observed* contacts, men were slightly more frequently the primary citizens in crime call situations and women almost exclusively the complainants in disturbance situations. In our *interview* sample, the crime complaint situation is over-represented and women are over-represented in both incident categories. Further, 46 of the 55 interviewees were black and 40 of the 55 were women interviewed in their apartments. This population obviously differs from the population contacted and interviewed with regard to Tactical Force operations.

As Table 7 indicates, our analysis distinguished between two types of incidents—disturbances and crime calls (or crime complaint) incidents. For each type of incident, we also distinguished between two manners of handling by the officers—"as described by the citizen."

For crime calls, Manner #1 means that the officers made a thorough

initial investigation of the crime scene and demonstrated concern for the person by a) informing him of what would happen after they left and/or b) by giving advice, counsel, or emotional support of some sort. Officers classified as handling an encounter in Manner #2 handled the encounter with an incomplete initial investigation—taking a report with no attempt either to investigate the scene or look for or talk to offenders, and with no concern demonstrated for the person.

For disturbances, we similarly attempted to differentiate the officer's handling of incidents. Manner #1 means that the officers a) attempted to learn the reasons for the disturbance, b) attempted to bring about a settlement of the problem by making a decision themselves or letting the parties come to an agreement, even if temporary, and c) also showed concern for the persons involved and/or gave advice, counsel, or emotional support. In Manner #2, officers handled the disturbance a) by settling the problem and enforcing a decision without demonstrating concern for the person or problem involved, or b) by attempting to handle the situation as quickly as possible with little effort to delve into the nature of the problem or to bring about a settlement and without demonstrating concern for the parties involved.

Of the 19 disturbance incidents 16, or 84%, were handled in Manner #1. Of the crime incidents two-thirds (24 of 36) were handled in Manner #1.

After giving a detailed account of the encounter, the respondents were asked how they felt after the encounter was all over. The results are shown in Tables 7-9. Table 7 shows the citizens' reaction by the type of incident. There is some evidence here that disturbance incidents pro-

Table 7
PATROL CONTACTS: HOW CITIZEN FELT AFTERWARDS—
BY TYPE OF INCIDENT

<i>Citizen Felt</i>	<i>All Cases (55)</i>	<i>Disturbances (19)</i>	<i>Crime Calls (36)</i>
Appreciative; satisfied with officers	30.9%	15.8%	38.9%
Indifferent	7.3	10.6	5.6
Frightened; scared; nervous	9.1	10.5	8.3
Worried; upset; unhappy	10.9	21.0	5.5
Very angry at officers	41.8	42.1	41.7
TOTAL	100.0	100.0	100.0

duce more negative reactions (or fewer positive or "appreciative" reactions) than do crime call incidents.

Table 8 shows clearly the effect of manner of handling. Almost unanimously those persons treated in Manner #2 are, at the conclusion of the encounter, very angry with officers. By contrast, only 22.5% of those treated in Manner #1 are very angry with the officers. Table 9 shows that the effect of manner shows up in both types of incidents, although the fact that only three disturbances were handled in Manner #2 makes for a weak case there. The data in Table 9 also provide clues to a differential significance of handling, depending on the type of incident. This can be seen first by comparing Manner #1 disturbances and Manner #1 crime calls. The disturbances are much more likely to result in negative reactions. We can look at this still another way by noting that of the eight disturbances resulting in "anger," five were handled in Manner #1; while of the 15 crime calls resulting in "anger," 11 were handled in Manner #2.

Table 8

PATROL CONTACTS: HOW CITIZEN FELT AFTERWARDS—
BY MANNER OF POLICE HANDLING

Citizen Felt	All Cases (55)	Manner	Manner
		No.1 (40)	No.2 (15)
Appreciative; satisfied with officers	30.9%	42.5%	0.0%
Indifferent	7.3	10.0	0.0
Frightened; scared; nervous	9.1	10.0	6.7
Worried; upset; unhappy	10.9	15.0	0.0
Very angry	41.8	22.5	93.3
TOTAL	100.0	100.0	100.0

These results fit well with our own and others' observations that disturbances, particularly domestic disturbances, are especially problematic for the police, whereas crime calls are more straightforward. It might be a clue to police administrators, however, that less adequate handling of crime calls (Manner #2) can produce a frequency of citizen dissatisfaction comparable to the generally more difficult disturbance situations.

