

THE OXFORD
HANDBOOKS IN
CRIMINOLOGY AND
CRIMINAL JUSTICE

General Editor: Michael Tonry

EDITED BY
MICHAEL D.
REISIG
ROBERT J.
KANE

≡ The Oxford Handbook *of*
**POLICE AND
POLICING**

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GENERAL EDITOR: MICHAEL TONRY

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OXFORD
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Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
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Oxford New York
Auckland Cape Town Dar es Salaam Hong Kong Karachi
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With offices in
Argentina Austria Brazil Chile Czech Republic France Greece
Guatemala Hungary Italy Japan Poland Portugal Singapore
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Published in the United States of America by
Oxford University Press
198 Madison Avenue, New York, NY 10016

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Library of Congress Cataloging-in-Publication Data
The Oxford handbook of police and policing/edited by Michael D. Reisig and Robert J. Kane.
pages cm

Includes bibliographical references and index.

ISBN 978-0-19-984388-6 (hardcover : alk. paper) 1. Police—United States—Handbooks,
manuals, etc. 2. Police—Europe—Handbooks, manuals, etc. I. Reisig, Michael Dean, 1968–
II. Kane, Robert J.

HV8139.O94 2014
363.2-dc23 2013027011

1 3 5 7 9 8 6 4 2
Printed in the United States of America
on acid-free paper

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LIST OF CONTRIBUTORS

Ben Bradford is a Career Development Fellow at the University of Oxford.

Anthony A. Braga is the Don M. Gottfredson Professor of Evidence-based Criminology in the School of Criminal Justice at Rutgers University and a Senior Research Fellow in the Program in Criminal Justice Policy and Management at Harvard University.

Rod K. Brunson is an Associate Professor of Criminal Justice at Rutgers University.

Mark Button is a Professor of Criminology at the University of Portsmouth.

Derek M. Cohen is a Policy analyst at the Texas Policy Foundation.

Gary Cordner is a Professor of Criminal Justice at Kutztown University.

Scott H. Decker is a Foundation Professor of Criminology and Criminal Justice at Arizona State University.

Robin S. Engel is a Professor of Criminal Justice at the University of Cincinnati and Director of the Institute of Crime Science.

Brian Forst is a Professor in the Department of Justice, Law and Criminology at American University.

Jacinta M. Gau is an Assistant Professor of Criminal Justice at the University of Central Florida.

Jack R. Greene is a Professor of Criminology and Criminal Justice at Northeastern University.

Steve Herbert is a Professor of Geography and Law, Societies, and Justice at the University of Washington.

Matthew J. Hickman is an Associate Professor of Criminal Justice at Seattle University.

Mike Hough is a Professor of Criminal Policy at the University of London.

Jonathan Jackson is a Senior Lecturer in Research Methodology at the London School of Economics.

Lallen T. Johnson is an Assistant Professor of Criminal Justice at Drexel University.

Sanja Kutnjak Ivković is a Professor of Criminal Justice at Michigan State University.

Paul G. Lewis is an Associate Professor in the School of Politics and Global Studies at Arizona State University.

Willem de Lint is Professor of Criminal Justice in the School of Law at Flinders University.

Branko Lobnikar is an Associate Professor of Security Organization Management at the University of Maribor.

Cynthia Lum is an Associate Professor in the Department of Criminology, Law and Society at George Mason University.

Edward R. Maguire is a Professor in the Department of Justice, Law, and Criminology at American University.

Peter K. Manning is the Elmer V. H. and Eileen M. Brooks Chair in the School of Criminology and Criminal Justice at Northeastern University.

Lorraine Mazerolle is a Research Professor in the Institute for Social Science Research at the University of Queensland.

Sarah J. Mclean is Associate Director and Director of Research and Technical Assistance at the John F. Finn Institute for Public Safety.

Gorazd Meško is a Professor of Criminology at the University of Maribor.

Melissa Schaefer Morabito is an Assistant Professor of Criminal Justice and Criminology at the University of Massachusetts at Lowell.

Doris M. Provine is a Professor in the School of Social Transformation at Arizona State University.

Wesley G. Skogan is a Professor of Political Science at Northwestern University.

Andrej Sotlar is an Associate Professor of Security Sciences at the University of Maribor.

Justice Tankebe is a University Lecturer and Fellow of Fitzwilliam College at University of Cambridge.

Melanie A. Taylor is an Assistant Professor of Criminal Justice at the University of Nevada at Reno.

William Terrill is an Associate Professor of Criminal Justice at Michigan State University.

David Thacher is an Associate Professor of Public Policy and Urban Planning at the University of Michigan.

Monica W. Varsanyi is an Associate Professor of Political Science at John Jay College of Criminal Justice.

Alison Wakefield is a Senior Lecturer of Security Risk Management at the University of Portsmouth.

Ronald Weitzer is a Professor of Sociology at George Washington University.

Michael D. White is an Associate Professor of Criminology and Criminal Justice at Arizona State University.

James J. Willis is an Associate Professor in the Department of Criminology, Law and Society at George Mason University.

Robert E. Worden is an Associate Professor of Criminal Justice at the University at Albany, Suny, and the Director of the John F. Finn Institute for Public Safety.

John L. Worrall is a Professor of Criminology at the University of Texas at Dallas.

THE OXFORD HANDBOOK OF

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PART I

POLICING CONTEXTS

CHAPTER 1

A RECENT HISTORY OF THE POLICE

JAMES J. WILLIS*

LIKE many other political and social institutions, the police have been the focus of many reform efforts aimed at improving what they do and how they do it. This essay sketches some of the major efforts at changing local police organizations in the United States over the last thirty years. In doing so, it takes occasion to make comparisons to policing developments in other countries (mostly other Western democracies). Its purpose is to identify some broad patterns and trends as a context for interpreting the essays that follow.

Following Weisburd and Braga (2006a), its point of departure is Everett Rogers's (2003, 137) notion that social change is often driven by a perceived problem or crisis to an existing social system that demands an innovative response. Not only may this generate new approaches; it can also influence their form and character. As Hans Toch (1980, 55) writes, "The premise here is not that crises inevitably lead us to new ideas, but that crises permit us to evolve new ideas by unsettling old ones." The late 1960s in the United States was such a period of crisis, when racial tensions and concerns about crime and disorder revealed the limitations of the existing policing model. Not long after, urban riots in Britain exposed the police to similar scrutiny (Brain 2011). The government inquiries and ensuing reports on both sides of the Atlantic identified a host of challenges facing the criminal justice system including the police.¹ Key among these was improving public safety through effective crime strategies and repairing the fraught relationship between the police and its publics (particularly with minorities living in inner-city neighborhoods).

This essay suggests that some recent and important innovations in the policing environment can be regarded as new or continued adaptations to the problems of public safety and police legitimacy first identified in the United States in the 1960s and 1970s, and in Britain in the early 1980s. Thus, in the decades since community policing emerged as a coherent reform, we have witnessed its evolution in response to developments in police research and practice and in response to larger

social, economic, and political forces. At the same time, other innovations, such as Compstat, have appeared as new attempts to improve the police capacity to fight crime and strengthen public accountability for performance. In addition, the structure of policing in the United States and elsewhere has been influenced by a new shock to the policing environment that in turn has presented a set of new challenges to the way police operate—the threat of terrorism. Thus this essay is structured around developments in the following key and overlapping areas: strategic innovations, accountability and legitimacy, and policing terrorism.

Reform efforts rarely work as intended, and so it is important to distinguish the desires and recommendations of reformers and reform movements from actual police operations in order to get an accurate historical portrait. This essay will also offer a brief assessment of the nature and degree of change over this reform period. Finally, just as the President's Commission on Law Enforcement and Administration of Justice (1967, x) recognized research as a "powerful force for change," some trends in police scholarship are also considered.

The essay is organized as follows: Section 1.1 discusses some key strategic innovations to have emerged in policing over the last few decades; Section 1.2 examines recent efforts to strengthen police accountability and enhance legitimacy; Section 1.3 explores how local police have adapted to the new challenge of terrorism since the attacks of September 11, 2001; and Section 1.4 concludes by offering some comments about continuity and change over this period and by noting opportunities for future research.

A number of conclusions can be drawn:

- Police scholarship has significantly advanced understanding about the effectiveness of a variety of police strategies for reducing crime and disorder.
- It has become generally accepted that the police role extends beyond crime control to include a wide range of citizen concerns and neighborhood problems.
- New systems have emerged for holding police organizations accountable for their crime control efforts, for improving oversight of individual police officer performance, and for increasing public confidence in these processes.
- Despite attempts to improve police community relations, most notably through the continued development of community policing, studies still show that African Americans are less supportive of the police than whites.
- A growing body of research suggests that treating people in procedurally just ways enhances the legitimacy of the police and delivers important crime control benefits.
- Local police are regarded as playing a key role in anti-terrorist activities, but by and large their organizational priorities, structures, and practices have been little affected by the attacks of September 11, 2001.
- Routine and reactive patrol work remain at the core of policing and yet little is still known about whether or how often patrol officers make the best choice in using their discretion in their encounters with the public.