Of course, some of this ill feeling comes from inordinate and impossible

Table 9

PATROL CONTACTS: HOW CITIZEN FELT AFTERWARDS—
BY TYPE OF INCIDENT & MANNER OF POLICE HANDLING

Citizen Felt	Disturbances		Crime Calls	
	Manner	Manner	Manner	Manner
	No.1 (16)	No.2 (3)	No.1 (24)	No.2 (12)
Appreciative; satisfied with officers	18.8%	0.0%	58.3%	0.0%
Indifferent	12.5	0.0	8.3	0.0
Frightened; scared; nervous	12.5	0.0	8.3	8.3
Worried; upset; unhappy	25.0	0.0	8.3	0.0
Very angry at the officers	31.2	100.0	16.7	91.7
TOTAL	100.0	100.0	100.0	100.0

demands on the officers by the citizens with regard to the service expected. But, on the other hand, it also emanates from other, legitimate, expectations. In some of these cases (especially in crime call incidents) the officers, according to the respondents, made out the report and "didn't even look at the apartment" or "they said they couldn't handle the incident."

These citizens had greater expectations than were met by the officers' actions. To paraphrase some of the respondents, they felt that the officers could have: investigated more thoroughly; looked for the suspects; at least talked to the offending kids who had thrown the rocks; tried to be an arbitrator or counsel the two parties; made an effort to look for the kids; at least looked for some clues; shown more concern for the little man and not given up so easily or have been so easily discouraged; looked for the car; been a little more patient and understanding: "Here I have lost a \$3,500 car and am nervous, and they are unconcerned."

Part of this dissatisfaction with the encounter also stems from perception of the officers' attitudes as well. When asked what they thought the officers expected *them* to do, citizens' responses included: Nothing except maybe don't bother them; ignore the situation; forget the incident; ignore the incident since it was so trivial; they could care less; pick up the broken glass and buy new windows; "He seemed to think I should find my own car, look for the suspect myself"; he said, "What's wrong this time?"; the officer said, "What happened? Did your boyfriend break out your window?"

Of course this is a one-sided listing of opinions. On the other hand,

it illustrates the realization of ghetto residents and especially ghetto females as represented by this sample that the police do not especially like to handle domestic disturbances or minor incidents like rock-throwing, resulting in broken windows. Moreover, at least some have the feeling that this same attitude carries over to the handling of thefts of cars and other serious matters.

There is further evidence of an interaction of incident and manner in the matter of race differences. When asked whether they felt that if their race were different the officers would have treated them differently, about a third of disturbance respondents, regardless of manner, answered affirmatively. For crime calls, only about 20% of those handled by manner #1 responded affirmatively; but a full 67% of those crime reporting respondents who were handled in Manner #2 responded affirmatively.

The majority of all respondents felt that one's own attitudes and those of the officer usually determines the type of treatment. Thus, to quote: "There are good and evil cops"; "they did the only thing they could do in this case"; "depends on the incident." Some stated that they didn't know about effects of race.

Others, generally those who were the victims of crime and handled in Manner #2 by the officers, felt that if they were white (mainly), the officers would have: put forth more effort; given more attention and have been nicer; shown more concern; taken me around to look for the car; spent more time and handled it differently; would not allow the people to be harassed by the gangs as they do here; if we were white we would get some action; would have taken me around the block to look for the suspects; investigated the scene, and said "Yes, Madam"; given me more respect; wouldn't have jumped to conclusions; white officers are better than Negro officers who don't seem to care; for sure they seem to think they (whites) are better than us; they seem to characterize the people by areas of the city—much better service in white and other black areas than here; if the officers were black, they would know how I feel about losing a brand new car.

The complexities in the relationship of incident, manner, and citizen reaction in Patrol contacts show up in our analysis of the general police-community relations attitudes, the data for which are shown in Tables 10 and 11. Here the relationships are much less clear than they were in the comparable analysis of Tactical Force contacts. If we focus on the first three items—those most directly of a community-relations sort—there is at least partial support for the earlier analysis of Patrol contacts.