1.1 STRATEGIC REFORMS

The focus in this section is on strategic innovations whose lineage can be traced back to the crises of the 1960s and 1970s and that continue to shape the contemporary police role and function: community policing and order maintenance policing,² problem-oriented policing (POP), and hot spots policing. These are obviously not the only important reforms to have emerged over the intervening period (these exclude, for example, legal, administrative, and technological changes), but they have generated considerable discussion among police scholars and practitioners and can be thought of as “strategic” because their doctrines, if implemented faithfully, promise to transform the means and ends of policing (Moore, Sparrow, and Spelman 1997, 278; Weisburd and Braga 2006a). Moreover, examining the context in which these “big reform ideas” emerged helps to highlight aspects of the policing environment that lie at the core of other attempts to change police (Bayley 2008, 8).

1.1.1 The Standard Model of Policing

In order to make any meaningful assessment of recent reform efforts, it is first necessary to establish some kind of benchmark for measuring change. What is policing purportedly changing *from*? Regarding this question, it is worth bearing in mind that assessments of police reform, including the one here, are more often based on interpretations of case histories from big city police departments than on rigorous scholarly analysis (see Lane 1967; Fogelson 1977). While models identifying different reform eras provide a helpful framework for considering general historical trends (Kelling and Moore 1988), to what degree they accurately capture the diverse workings of thousands of police departments over several decades is an empirical question that needs to be tested. For example, when a study of two large police departments in the United States from the 1990s shows that “general patrol, administrative activities, and personal breaks accounted for the majority of the [patrol] officer’s self-directed time,” is this significantly different from how patrol officers spent their time twenty or even a hundred years ago? (Mastrofski 2004, 114). If not, what does this say about claims that the last three decades have been “remarkable” in terms of police innovation (Committee to Review Research on Police Policy and Practice 2004, 82)?

Accurate comparisons over time eschew impressions for hard empirical evidence, whose absence brings to mind what Marcel Duchamp called “the delightful fantasy of history” (Tomkins 2011, 69). What is needed is a more reliable basis for making judgments about how extensive changes in policing have or have not been. Longitudinal field studies could help fill this lacuna in existing police scholarship, but this would require the implementation of a research infrastructure very different from the current model

where individual projects are funded over short two-to-three-year periods rather than being sustained over decades (Willis and Mastrofski 2011, 327). Fortunately, the National Institute of Justice is currently testing a long-term research platform that would allow researchers in the United States to collect data indefinitely on hundreds of police departments across the country (Rosenbaum et al. 2011). Such an approach would allow for more meaningful assessments of police reform, including the historical factors promoting stability and change.

Putting this caveat aside, the conventional wisdom is that up until the crises of the 1960s, police operational strategies in the United States were primarily reactive, focused on serious crime, and applied generally across a jurisdiction (Committee to Review Research on Police Policy and Practice 2004). Referred to as the “standard” policing model, the primary police methods of routine preventive patrol, rapid response to calls for service, and retrospective investigations were influenced by ideas about general deterrence and incapacitation (Weisburd and Eck 2004, 44). It was thought that maintaining a visible presence in communities, responding promptly to individual emergency calls (especially those that were crime related), and increasing the risk of apprehension could reduce crime because arresting some offenders and deterring others would give the impression of police omnipresence. Furthermore, consistent with the assumption that the police exercise of legal-rational authority should be protected from arbitrary political interests, subject to rules, and applied uniformly by well-trained professionals, police organization took the form of a “legalistic and technocratic bureaucracy whose members are committed to an occupational community with norms of subordination and service that set it apart from the community that it policed” (Reiss 1992, 57).

Rising crime rates from the late 1960s to the mid-1980s (Bayley and Nixon 2010, 3), and a series of high-profile research studies questioning the effectiveness of standard police practices (Kelling et al. 1974; Greenwood, Petersilia, and Chaiken 1977; Spelman and Brown 1981), presented serious challenges to the strategic assumptions of a policing model that had dominated for much of the twentieth century. Additionally, the Civil Rights Movement, race riots, and increasing citizen alienation from government (Mastrofski 2006, 44) revealed a tense and distrusting police-citizen relationship (Fogelson 1968). The form and character of ensuing police reform strategies were influenced by the nature of this performance gap between current practices and public expectations for what the police should be doing and how they should be doing it in a democratic society (Weisburd and Braga 2006a, 3).

In this context, community policing and broken windows policing can be considered police departments’ attempts to foster closer working relationships with communities and to respond to a broader range of public safety concerns than just serious crime; problem-oriented policing developed to reorient policing from a bureaucratic focus on internal management concerns and “one-size-fits-all” responses to individual incidents; and lastly, hot spots policing emerged in the wake of evidence challenging the effectiveness of crime control strategies involving the uniform application of police resources across jurisdictions. It is to these reforms that I now turn.

1.1.2 Community Policing and Order Maintenance Policing

When it comes to the development of strategic innovations, it is important to recognize their evolutionary and hybrid nature. Attempts to improve policing rarely emerge as fully-formed packages like a phoenix that arises from the ash heap of its past. Conceiving of innovation in this way leads to misunderstandings about “the genesis of reform” and its significance to the development of innovations (Willis and Mastrofski 2011, 313). With the benefit of hindsight, commentators generally agree that the roots of community policing and order maintenance policing lie in a milieu of new ideas and practices (including team policing, community crime prevention, and foot patrol) that were implemented in a few cities in the 1970s and early 1980s in response to perceived failures of the standard policing model (Moore 1992). Rather than being a purposeful effort at widespread police reform, these collectively “morphed” over time into more coherent policing strategies (Skogan and Roth 2004, xix). In light of this, thinking of reforms as waves that simply wash away the efforts that preceded them is not particularly insightful. A more useful analogy is one of sedimentary rock, where new innovations are transposed onto “the core service-oriented structures and operations that have long sustained American police” and are, in turn, powerfully shaped by them (Mastrofski and Willis 2010, 117).

1.1.2.1 *Community Policing*

Perhaps the most popular of the strategies to have emerged over the last three decades, both in the United States and abroad, is community policing (Brogden and Nijhar 2005), which is now a global commodity that can be found on virtually every continent (Mastrofski, Willis, and Kochel 2007, 223). International organizations (such as the United Nations, European Union, and World Bank) encourage developing democratic nations to adopt community policing projects (Brogden 2005), and whereas most innovations fail (Rogers 2003), community policing has shown impressive resilience. In the most recent federal survey conducted in 2007, 56 percent of all police agencies in the United States reported having a mission statement that included community policing, and 44 percent of departments, employing 70 percent of all officers, trained all new recruits in community policing (Bureau of Justice Statistics 2010, 26–27).

The roots of community policing in the United States can be traced back to the limitations of the standard policing model where the primary functions of motorized patrol (any department’s largest resource) were to maintain a visible presence, respond to 911 calls, and suppress serious crime. Over time, these practices conspired to alienate the police from local communities and helped to foster an image of the police as unresponsive to the needs and desires of those they were supposed to serve. More troubling was that many minority citizens, especially African Americans living in inner-city neighborhoods, felt marginalized and treated “differentially under color of law” (Greene 2004, 35). A wave of race riots between 1964 and 1968 were almost all sparked by incidents

involving the police and black citizens, leading the Kerner Commission to report: “The atmosphere of hostility and cynicism is reinforced by a widespread belief among Negroes in the existence of police brutality and in a “double standard” of justice and protection—one for Negroes and one for whites” (National Advisory Commission on Civil Disorders 1968, 10). Similarly, the community policing movement in Britain emerged in the 1970s and 1980s in the aftermath of riots exposing hostilities between the police and minority communities (Newburn and Reiner 2007, 929). A similar crisis-driven adoption pattern can be seen in developing democracies where reforms implemented in response to challenges to government authority often include the adoption of community policing initiatives to help recapture lost legitimacy (Pino and Wiatrowski 2006).

In response to this crisis of confidence in the United States, the police began to experiment with ways to reconnect with the public, such as the long-term assignment of teams of officers to small geographic areas, the establishment of community relations units, and the implementation of community crime prevention programs (Moore 1992). These strategies helped to establish the value of two-way communication between the police and community and of collaborative partnerships to improve public safety in local neighborhoods. By pooling their collective resources and working together, the idea was that local police departments and community organizations could respond more effectively to crime and neighborhood problems than the police acting on their own (Rosenbaum 1986). Thus these early reform efforts can be regarded as important precursors to the current community policing model whose defining element is making police responsive “to citizen input concerning both the needs of the community and the best ways by which police can help meet those needs” (Skogan 2006, 28).