Table 10
PATROL CONTACTS: PERCENT AGREEING WITH POLICE-
COMMUNITY RELATIONS QUESTIONS

Item	All Cases (55)	Disturbances		Crime Calls	
		Manner No. 1 (16)	Manner No. 2 (3)	Manner No. 1 (24)	Manner No. 2 (12)
1. By and large, the police have a very high reputation in this neighborhood.	29.1%	18.8%	33.3%	50.0%	0.0%
2. The people in this neighborhood deserve more respect than the police give them.	82.7	62.5	66.7	58.4	91.7
3. The police in this neighborhood deserve more respect than the people give them.	56.4	56.3	33.3	66.7	41.7
4. There would be more cooperation with the police if there were more Negroes on the police force.	34.6	43.8	66.7	33.3	16.7
5. There are just a few policemen who are responsible for the bad publicity the police department gets.	61.8	6.2	66.7	91.7	75.0
6. The police ought to have leeway to act tough with people when they have to.	56.4	25.0	100.0	70.9	58.3
7. There seem to be many police officers who enjoy pushing people around and giving them a hard time.	85.5	93.7	66.7	83.4	83.3
8. People who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police.	89.2	95.8	66.7	91.7	83.3

Table 11
PATROL CONTACTS: PERCENT AGREEING WITH POLICE-
COMMUNITY RELATIONS QUESTIONS

Item	Incident			Police Handling	
	All Cases (55)	Disturbances (19)	Crime Calls (36)	Manner No. 1 (40)	Manner No. 2 (15)
1. By and large, the police have a very high reputation in this neighborhood.	29.1%	21.1%	33.3%	37.5%	6.7%
2. The people in this neighborhood deserve more respect than the police give them	83.7	63.2	69.3	60.0	86.7
3. The police in this neighborhood deserve more respect than the people give them.	56.4	52.6	58.2	62.5	40.0
4. There would be more cooperation with the police if there were more Negroes on the police force.	34.6	47.4	27.7	37.5	26.7
5. There are just a few policemen who are responsible for the bad publicity the police department gets.	61.8	15.8	85.9	57.5	73.4
6. The police ought to have leeway to act tough with people when they have to.	56.4	36.8	66.5	52.5	66.7
7. There seem to be many police officers who enjoy pushing people around and giving them a hard time.	85.5	89.5	83.1	87.5	80.0
8. People who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police.	89.2	89.5	88.6	92.5	80.0

For Items 1 and 2, the citizens who made crime calls which were handled in Manner #2 gave the most negative answers. Also, in both of those items, the citizens who made crime calls handled in Manner #1 gave most positive attitudes toward the police. For Item 3, there is indication of the same pattern. Citizens who made crime calls handled in Manner #1 are again most positive, though citizens who made crime calls handled in Manner #2 are third rather than last.

Further clues to the effect of incidents can be seen in Item 4 and Item 6. Disturbance contacts are *more* likely to feel that more blacks on the force would produce more cooperation with the police, and also *less* likely to feel the police ought to have leeway to act tough with people when they have to. The only pattern worth remarking in Items 5, 7, and 8 is a tendency for crime call interviewees to agree in Item 5 that there are just a few policemen responsible "for the bad publicity the police department gets."

Disturbance contacts, perhaps, feel the cultural savvy of black officers helps them in handling these situations, whereas it is not so salient a property in handling a crime incident. As with Tactical Force contacts, however, there is no evidence here that *merely* adding more black policemen would be a solution to police-community relations in so-called ghetto areas. It is particularly important to note that 78% of these patrol contacts involved black policemen working singly, with a white partner, or a black partner. Thus we are generally talking about the black policeman handling incidents involving black citizens.

Throughout the paper we have stressed the significance for police-community relations of the type of police action taken in the three situations we have discussed—street stops by the Tactical Force and disturbance and crime call incidents by Patrol. We consider this kind of analysis to be necessary if social science is to help police administrators respond to the maxim that the core of police-community relations is what happens on the street. This is not to assert that other police-community relations efforts are irrelevant or unavailing, or that other stages in the criminal justice process are unimportant. We *do* assert, and the evidence supports the assertion, that police tactics and officer behavior are very important, indeed, to the point where other efforts may be seriously jeopardized thereby.

We should also qualify our conclusion concerning employment of black policemen. Our evidence points strongly to the conclusion that employing black policemen probably would not overcome the effects of hostility-producing tactics or handling. At the same time, it is clear in

these data that minority group citizens (almost all black) are more likely to attribute what they consider inadequate or inappropriate service to racial factors. At the very least, the presence of black policemen may prevent this feeling from becoming even stronger.

Leaving these contact-related matters aside, however, increased employment of minority group officers can be justified from a police-community relations viewpoint on more general grounds, e.g., the symbolic function of having members of one's group occupy visibly powerful and important roles, improved understanding and relationships between police and black community organizations, and provision of significant employment opportunities.

COMPARISON WITH VICTIM SURVEY STUDIES

Although there are significant differences in method and focus, it is interesting to compare the findings of our interview study with those of the recent victim survey studies (Reiss, 1967; Biderman, et al., 1967). In order to do so, the samples must be carefully contrasted. The Chicago and Boston victim survey respondents were drawn from two high crime district populations, one predominantly black and the other predominantly white in each city. By type of contact, 30% of these respondents had no official contact with the police. Other types of contact were as follows: victims of crimes against persons, 10%; crimes against property, 18%; disturbances, 9%; other service requests, 8%; traffic, 17%; all other and can't remember, 7% (Reiss, 1967: 62).

The Washington sample was 82% black, had a high proportion in white-collar and service occupations, and was more highly educated than either the Chicago-Boston sample or the respondents in our study. This is an important fact as education and pro-police attitudes were positively related in the Washington survey (Biderman, et al., 1967: 47). This sample also was composed of 177 black men, 234 black women, 28 white men, and 72 white women (Biderman, et al., 1967: 137).

Several conclusions of the Washington study are generally supportive of our findings despite the differences in method and focus. The Washington data indicate that the black men who have been victims express less respect for the police than those who say they have never been a victim of any crime (Biderman, et al., 1967: 141). It was also pointed out that the attitudes of the black men toward the police were affected by factors in addition to educational level, most notably the kinds of experiences they had with individual policemen. In contrast, the respect for the police which was expressed by the white respondents appeared to be an abstract, impersonal attitude, not dependent upon personal contact

(Biderman, et al., 1967: 142). Black men who know at least one policeman well enough to call him by his first name were usually more respectful and friendly. On the other hand, black men whose last official contact with the police had been as a reporter of an offense were less pro-police as a rule than black men in general. Contacts in which the respondent had asked for police help in the case of an accident or emergency, or even had asked for directions tend to be associated with more pro-police sentiment among blacks (Biderman, et al., 1967: 143). Biderman, et al. (1967) conclude that the lack of respect shown by black men toward the police is not an attitude which is unchangeable. If attitudes are influenced by concrete events and conditions in the first place, they might also be altered by changed conditions. The black man's experience as a victim of crime is one of these factors. One of the most important determinants of his respect or disrespect is what happens when he and policemen meet (Biderman, et al., 1967: 143).

We can turn now to a comparison (where possible) of general attitude responses in our study and the victim survey. As noted earlier, those in our sample having Patrol contact (55) were disproportionately females about the same age as respondents in the victimization samples described above. Most are black and all live in high crime areas. The Tactical Force sample of respondents is heavily young black or white males.

These sample differences make comparison hazardous, but it seemed worthwhile to see what the results would be. Table 12 indicates that the reputation of the police is not high in the high crime areas (black or white) of major cities (Item 1) and that most respondents believe that there are just a few policemen who are responsible for the bad publicity their police department gets (Item 2). Moreover, the majority of the respondents in each population feel that the police ought to have leeway to act tough with people when they have to (Item 5).

By contrast, it appears that those with greater contact with the police—our respondents—more often feel that people who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police (Item 4) and also that there seem to be many policemen who enjoy pushing people around and giving them a hard time (Item 3).