From this perspective, politics has been a powerful factor contributing to the origins and development of community policing in the United States (Skogan 1995), particularly when one considers that community policing’s other core dimensions help enhance powerful ideals about participatory democracy (Sklansky 2008, 83). Consider the second key element of community policing—changes to “organizational structures.” Central to this approach is the decentralization of decision making to patrol officers at the beat level in order to foster positive exchanges with citizens that help to create trust and cooperation. Moreover, community policing’s proponents identify a third key element, or “problem solving.” This process encourages communities to work with the police in identifying and responding to a variety of public safety concerns that communities themselves (and not just the police) identify as important. In doing so, it broadens the traditional police mandate beyond serious crime to include fear of crime, minor offenses (e.g., vandalism, public drinking), and social and physical disorders (Skogan and Hartnett 1997). In addition to engaging with local communities to set priorities, problem solving also involves police and citizens working together as co-producers of public safety.

Politics also helps to account for the *diffusion* of community policing. The Executive Session on Policing held at the Kennedy School of Government (1985–1991) and supported by the Department of Justice was instrumental to promoting community policing, and in 1994 under Title I of the Violent Crime Control and Law Enforcement Act

(the Crime Act) Congress authorized an appropriation of \$8.8 billion to state and local police agencies to advance community policing across the United States (Roth, Roehl, and Johnson 2004). According to the Department of Justice's Office of Community Oriented Policing Services (COPS Office), between 1994 and 2011 over thirteen thousand law enforcement agencies received grants (James 2010). The COPS Office has also funded approximately thirty Regional Community Policing Institutes to provide training in community policing and problem solving. Whether or not a department actually needed to implement community policing during this period as a rational response to pressures of crime and community discord in its environment (Mastrofski 1998), the promise of a reform endorsed by politicians and progressive police leaders and backed by billions in federal money has been a powerful incentive for its adoption (Ritti and Mastrofski 2002; Helms and Gutierrez 2007). Similar pressures for conformity are at work in the international arena, where police consultants, think tanks, national governments, and non-governmental agencies promote community policing as a cure for rising crime rates and a lack of public support for government authorities, including local police (Brogden 2005).

Focusing on community policing's political appeal should not diminish the influence of other factors that have influenced its development during this period. Crime reduction may not be community policing's primary goal (Skogan 2006), but it is so central to the police mandate that community policing has had to justify itself at least partly in these terms (Klockars 1988). An extensive review by the National Academies on community policing's effectiveness published in 2004 was cautious and equivocal regarding its capacity to reduce crime, disorder, and fear of crime (Committee to Review Research on Police Policy and Practice 2004, 246), but a later assessment is also more optimistic (Reisig 2010). The basis for the latter's conclusion can be attributed to a body of empirical research that draws on recent theoretical developments in social disorganization theory (Kubrin and Weitzer 2003). These studies suggest that complex processes involving relational networks and social resources help mediate the effects of poverty, residential mobility, and ethnic heterogeneity on neighborhood crime (Sampson and Raudenbush 1999). One of the most important of these factors is collective efficacy, or the conditions of trust and solidarity among neighbors that lead them to share similar expectations and work with one another toward their common good. The direct effects of community policing on collective efficacy are unknown (Reisig 2010, 38), but some scholars claim that community policing's focus on building healthy partnerships can help promote greater social cohesion and shared responsibility to reduce crime (Sampson 2004). To the extent that community policing can be shown to strengthen collective efficacy and the U.S. trend toward declining crime rates begins to reverse, departments may well seek to strengthen their existing community policing programs.

In sum, even in the face of a global economic crisis and the formidable challenges to full and effective implementation (particularly in terms of the police capacity to establish partnerships in disadvantaged communities where minorities are deeply suspicious of government authorities) (Weitzer and Tuch 1999), community policing continues to resonate powerfully with communitarian and democratic ideals about responsive

government (Bayley and Nixon 2010, 7). Coupled with these cultural and political sentiments is a small but significant body of evidence that community policing may be able to reduce crime and disorder and significantly improve police-community relations (Reisig 2010; Gill et al. 2011). Given the promise it holds for good government and the expectations it has helped to create among the public for “client-oriented, service-style policing” (Mastrofski 2006, 45), news of community policing’s demise, to paraphrase Mark Twain, would seem to be greatly exaggerated (Kerlikowske 2004). Community policing might not be the revolution envisioned by its early supporters, but many of its precepts appear to have become institutionalized in police organization and practice.

1.1.2.2 *Order Maintenance Policing*

Order maintenance or broken windows policing is another innovation that emerged in response to what were seen as limitations of the standard policing model. Similar to community policing it has endured and has become recognized internationally (Ismaili 2003), and its development has been influenced by social, political, and intellectual currents of the past few decades. Variations in how these forces have been interpreted and adapted have led to the evolution of different policing strategies that share the common goal of broadening the police role beyond serious crime to address citizens’ fear of crime and physical and social disorder.

The origins of order maintenance policing lie in the recognition among researchers in the 1970s and 1980s that residents’ fears of crime were largely unrelated to their risk of victimization and in the reemergence of foot patrols in several American cities (Skogan and Roth 2004). In addition to concerns about crime, residents were more often worried about urban blight and behavior that was disruptive to the quality of life in their neighborhoods (Taylor 2006, 99). Meanwhile, foot patrol experiments in Flint, Michigan and Newark, New Jersey suggested that foot patrol might not always reduce crime but it did reduce citizens’ fears and increase their levels of satisfaction with police services.

The idea of broken windows policing developed from an *Atlantic Monthly* article by James Q. Wilson and George Kelling (1982) that suggested that physical and social disorder were linked to serious crime. Illustrating their perspective with examples from the Newark Foot Patrol Experiment (Kelling et al. 1981), Wilson and Kelling surmised that graffiti, trash-strewn lots, loitering, rowdy teenagers, and aggressive panhandlers were examples of physical deterioration, disorderly behaviors, and minor crimes often referred to as quality-of-life offenses. If left untended these “broken windows” signaled that no one cared about a neighborhood which in turn could lead to fear, neighborhood withdrawal, weakening community controls, and eventually serious crime. The implication was that the police should play a role in fixing these windows, a rationale that has since given rise to a range of operational strategies that fall under the umbrella of order maintenance policing.

One version involves the police deciding on what problems to address and how to address them while virtually ignoring community concerns in the process. Under a zero tolerance strategy the police operate largely exclusively in targeting disorderly behaviors, which are thought to offend community standards, or minor offenses. Police tactics

can incorporate a range of responses from issuing citations, dispersing loiterers, increasing surveillance, and conducting field interrogations, but typically include the strict enforcement of public order and nuisance laws through fines or arrest (Mastrofski 1988, 53). The New York City Police Department popularized this approach in the 1990s when then-Mayor Rudolph Giuliani and Commissioner William Bratton targeted quality-of-life offenders such as “fare-beaters” who jumped subway turnstiles, and “squeegee people” who approached stopped motorists to clean their windshields and then aggressively demanded payment (Bratton 1998, 213). An important justification for this strategy was the assertion that those engaging in seemingly minor offenses were often guilty of more serious crimes, such as illegally concealing weapons, or the subject of an outstanding warrant. Giuliani, Bratton, and many others associated the ensuing drop in serious crime and fear in New York City throughout the 1990s with the suppression of these behaviors (although, like George Kelling, they reject the term “zero tolerance”). Such support contributed to zero tolerance policing’s face validity among police leaders, politicians, and the public despite empirical studies raising doubts about its crime reduction benefits (Eck and Maguire 2000).

More broadly, the movement toward the selective enforcement of incivilities over the last twenty years or so has been attributed to the rise of neoconservative politics and a diverse blend of social, economic, and cultural changes associated with late-twentieth-century modernity (Taylor 2006). In this context, zero tolerance policing is seen as representative of a major transformation in the entire criminal process from the traditional goals of punishing and rehabilitating individuals toward managing the risks presented by certain threatening groups through crime prevention and fear reduction (Garland 2001, 19). It is worth noting, however, that some studies that have tried to apply this theoretical framework to police innovations other than zero tolerance policing have found only a loose fit with actual police practice (Willis and Mastrofski 2012).

An alternative order maintenance approach is demonstrated by Chicago’s community policing or Chicago Alternative Policing Strategy (CAPS), one located squarely in the developments in social disorganization theory discussed earlier (Skogan and Hartnett 1997). Under CAPS the police mandate includes working closely with local communities to address problems of both physical and social disorder. Unlike New York’s zero tolerance model, this approach is more consistent with the early foot patrol experiments whose goals included promoting face-to-face communication with local residents, developing trust, identifying local problems, and establishing effective crime prevention partnerships (Pate 1986; Trojanowicz 1986). In Chicago, the police partner with local communities to clean up trash in vacant lots and remove graffiti and other signs of urban blight. Moreover, residents are responsible for strengthening social control in their own neighborhoods. So, for example, they may conduct “stand-ups” in front of problem businesses or engage in “positive-loitering” to challenge prostitutes and their potential customers (Skogan et al. 2004, 91).