Problems of Interpretation

There are difficulties in the interpretations we have given our data over and above the ones discussed in connection with the problems of sample size and sampling bias. Even though the data available do not

Table 12

CITIZEN RESPONSES TO POLICE-COMMUNITY RELATIONS QUESTIONS:
PRESENT STUDY AND TWO VICTIM SURVEYS*

(1) By and large, the police have a very high reputation in this neighborhood.	
Boston and Chicago (Doing a very good job)	29.0%
Washington	No Data
Patrol Contact	29.0%
Tactical Force Contact	44.0%
(2) There are just a few policemen who are responsible for the bad publicity the police department gets.	
Boston and Chicago	No Data
Washington	78.0%
Patrol Contact	85.5%
Tactical Force Contact	73.2%
(3) There seem to be many police officers who enjoy pushing people around and giving them a hard time.	
Boston and Chicago (Many or quite a few)	25.0%
Washington	47.0%
Patrol Contact	85.5%
Tactical Force Contact	58.6%
(4) People who know the ropes and have the money to afford good lawyers don't have anything to worry about from the police.	
Boston and Chicago	No Data
Washington	50.0%
Patrol Contact	89.2%
Tactical Force Contact	78.1%
(5) The police ought to have leeway to act tough with people when they have to.	
Boston and Chicago	No Data
Washington	73.0%
Patrol Contact	56.4%
Tactical Force Contact	63.4%

*Boston and Chicago data from Reiss (1967: 39, 44). Washington data from Biderman, et al. (1967: 137, 146).

enable us to fully resolve these difficulties, it is particularly important to point them out in a paper which purports to make policy recommendations.

Basically we have assumed a simple causal-temporal sequence from type of police action to type of citizen response to (much less clearly) citizens' general attitudes on issues of police-community relations. We believe this interpretation to be causally valid, though partial. More

important, it has implications for police administration, even though incomplete. The objections to this rather simplistic interpretation involve the interrelated issues of level of analysis and time ordering. Our analysis has been largely microcosmic, i.e., centered on the discrete encounter between officer and citizen. On the macrocosmic level, police-community relations derive from great historical-structural features of the society such as racial segregation. For example, the historically produced context accounts for the existence of minority group "high crime" areas and also plausibly helps account for what seems a differential response of blacks in our data.

On a less macrocosmic level, historical developments have led to the creation of particular police deployment and intervention strategies as illustrated by the Tactical Force organization and procedures we have described. On a more immediate level, these police strategies may create different expectations on the part of policemen in certain contacts as opposed to others. Police expectations, in turn, can lead to initial "presentations of self" which may trigger off hostile responses from citizens. These effects of historical-structural context presumably operate on the citizen as well as on the police.

Although we have largely treated them as outside the system of variables considered in the paper, these broader matters of level of analysis are relevant both to social science explanation and social policy formation. Considerations at a more macrocosmic level do not, however, invalidate policy recommendations designed to change day-to-day police-citizen interchanges. They do, however, remind us that action at this level has limits. Thus the raid on the Black Panthers by the state's attorney's police in Chicago or the shootings at Jackson State College, although rare and non-routine events, probably undermine the most sedulous efforts to improve routine police service in black areas. Consideration of broader structure also can remind us that some police-community relations efforts such as recruitment of minority officers are efforts to change structural contexts as well as to change contacts.

There are issues of time order that do affect our interpretations. The most significant of these is the relation of citizen attitude to officer behavior in the contact situation. If our "angry" respondents were angry or hostile at the beginning of the contact then this might increase the likelihood of a search in Tactical Force or of acting in a way codeable as Manner #2 in Patrol and, presumably, the citizen would still be angry at the end of the encounter.

The problem of the likelihood of anger, indignation, or hostility on the part of the citizen is an extremely complex one involving the nature of the citizen, the type of encounter, and the course of the interaction in the encounter independent of the aspects of police procedure discussed in this paper. The interview data do not permit us to deal with this problem in any detail beyond the material we have presented. More detailed analysis will be possible with the observational data which provide a larger sample, a wider variety of encounters, and a more detailed description of process.

Analysis of observer descriptions thus far in Patrol indicates that initial citizen "anger" or antagonism toward the officers is not related to the likelihood of the officer behaving in Manner #2. Of the citizens interviewed who had been involved in Tactical Force contacts, four were described by the observers as initially antagonistic. Of these, two were searched and were coded as "angry" from the interview. The other two were not searched; one responded in the interview as frightened and one as satisfied. These results do not weaken the causal interpretation employed in this paper.