A third-order maintenance strategy has emerged in England in the past decade under the moniker of reassurance policing. Impetus for this reform came from the British

government's concern that anxiety about crime remained high during the mid-1990s while several waves of the British Crime Survey revealed that crime rates were falling (Skogan 2009, 303). The explanation for this disconnect, and one that led to the development of signal crimes theory (Innes 2004), was that some crime and disorder incidents mattered more than others in shaping individuals' assessments of risk (Bottoms 2008, 571). Thus residents might perceive the sudden appearance of graffiti or litter in their neighborhood as significantly more threatening to their safety than, for example, a sudden increase in auto thefts, which might be less visible to the public. The policy response, which was developed as the National Reassurance Policing Programme (NRPP), was for the police to respond to signs of disorder with a "control signal" that communicated law enforcement's attempt to increase order and thus provide a reassurance effect (Innes 2007). The key elements of the NRPP, tested in 16 experimental areas around Britain in 2003, were to assign police teams to neighborhoods where they could engage with local residents and work jointly with them in a problem-solving process to resolve those signal crimes that were the cause of greatest concern (Barnes and Eagle 2007). An evaluation of these trials was positive, showing that residents were less worried about crime and victimization when police were visible and accessible and worked alongside the community (Skogan 2009, 303).

Whatever form the order maintenance response might take, and despite ongoing debates about whether disorder causes crime or both are manifestations of the same conditions of structural disadvantage, the idea that the management of minor offenses and disorderly behaviors is an essential function of public police has become well established since the 1980s.

1.1.3 Problem-Oriented Policing

In his article on problem-oriented policing (POP), Herman Goldstein (1979, 242) called for a paradigm shift in policing from a primarily reactive, incident-driven model toward one where police proactively targeted a wide range of "troublesome situations that prompt citizens to turn to the police" and developed a systematic process for analyzing and resolving these problems. According to Goldstein, not only had research revealed the limitations of standard crime strategies, but local police agencies had become so preoccupied with internal management issues of efficiency, administrative procedure, and staffing that they had lost sight of the important social goals they were supposed to accomplish. His original POP model highlighted the need for more precise definitions of problems than general crime categories, careful inquiry into the nature of a specific problem and its underlying causes, and a willingness to explore a wide range of alternative responses than merely arrest. Goldstein (1990) later expanded on these basic elements, including their relationship to one another and their relevance to police organizations. Key to this approach was the attempt to identify and address the underlying conditions that gave rise to clusters of problems that on the surface appeared to be unrelated.

Since its initial conceptualization, the evolution of POP has been influenced by the institutional support it has received from the U.S. government, the creation of analytical frameworks for its operationalization, and scholarly developments in environmental criminology. Problem solving is a key element of community policing, and so when the COPS Office was formed in 1994, it adopted POP as a key strategy and funded the Center for Problem-Oriented Policing (www.popcenter.org). Moreover, through the Problem-Solving Partnerships Program, it funded 470 police agencies to apply a POP approach to a significant community crime or disorder problem (Scott 2000, 39). Police professional associations, such as the Police Executive Research Forum (PERF), annual POP conferences, and national awards for problem solving excellence have further contributed to POP's visibility and adoption both in the United States, other Western countries, and even in more authoritarian and militarized regimes such as in the former Soviet bloc where the police have historically operated autonomously from the public (Boba and Crank 2008; Weisburd et al. 2010, 141).

The challenges of translating research into practice are well documented (Lum 2009), and so the creation of basic models for aiding POP's implementation has helped market it nationally and internationally. The SARA assessment model, which has become widespread in police circles, identifies four steps that police should take when engaging in POP (scanning, analysis, research, and assessment), and the problem analysis crime triangle links incidents based on three key elements, each represented by a side of the triangle—common offenders, victims, or locations—and tailoring responses accordingly (Eck and Spelman 1987). Both models reveal POP's relationship to environmental criminology, a school of thought that provides the theoretical underpinnings to POP. Environmental criminologists seek to understand criminal events in the specific settings where they occur in in order to prevent them. Guidance on reducing crime from a POP perspective is provided by routine activities and rational choice theories which focus on reducing criminal opportunities by changing features of the immediate environment and by increasing offenders' perceptions of risk.

According to one commentator, along with community policing, problem-oriented policing has “probably done more to shape the debate over the role of the American police than anything since the introduction of the patrol car and two-way radio” (Reisig 2010, 42–43). In addition to the factors already mentioned, its rise has been facilitated by the efforts of its supporters to engage practitioners and the influence of a new environmental perspective that “has emerged to become arguably the fastest growing approach in criminology and criminal justice” (Wortley and Mazzerole 2008, 14).

1.1.4 Hot Spots Policing

While police have long known that crime was spread unevenly across jurisdictions, hot spots policing can be traced back to theoretical, empirical, and technological innovations that emerged in the 1980s and 1990s (Committee to Review Research on Police Policy and Practice 2004, 237). Its theoretical basis lies in some of the developments

in problem-oriented policing and environmental criminology discussed above. These brought attention to place or location as a key factor in understanding and preventing crime and disorder. Empirically, hot spots policing was influenced by the Kansas City Patrol Experiment conducted from 1972 to 1973 that suggested that changing levels of patrol in a jurisdiction seemed to have little effect on crime (Weisburd and Braga 2006b, 230). In a subsequent study conducted in 1989 (the Minneapolis Hot Spots Patrol Experiment), Sherman and Weisburd (1995) sought to challenge the assumption that police patrol delivered few crime prevention benefits by determining whether patrol would be more effective if it were focused on small discrete places where crime and disorder were concentrated. Using an experimental design, their findings indicated that hot spots that received two to three times the level of preventive patrol compared to the control sites experienced a significant reduction in crime calls to the police and lower levels of disorder. Subsequent research has continued to support the crime control benefits of hot spots policing and challenge the commonplace wisdom that crime merely moves to nearby areas (Braga 2008). This led the National Research Council to conclude that hot spots policing is probably the most promising crime control strategy to have emerged since 1968.

Given the strength of this evidence, it is unsurprising that hot spots policing has become popular on the policing landscape over the last thirty years. There are at least two additional reasons for why police have been quick to adopt a hot-spots approach. First, it demands little change to existing police practices and organizational structures. Research suggests that police can produce significant crime control benefits while still using traditional police interventions, such as directed patrols and proactive arrests, as long as these strategies are focused on high-risk times and places (Weisburd and Braga 2006b). Crime prevention approaches that are tailored to the underlying causes of specific problems and involve collaborations with other city and community organizations might be more effective, but they are also more challenging to implement, often requiring the kinds of institutional support (e.g., officer skills and organizational resources) that police departments lack particularly during a time of declining budgets.

Technological advances since the 1980s in computing and crime mapping have also facilitated the adoption of hot-spots policing. Information from official police reports and calls for service can easily be culled from police databases, mapped, and made quickly available to patrol officers and their superiors. Large police departments began to use crime mapping in the 1990s and according to a survey conducted by the Police Foundation at the end of that decade, 7 in 10 U.S. police departments reported using crime mapping to identify crime hot spots (Braga 2008).

Perhaps one of the most notable features regarding the historical progress of hot spots policing during this period is the central role played by criminological theory and research evidence (Weisburd and Braga 2006b). Unlike other reforms, such as community policing, that diffused rapidly before rigorous evaluation, hot spots policing can be used as an example of the power of science to influence police practice and an illustration of the advances that have been made in police-researcher partnerships over the last two decades (Weisburd and Neyroud 2011).

1.2 POLICE ACCOUNTABILITY AND LEGITIMACY

These innovations in police strategies demonstrate the continuing importance of the police mandate to control crime and to bring offenders to justice. Crime in the United States and in many European nations has declined dramatically since 1990 (Baumer 2011), and unlike the policing environment in the 1970s, there is now general consensus among police scholars and practitioners that current crime control efforts are more effective than those that preceded them (Weisburd and Braga 2006a). There are probably few, if any, that would agree fully with James Q. Wilson's (1978, 63) statement made about a generic police administrator over 40 years ago: "If he knew how to prevent crime, of course he would, but he is in the unhappy position of being responsible for an organization that lacks a proven technology for achieving its purpose."

These increasing expectations about police capacity to reduce crime have been accompanied by interest in establishing more exacting standards for judging institutional performance. In addition to subjecting police crime control efforts to closer scrutiny, the periods of significant social unrest experienced in the United States (during the 1960s and 1970s) and United Kingdom (in the 1980s) also illuminated the power of public judgments about *how* the police go about their work, particularly when it comes to incidents of serious police misconduct or brutality. Citizens expect that individual officers will be held accountable for using their coercive authority in ways that are consistent with laws, administrative standards, and ideas about justice. A relatively new line of research shows that citizens make judgments of police officers and the organizations they work for based on their perceptions of fairness and impartiality and that there is a profound gap between minorities and whites in their trust and confidence in the police (Ivkovich 2011). This section addresses attempts to enhance accountability structures and recent empirical and theoretical advances in a major area of police research, namely police legitimacy.

1.2.1 Institutional Accountability for Police Performance

In the United States the emergence of Compstat demonstrates the growing visibility of a government wide movement toward embracing "accountability as a tool for good governance in both the public and private sectors" (Stone 2007, 247). According to its doctrine, Compstat is a strategic management system that embraces both internal and external accountability. Timely crime data are used to hold middle managers directly responsible for reducing crime and to provide stakeholders with accurate and timely information about how well the police agency is accomplishing its official crime control mission. Compstat originated in the New York City Police Department in 1994 under then-Commissioner William Bratton who articulated specific crime reduction goals—such as reducing crime by 10 percent in a year—for which the organization and its

leaders could then be held accountable (Bratton 1998). Taking accountability for crime outcomes a step further, a leading police scholar in the United States has called for police agencies to measure their performance in relation to predictions about crime rates that take into account economic and socio-demographic factors and risks of recidivism. Big-city departments could then be ranked against one another in a league table according to their actual results (Sherman 1998, 10–11).

Since its inception Compstat has diffused rapidly across the United States, although agencies have tended to favor more modest and flexible crime control goals than those called for by the NYPD model (Willis, Kochel, and Mastrofski 2010). In a national survey of large (>100 sworn) police departments in the United States administered by the Police Foundation in 2000, a third of agencies reported they had implemented a Compstat-like program with a quarter claiming they were intending to do so. Only six years later this figure had doubled, with 60 percent of large police departments in the United States reporting on a national survey conducted in 2006 that they had implemented Compstat or a Compstat-like program (Willis, Kochel, and Mastrofski 2010). Moreover, Compstat's appeal has not been limited to North America: politicians, delegates and police leaders from a host of democratic nations have flocked to New York City (Gootman 2000). Many countries, including England and Australia, have since adapted methods for assessing police performance from the NYPD model.

Unlike the United States, where the structure of policing is highly decentralized, the adoption of performance measurement to enhance accountability in other countries has occurred at the national level. For example, the last two decades in England and Wales have witnessed the arrival of the Audit Commission and managerial techniques adopted from the private sector to enhance accountability for the quality of police service. These changes have resulted in the establishment of performance criteria mandated by the national government to measure budget and crime control priorities. Over time the Audit Commission's focus on Britain's police forces meeting strict targets and making these public has become "an embedded part of police performance and culture" (Neyroud 2008, 343). Recently the British government's push toward making police agencies increasingly responsible for the services they deliver to the public has led to the proposal of a new governance model where directly-elected police commissioners replace police authorities (Herbert et al. 2007; Johnson 2012). The powers of these 41 Police and Crime Commissioners (PCC) include appointing and firing chief constables, holding them accountable for their performance, and setting the police budget. Although it is designed to devolve greater control of the police to local communities, a key element of this approach is the continuance of national level standards for measuring police performance.

1.2.2 Oversight of Individual Officer Behavior

Another recent trend in accountability has taken the form of attempts to revamp administrative structures to help prevent misconduct and increase public confidence in the process of policing, particularly when it comes to use of force against citizens (Stone

2007). It is well established that police officers exercise a great deal of leeway in making decisions, a feature of their daily work which affords ample opportunity for potential abuses of authority. These abuses might take the form of any number of improper behaviors which can provoke a powerful public reaction, including bribery, brutality, and the misuse of deadly force. National and international outrage in response to the 1991 beating of a Rodney King, an unarmed black motorist, by officers in the Los Angeles Police Department recalled memories from the Civil Rights era and revitalized interest in developing internal strategies for strengthening oversight of officers' behavior, and for disciplining officers who behaved improperly while on duty.

1.2.2.1 *Early Intervention Systems*

As data-based management tools for identifying and correcting officer misconduct, Early Intervention Systems (EIS) share Compstat's focus on collecting and using data to address problems and holding managers accountable for doing so (Walker 2003). In 1981, the U.S. Commission on Civil Rights recommended that all police departments put mechanisms in place to help identify officers who appeared to have performance problems, and in 1994 the Violent Crime Control and Law Enforcement Act empowered the Civil Rights Division of the Department of Justice to investigate and bring civil suits against police agencies where there was a pattern or practice of abuse of citizens' "rights, privileges, or immunities secured or protected by the Constitution" (Committee to Review Research on Police Policy and Practice 2004, 280–81). As part of any ensuing settlement, it is common for a consent decree or memorandum of understanding to include the implementation of an early intervention system (Walker and Alpert 2004). The Department of Justice identifies early intervention systems as among its "best practices" for enhancing accountability, and in the United States, the Commission on Accreditation for Law Enforcement Agencies requires an early intervention system in all large agencies (Walker 2003). In 1999, 39 percent of all local law enforcement agencies serving jurisdictions with more than 50,000 people either had an EIS or were planning to implement one (Walker, Alpert, and Kenney 2001).

Although there is significant variation across departments, early intervention systems share three basic principles: selection, intervention, and post-intervention monitoring (Walker, Alpert, and Kenney 2001). The identification of problem officers is based on a number of indicators, which can include citizen complaints, use-of-force reports, official reprimands, and firearm discharges collected over a specified period. The Miami Police Department in Florida which has one of the oldest continuously operating EISs uses these four categories of behavior over a period of two to five years (depending on the category) to identify problem officers to supervisors and managers (Walker and Alpert 2004, 25). Because these systems are designed to identify officers before their actions warrant official disciplinary action, interventions are generally non-punitive and educative and include peer-review counseling and training. Finally, many EISs include a post-intervention strategy for monitoring officers' performance that can be conducted informally by their supervisors or through a more formal observation and evaluation process. The overall purpose of an EIS is to promote a culture of accountability within a

police department. The little research currently available suggests that they can be effective in reducing complaints and other indicators of problem performance against officers, but more rigorous tests are still needed (Walker, Alpert, and Kenney 2001).

1.2.2.2 Citizen Oversight

Recent police history has also seen the growth of citizen oversight as a new accountability mechanism with the potential to change the policing landscape (Walker 2001). In the United States, the notion of special agencies staffed by nonpolice and responsible for investigating and disposing of complaints against sworn officers originated in the Civil Rights Movement, but it has gained momentum nationally and internationally over the last twenty-five years (De Angelis and Kupchik 2007). In 1975, for example, there were only seven citizen oversight agencies in operation in the United States, but now there are over a hundred in law enforcement agencies that cover as much as one-third of the U.S. population (Walker 2001, 6). Other English-speaking democracies have shown similar interest in creating external bodies to oversee police, including Britain which in 2004 established a new model for dealing with serious complaints of police misconduct, the Independent Police Complaints Commission (IPCC) (Seneviratne 2004).

In the United States, the police historian Samuel Walker (2001, 34) traces the increasing support for civilian oversight to a number of historical trends including an increase in the political power of African Americans in cities and towns through the election of mayors and city council members and the movement toward community policing with its emphasis on police-community partnerships. Both in the United States and abroad, calls for strengthening citizen oversight are often precipitated by events of police misconduct that challenge police credibility.

Proponents claim that compared to a complaints system administered solely by the police, citizen oversight improves the overall quality of the process by making it more objective, thorough, and transparent; provides greater satisfaction for individual complainants; and increases public confidence in the police (De Angelis and Kupchik 2007). Most citizen oversight models might share these goals, but their structural and power arrangements vary widely with as many as six different models being identified in the literature (Prenzler and Ronken 2001, 156). David Bayley provides a useful typology for making comparisons between different forms of civilian oversight by distinguishing between the degree to which nonpolice play a role in investigating complaints and in deciding on an appropriate punishment (Bayley 1995). In the United States and in the United Kingdom, departments generally rely on a civilian review model where police are responsible for both stages of the complaints process and civilians are primarily limited to a monitoring role. This can be considered a compromise that tries to balance police interest in the autonomy and self-governance of their organizations with calls from outsiders for a fully independent complaints process. In comparison, a citizen control model operates with much greater independence from the police (Prenzler and Ronken 2001). Northern Ireland, for example, adopted a police ombudsman model for addressing civilian complaints in 1998 (the Police Ombudsmen for Northern Ireland, or PONI). Characterized by some as one of the most progressive models for police

oversight in the world, it has its own staff for conducting investigations, can make recommendations on disciplinary matters, and can be easily accessed by any member of the public at any time (Seneviratne 2004).