Two more questions of time order in the contact situation are more strictly technical in nature because they concern the interview instrument. If respondents were angry or dissatisfied with police action, would they not describe that action as inadequate? This is not a problem with the search-nonsearch distinction used in the Tactical Force section. We attempted to guard against this kind of contamination in the Patrol interviews by asking the citizen to describe rather than evaluate the officer's action. This description came before the questions dealing with how the citizen felt about the contact. We also have a check in the form of the independent observer's description of the officer's action. Coding of the observer descriptions into the manner category yielded agreement in 80% of the 55 Patrol cases. Significantly, in these categories disagreements were about equally divided into cases in which the interviewee's description indicated Manner #1 and the observer's description indicated Manner #2, and cases in which the interviewee's description indicated Manner #2 and the observer's indicated Manner #1.

Finally there is the problem of time order in relating encounter responses to answers on the general police-community relations questions. These items were last on the interview schedule in all interviews. We preferred to risk having these "general" responses prejudiced by previously recalled reactions to specific encounters than the other way around. The small

number of cases made it impossible to use alternate forms of the instrument. This section of the findings is therefore open to the time order criticisms more than the others.

It is extremely difficult to solve these causal or time order problems in any research but especially in single interview survey research. By having two independent measures—observation and interview—we believe some of the key objections have been met. The larger questions of causal order invoked when shifting from micro- to macrocosmic interpretations do not invalidate our interpretations but do indicate their limits.

CONCLUSIONS AND RECOMMENDATIONS

Our data support previously expressed doubts concerning aggressive patrol and the use of field interrogation (National Center, 1967: 95, 328). They also support earlier suggestions that attitude surveys would be useful tools for police planning (National Center, 1967: 113). The data go beyond general surveys of public opinion or the more special studies of police-minority relations (Bayley and Mendelsohn, 1969) in an attempt to relate sources of citizen hostility more closely to specific police practices. The data also indicate that samples drawn specifically to represent the varying publics-in-contact generated in different police operations are necessary to make more meaningful the data produced by the victimization surveys.

The kind of social science procedure which utilizes interviewing of specific individuals involved in contacts need not be oversold as the only basis for decisions leading to meaningful change. During the time this study was in the field, the department involved developed District Tactical Units designed to achieve some of the routine law enforcement objectives of the Tactical Force but to be under the control of the local district commanders and to be more attuned to variations in local community response. Some type of systematic survey-oriented evaluation comparing the two systems could be a valuable aid in the process of organizational change. The same department has ambitious plans to develop a program of Community Service Officers as recommended by the President's Commission (1967b: 122-124). Similar needs for feedback arise in connection with that program.

Though our analysis is not conclusive, it does make a strong case for much greater need on the part of police departments to evaluate on a continuing basis *all* of their operations via this type of feedback interviewing of the contacted citizen, the objects of their organization's work. We suggest that local supervisory officers do this type of work on an

extended and systematic basis, or that the police department planning unit carry out this research on a systematic basis especially in problem districts. Deciding whether or not they even want the Tactical Force to operate there, or what policies can be made and enforced affecting the practices of handling disturbances and/or crime call incidents, can be based on concrete and detailed assessment of the hostility costs of various procedures.

Despite the work of special programs of police-community relations workshops, etc., a fundamental problem concerns the on-the-street officers and their operations or a whole type of police activity such as, in our study, Tactical Force operations. Executives must be able to use this feedback information in conjunction with other performance indicators such as arrests and clearance rates.

As we have pointed out, simple measures such as adding more minority group members or using black policemen to police the black community are not in themselves sovereign solutions. The problem goes deeper than race and lies at the base in a lack of feedback information, or one-sided feedback information, with regard to what is going on in the street—how officers are handling various incidents and what effect these practices and policies have on the citizens subject to them. Closely linked to lack of feedback is the lack of sophisticated direction, role definition, and goal specification of police practices and operations. These need to be placed on the balance sheet assessing police practices.

Perhaps we can put this basic conclusion in the now fashionable language of cost-benefit analysis. Police planners should be more aware that all police operations carry with them potential hostility costs. Sophisticated operations analysis—of which this paper is only a precursor—could enable police to routinely enter such costs in their planning.

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