1.2.3 Police Legitimacy

These attempts to reshape the structures and processes of accountability and control between the police and the community illuminate the importance of the degree to which the public perceives the police as legitimate. Despite the advances in police-community relations that have been made since the 1960s, tensions between the police and racial and ethnic minorities continue to make front-page headlines. Over the last twenty years, perhaps no single issue in the United States has brought the police under more intense scrutiny than racial profiling. Widespread alarm about police officers using race or ethnicity as a factor when deciding to stop, search, or arrest people reemerged in the 1990s. In 1999, for example, 59 percent of the American public perceived racial profiling by the police as “widespread,” and in 2000, 75 percent viewed it as a problem in the United States (reported in Gallagher et al. 2001). Blacks are much more likely to perceive racial profiling as a common practice, and this contributes to their lowered perceptions of police legitimacy compared to whites (Tyler and Wakslak 2004). Blacks are also consistently less likely than whites to report that they are treated well in their interactions with police officers and more likely than whites to express general dissatisfaction with the police (Weitzer and Tuch 2006).

The Committee to Review Research on Police Policy and Practice’s (2004, 291) definition of legitimacy as “the judgments that ordinary citizens make about the rightfulness of police conduct and the organizations that employ and supervise them” suggests at least two different police approaches for building legitimacy and support among the public. Adopting this definition here helps illustrate several noteworthy developments in the recent history of police.

At the broad organizational level, police agencies can demonstrate that they are responsive to their constituents by implementing programs, policies, and procedures designed to meet their expectations or needs. Doing so promises significant financial, political, and community support in the form of tax revenues, crime control legislation (e.g., gun, curfew, or trespass laws), or community members’ participation in crime prevention programs (Mastrofski 2000). At the level of individual encounters with the public, officers can enhance citizens’ perceptions of legitimacy by treating them in ways perceived as fair and respectful. Research suggests that people who regard the law and legal authorities as legitimate are more likely to obey the law, defer to an officer’s directives, support the crime fighting efforts of the police by identifying criminals and reporting crimes, and even to appear as witnesses at criminal court trials (Reisig, Bratton, and Gertz 2007; Tyler 2004, 2009; Robinson, Goodwin, and Reisig 2010). Since the 1990s a large body of research, much of it conducted by Tom Tyler and his colleagues, has emerged on the process-based elements that lead people to obey the law or legal

authorities voluntarily (see Tyler 2003 for a review), while less is known about how and how much any changes to organizational structures contribute to public perceptions of police legitimacy.

Given the popular notion that the primary responsibility of the police is to fight crime, police organizations can build legitimacy by adopting programs that either professional norms or scientific research suggest are most effective and efficient in promoting the goal of public safety (Committee to Review Research on Police Policy and Practice 2004, 308–09). Compstat is a good example of the former as it has become widely accepted among police administrators, policy makers, and police professional associations (e.g., PERF) as a cutting-edge crime control program despite little rigorous research on its effectiveness (Willis, Mastrofski, and Weisburd 2007). Although it is still in its early stages, predictive policing, which has suddenly emerged in the United States, might be taking a similar path toward professional validation. Regarded by its supporters as an extension of Compstat's focus on using analyses of timely crime data to drive police strategies, predictive policing combines crime and non-crime data (e.g., economic data on housing foreclosures) with forecasting, modeling, and sophisticated statistics to help make predictions about where crime is likely to occur in the future so that it can be prevented. To date, anecdotal evidence of its crime control effectiveness has been positive although its legitimacy-conferring potential might be hampered by concerns that it will be used to profile specific groups and treat them unfairly (Ferguson 2011).

At the same time, there is reason to believe that the police are paying increasing attention to what works in reducing crime when making decisions (Bayley 2008). An important development in this regard, and one that has gained momentum since the late 1990s, is the “evidence-based policing” movement whose origins lie in the 1997 University of Maryland report evaluating the effectiveness of various crime control approaches (Sherman et al. 1997). Drawing repeatedly on the analogy of medical research (Thacher 2001), evidence-based policing has become largely synonymous, although not exclusively, with a scientific approach that promotes the use of randomized controlled trials to measure the effects of different crime control “treatments” on reducing crime and disorder (Sherman 1998; Welsh 2006). Today a growing number of researchers as well as the federal government embrace the assessment of different crime strategies through controlled experiments and systematic research reviews. Not only has this approach led to calls for a new model of police-practitioner partnerships, one where the police take ownership of science and researchers participate more actively in the daily operations of police (Weisburd and Neyroud 2011), but the degree to which evidence-based policing is becoming recognized as a “best practice” suggests a relatively new and potentially powerful source of police legitimacy for those agencies with the will and skill to adopt its tenets.

Although assessments of police effectiveness in fighting crime affect people's perceptions of police legitimacy, research suggests that a more important factor in many, but not all situations, is judgments about whether the police treat them in fair and considerate ways (McCluskey 2003; Sunshine and Tyler 2003). That is, public evaluations of the legitimacy of the police are powerfully influenced by procedural justice judgments

that occur both at a general institutional level and at the level of personal interactions with the police as victims, offenders, witnesses, bystanders, or persons reporting crimes (Tyler and Huo 2002).

Tyler identifies four key elements of procedural justice: (1) participation (people are more satisfied with procedures that allow them to give input before a decision is made about how to handle a problem); (2) neutrality (people desire evenhandedness and objectivity or police officers putting aside their personal views when making decisions); (3) dignity and respect (people care about being treated with politeness and having their rights acknowledged); and (4) motives (people are more likely to see procedures as fair when they trust the motives of the police officer) (Tyler 2004). The fact that procedural justice judgments are equally important to blacks, whites, and Hispanics has important policy implications (Tyler 2000). It suggests that a procedural-justice based approach to policing, one that officers could be trained in, could help improve police-minority relations in the United States. At the same time, it is unclear whether these dynamics of procedural justice would have similar effects on police legitimacy in other nations, particularly in those places where people feel considerably alienated from police authorities. In Ghana, for example, a study showed that public cooperation with the police was influenced by perceptions of police effectiveness in fighting crime rather than considerations of procedural fairness (Tankebe 2009).

Finally, procedural justice is closely tied to another innovation that has reemerged over the last thirty years and that has implications for the police (Braithwaite 1999; Shapland 2003). Restorative justice presents a different moral vision than the current criminal justice system's emphasis on deterrence and retribution—one that is based on reconciliation and persuasion (Sherman 2003). It is multifaceted, but a key feature of some programs is the use of specially trained police officers to manage victim-offender conferences. The purpose of these conferences is to help repair the harm caused by a particular offense and to prevent the commission of future crimes by victims, offenders, and others who have been harmed. Restorative justice has emerged across the world as a powerful movement for reform (Braithwaite 1999), although its influence in the United States remains fairly limited compared to other nations, such as Northern Ireland and New Zealand, where it has been implemented on a larger scale (McGarrell et al. 2000; Shapland 2003).

1.3 POLICING TERRORISM

As police organizations have striven to improve crime strategies and police-public relations, they have also been forced to confront a new set of challenges that have implications for both. In the aftermath of the terrorist attacks of September 11, 2001 on the World Trade Center and the Pentagon, much attention has focused on America's political and organizational response in waging wars against Iraq and Afghanistan and in retooling different federal agencies to more effectively attack, prevent, and respond

to terrorist threats. Regarding responses to the new threat, one of the most important changes of the last decade has been the creation of the Department of Homeland Security in October 2001 under which many federal agencies have been regrouped (including the Transportation Security Administration and U.S. Immigration and Customs Enforcement) (Maguire and King 2011, 328–29).

At the same time, the 9/11 attacks have resulted in concerted efforts to mobilize local and state police as a vital resource on the war on terror. As many have observed, given the economy of scale of local compared to federal law enforcement, local police agencies are a vital resource for preventing, planning for, and responding to terrorist attacks. In 2007, there were an estimated 693,346 full-time sworn officers working in state and local law enforcement agencies (Bureau of Justice Statistics 2010). Compare this to the roughly 13,000 special agents working for the Federal Bureau of Investigation, the federal agency whose primary responsibility is “to prevent acts of terrorism before they happen” (Federal Bureau of Investigation 2012). As part of this movement, structures such as the Joint Terrorism Task Forces (JTTFs) have been rapidly expanded to try and coordinate intelligence-sharing and investigations among federal, state, and local law enforcement representatives (Kelling and Bratton 2006; Lum et al. 2009). There have also been significant developments in research in this area, including the establishment of the National Consortium for the Study of Terrorism and Responses to Terrorism (START) at the University of Maryland for the scientific study of the causes and consequences of terrorism.

What precise role local police agencies should play in combating the threat of terrorism, as well as its implications for crime prevention and police-community relations, is unclear. Part of this ambiguity can be explained by the sheer number and diversity of activities that fall under the guise of counterterrorism. Some of these are closely aligned to the traditional role of the police, such as identifying suspicious persons and activities. Vehicle stops or foot patrols, for example, are opportunities to identify suspects that are on federal watch-lists or to spot activities that might be related to plans for a terrorist attack (Mastrofski and Willis 2010). Of course, the effectiveness of these tactics depends a great deal on the quality of the information that the police are able to gather and how easily it can be shared with other agencies, especially at the federal level, to return accurate and actionable “hits.” Prevention also includes local police routinely mobilizing the community to provide information and developing a capacity to perform risk analyses of potential targets and finding ways to make these less vulnerable to attack. In a post-9/11 world, local police, along with other emergency services, are also expected to play a key role in response and recovery operations and to develop investigative expertise on terrorism through their participation in regional networks and JTTFs (Maguire and King 2011, 341–42). The extent to which police engage in surveillance and covert operations (e.g., using undercover agents or informants) to collect intelligence represents the most radical change to a traditional law enforcement model based on visibility and transparency and thus the change most likely to provoke resistance (Bayley and Weisburd 2009, 82; Mastrofski and Willis 2010, 121).

In some large agencies, such as the New York Police Department, there is evidence of significant transformations to existing police organizational structures and practices in response to the threat of terrorism. The NYPD, for example, has established a large and sophisticated counterintelligence division with detectives who can speak Pashto and Arabic stationed throughout the world, and Chicago has recently announced plans to follow suit, albeit on a smaller scale (Dickey 2009; Lepeska 2011). However, these changes are not representative of most local police agencies in the United States. The little research that has been done suggests that local police have preferred to emphasize interagency coordination, training, and general preparedness rather than adopting new terrorist-oriented “on-the-ground” tactics (Lum et al. 2009). In a 2007 survey administered to police agencies in the United States that asked about 63 counterterrorism activities, 80 percent of large police departments reported cooperating regularly with other state or local law agencies and having received training on biological or chemical hazards, with 70 percent having engaged in terrorism-focused emergency drills. In comparison, 22 percent reported checking the residency/immigration status of arrestees and 15 percent had a database for terrorism information (Lum et al. 2009, 112–19). The kinds of covert and proactive surveillance and investigative activities associated with “high policing” were also among the least implemented (Bayley and Wiesburd 2009): only 17 percent of large departments reported using video cameras in public places and 6.5 percent conducted random searches in these places. Only 11 percent had increased the number of personnel assigned to counterterrorism duties (Lum et al. 2009, 112–19). These findings are consistent with other surveys, leading some to conclude that “little has changed in the policing of Mayberry post-9/11” (Schafer, Burrell, and Giblin 2009, 283). While the events of 9/11 have undoubtedly impacted local law enforcement (Bayley and Weisburd 2009, 86), most departments remain committed to their traditional responsibilities of controlling crime and disorder and providing services to their local communities while pushing terrorist-oriented activities to the periphery of daily operations (Mastrofski and Willis 2010, 123).

One key reason for the reluctance of police leaders to make counterterrorism activities central to their operations, especially when it comes to engaging in the most intrusive and disruptive activities, is their potential for undermining police-community relations. Hard-fought improvements in trust and transparency have been won over the last few decades, and so it is unsurprising that many police leaders are reluctant to jeopardize the collaborations and problem-solving efforts that they have developed with local residents and business owners (Thacher 2005). This threat to police legitimacy is especially pronounced among those Arab or Muslim American communities that are most likely to be the focus of counterterrorism attention from the police. In a recent survey conducted by the Pew Research Center (2011, 48), 52 percent of Muslim Americans believe the U.S. government’s anti-terrorism policies single them out for increased surveillance and monitoring with 38 percent saying this bothers them “a lot or some.” While there is a general lack of research on the impact of anti-terror efforts by local law enforcement agencies on Muslim Americans, some evidence indicates that members of these communities are most likely to cooperate with the police to combat terrorism and

to report specific terror-related activities when they perceive them to be legitimate. Key to these perceptions are the extent to which local police authorities seek and consider the views of these segments of the community when making policies to combat terrorism and whether these policies are implemented fairly (Tyler, Schullhofer, and Huq 2010, 368, 377).

Thus, despite the social, political and historical significance of the events of 9/11, it appears that local police have not been quick to adopt a new style of “homeland security” policing (Oliver 2006). In contrast to terrorism, everyday crime remains the core concern of the police, and local agencies continue to devote the lion’s share of their resources to their traditional functions of uniformed patrol and answering calls for service and to engaging with local communities to prevent it.

1.4 CONCLUSION

Change, like beauty, tends to lie in the eye of the beholder. To some this recent history of police can be interpreted as a period of significant reform. Indeed, if one were to imagine what police work looked like to a patrol officer in 1982 compared to an officer working in 2012, there are some notable differences. For instance, today’s officer may not have full knowledge of the scholarship that has advanced understanding about crime control during this period, but she would surely feel the effects. Perhaps she has been temporarily assigned to a problem-solving project or to patrolling a street block during certain times to address a recent spate of burglaries that have been electronically mapped and delivered via her patrol car’s laptop computer. Moreover, she might be required to use her unassigned time to tackle physical and social disorder in her beat in order to improve its quality-of-life and also to enhance police-community relations. Her patrol sergeant might also ask that she attend a community meeting to discuss recent crime strategies, listen and respond to problems raised in this context, and make suggestions for how residents might assist the police in their crime prevention efforts. If she were employed by a large police department, it is likely that she will know about what transpired at the agency’s recent Compstat meeting, including whether or not the chief was satisfied by a recent decline in assaults over the previous reporting period. At the same meeting, the top brass may also have discussed changes in the number of citizen complaints against the department or the status of problem officers identified as part of a revamped early-warning system. Throughout all of this, technological advances in computing and communications would be especially visible.

However, much would also have remained the same, and were our two fictional officers to have a conversation, they would probably find they have much more in common than not despite the years between them. It is probably fair to say that the adoption of more strategic approaches for patrolling does more to illustrate the willingness of U.S. police agencies to try new crime control methods over the last 30 years than to fundamentally change what they do and how they do it (Mastrofski and Willis 2011, 83).

Much of the research suggests that while police have been generally receptive to these innovations, they have adapted them in ways that are minimally disruptive to the core police technology of routine and reactive patrol that has distinguished the police for the last seventy years, never mind the last thirty (Cordner and Biebel 2005; Mastrofski 2006; Willis, Mastrofski, and Weisburd 2007; Braga and Bond 2008).

Similar to the patrol officer in 1982, the main responsibility of our 2012 officer would be to engage in preventive/reactive patrol while making herself available to all manner of citizen requests through the department's 911 system. The patrol methods informed by recent scholarship on reducing crime and disorder and supported with federal monies might consume part of her day, but they would no doubt remain peripheral to her traditional patrol function. More importantly, perhaps, research would continue to offer her little in the way of guidance in terms of helping her figure out what constitutes good police performance in her encounters with the public. The emergence of legitimacy-based policing has drawn attention to the importance of the process-based actions of police officers to citizen assessments of police fairness and concern, but the majority of this research has not focused on what this actually means for those patrol officers working the street and who are charged with turning policy into practice. Indeed, this is a criticism that can be leveled more generally at police scholarship from this period under review; it has done a far better job of addressing the concerns of policy makers and police managers than the interests and perspectives of front-line workers (Thacher 2008). Thus the evidence-based research movement has made an important contribution to our understanding of effective policing, but it has generally focused on assessing what does and does not work in reducing crime and disorder than on whether or how often police "do the right thing" or make the best choice in using their discretion. As of yet, we do not have any standards for assessing the quality (rather than quantity) of patrol officer performance (Mastrofski 1996, 2004). In light of this lacuna, future research should consider ways that social science can advance knowledge about the craft of patrol work and engage with its essential normative dimensions since improvements in policing ultimately rest on the shoulders of those who do the work at the "coal face" and the judgments they make about what qualifies as good or bad policing (Bayley 2008, 13; Willis 2012).

NOTES

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- * The author is very grateful to Stephen Mastrofski for his advice and encouragement during the writing of this essay.
 - 1. In the United States, the commissions and their reports were the President's Commission on Law Enforcement and Administration of Justice (1967) and the National Advisory Commission on Social Disorders (1968). In the United Kingdom, the Home Secretary appointed Lord Scarman (1981) to lead a local inquiry into the Brixton riots.
 - 2. Although distinct in important ways, order maintenance, or Broken Windows policing, is commonly associated with community policing (see Mastrofski 1988; Weisburd and Braga 2006a; Reisig 2010).

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CHAPTER 2

POLICING URBAN DRUG MARKETS

LALLEN T. JOHNSON

THINKING ecologically, it is important to theorize on the extent to which shifting community dynamics shape the role and effects of policing urban drug crime. In particular, scholarship must draw connections at the intersection of drug crime, policing, and social demographics. An analysis bereft of the above severely limits our understanding of drug offending, and appropriate responses to such offending. Notwithstanding the above, drug abuse and distribution adversely affects American society in a myriad of ways and is extremely costly. According to the Office of National Drug Control Policy (2004), in 2002 drug related costs totaled \$180.9 billion. “This value represents both the use of resources to address health and crime consequences as well as the loss of potential productivity from disability, death and withdrawal from the workforce” (Office of National Drug Control Policy 2004, vi). The public health consequences of drug abuse are equally dire. In 2010 alone, over 1 million individuals were admitted to hospital emergency departments for illicit drug abuse (Substance Abuse and Mental Health Administration 2012).

Social concerns about drug and drug-related crime abound, in particular drug-related violence. Considering the criminalization of drug use and distribution, actors in illicit markets suffer from a poverty of options in addressing market disputes—the result of which may be violence (Goldstein 1985). In turn, the prevailing assumption of drug crime (and drug-related crime) is that it is associated with those residing in communities of low socioeconomic status, with high minority populations, and in the inner city (Saxe et al. 2001). Research, however, has cast much doubt on assumptions of minorities and drug use (Johnston, O’Malley, Bachman, and Schulenberg 2010), and community level drug crime-violence linkages (Lum 2008).

In response, law enforcement has engaged in a number of militaristic (and generally ineffective) tactics to address drug crime, much of which was encouraged by top-down propaganda developed from the federal government (C-Span 1989) and media (Brownstein 1991; Gilliam and Iyengar 2000). Such approaches tend to be focused on inner-city, poor, minority environments, calling into question the equity of the drug war

(Provine 2011). It should come as no surprise, therefore, that as of January 2013, 90,394 or 47 percent of federal inmates were serving time for a drug offense (Federal Bureau of Prisons 2013), and that blacks are significantly more likely to be arrested and incarcerated for drug offenses than their white counterparts (Austin and Allen 2000). In spite of structural shifts, as well as existing social conditions such as economic isolation, poverty, and hyper-segregation that facilitate offending (Peterson and Krivo 2010), the nature of drug enforcement within poor urban communities is predicated on the idea of punishment (Provine 2011).

This essay describes the development of urban drug markets and the ensuing enforcement strategies designed to reduce drug crime in structurally disadvantaged communities. Section 2.1 highlights the changing social and economic conditions during post-war America, as well as the resulting effects of concentrated disadvantage and social/racial isolation. This section also traces the development of illicit drug markets in urban communities characterized by racially-concentrated economic disadvantage. Section 2.2 focuses on the evolving drug economy as a replacement for a legal economy, and addresses the extreme violence that came with the introduction of crack cocaine into American urban centers. This section also discusses the role of gangs, as well as the concept of “self-help” with respect to social control in drug markets. Section 2.3 describes the racial stereotypes often invoked to symbolize urban drug markets, and the evolving federal policies designed to help federal and local police fight the so-called drug war. This section highlights the disproportionate consequences of drug enforcement strategies experienced by many urban communities of color. Finally, Section 2.4 draws several conclusions regarding both the past and future of policing urban drug markets. In particular, this section argues that policing should rely less on legalistic interventions, while working with community partners to create drug reduction solutions based more on cooperation than coercion.

A number of conclusions can be drawn:

- Declines in manufacturing and factory production in post-World War II America led to the creation of racially-concentrated structurally disadvantaged communities in many large cities, and the subsequent development of drug markets as a response to sustained joblessness and poverty in these communities.
- As addiction rates have increased in urban drug markets, violent crime has also increased due to drug-related robberies, as well as conflict over turf.
- Communities characterized by extreme structural disadvantage are least able to mobilize in ways that protect against the development and operation of illicit drug markets; and as a result they suffer from both the effects of high addiction rates, as well as the violence that accompanies drug corners.
- The creation of federally funded drug enforcement task forces has concentrated drug policing in structurally disadvantaged, racially isolated, communities—in many cases, exacerbating rates of local violence as police and drug dealers engage in armed conflict.

- Despite that many, if not most, residents of disadvantaged communities of color do not support the illicit drug market, they often hold even less favorable attitudes toward police due to the real or perceived abuses of authority that often accompany police interventions.
- Evolving police interventions should deemphasize purely legalistic approaches to drug enforcement, while attempting to leverage community resources, participation, and support for alternative police strategies to not rely exclusively on coercion to achieve results.

2.1 STRUCTURAL SHIFTS, OPPORTUNITY STRUCTURES, AND DRUG CRIME

Ecological shifts post-World War II have set in motion a series of socio-economic setbacks for urban, economically distressed, minority communities. Crime, and drug crime in particular, is a byproduct of such shifts. Massey and Denton (1993) argue that the loss of low-skill manufacturing positions in the inner city contributed to the jobs-skills mismatch common in many post-industrial American cities, which in turn created new pockets of poverty in urban centers.

Federal post-war policies led to highway development which also opened up suburban tracts for residential and industrial development (Kasarda 1989). Around that same time the Home Owners' Loan Corporation (HOLC) and Federal Housing Administration (FHA) developed redlining practices that further isolated blacks to inner city neighborhoods and limited racial integration. Additionally, the Housing Acts of 1949 and 1954 provided urban renewal grants to demolish low-income blighted neighborhoods for the development of public works projects and public housing (Massey and Denton 1993).

Collectively, these practices contributed to the isolation of poor minorities in the inner city while allowing the middle class to relocate and reallocate their tax dollars to suburban jurisdictions. But, because blacks are segregated to a small number of neighborhoods, black poverty is also confined to those neighborhoods. Whites are not as spatially confined; therefore, white poverty is more able to evenly distribute itself across space, resulting in white poverty not being as spatially concentrated as black poverty (Massey and Denton 1993; Massey and Fischer 2000).

2.2 DRUGS, VIOLENCE, AND COMMUNITY DISADVANTAGE

Absent legitimate opportunities, some residents of economically distressed communities may find themselves seeking employment outside of the legitimate economy. One

such illicit economy is that of the drug trade. The arrival of the 1980s crack-cocaine era presented unique yet illicit opportunities for inner-city black males to acquire money and status through drug sales (Anderson 1999). Yet the nature of such exchanges places participants in complicated situations. Because both sellers and buyers are breaking the law and neither desires arrest, they must make a personal connection that indicates they are not police officers. Further, drug buyers seek reassurances that dealers will not rip them off. While, conversely, dealers seek reassurances that buyers will not try to steal their money. With all of these constraints in place, these actors must converge in time and space in such a way that sellers can profit and buyers satisfy narcotic dependencies. Furthermore, such micro-level interactions within a socio-economically deprived context have implications for community violence.

Concentrated disadvantage appears to be strongly related to drug market activity, with drug market activity in turn having a strong causal connection with robbery rates (Bursik and Grasmick 1993; Berg and Rengifo 2009). Such communities tend to be socially disorganized and unable to regulate drug crime and the related violence that it engenders (Berg and Rengifo 2009). However, even controlling for sociodemographic factors such as instability, heterogeneity, and deprivation, drug activity still has a significant positive effect on assault and robbery rates (Martínez, Rosenfeld, and Mares 2008). Other research has explored the possibility that the drugs/violence nexus is contingent upon sociodemographics. Ousey and Lee (2002) found that increases in drug arrest rates were positively related to homicide rates; however, that relationship is contingent on the preexisting level of resource deprivation. In other words, when the level of resource deprivation is at or above the average, drug crime rates are positively related to homicide rates, but when the level of preexisting deprivation is less than the average the relationship is negative.

The risk of homicide is likely due to the association of outdoor drug markets with the use of guns (Mieczkowski 1992; Messner et al. 2007), as young minority males seek protection while engaging in the risks of drug dealing (Blumstein 1995). Not only are guns instrumental in protecting inner-city dealers from the risks of the drug trade, but carrying guns and being prepared to use them as necessary is a symbol of status; and, ideally such presentations self-serve to protect dealers from their rivals (Anderson 1999).

Research has also found the above relationships among drugs and violent crime to demonstrate spatial dependency (Zhu, Gorman, and Horel 2006). Using data from Houston, Gorman, Zhu, and Horel (2005) found that drug crime accounted for 72 percent of the variation in violent crime, with significant spatial lag effects. Spatial research has also revealed that not all drug markets are violent, suggesting that research should consider the systemic factors by which they vary (Lum 2008). Such considerations are explored below.

The systemic model is rooted in Donald Black's (1976) theory of law and self-help (Ousey and Lee 2004; Jacques and Wright 2008; Jacques 2010). According to Black, social groups may employ a number of methods to address conflict; however, the decision to resort to violence depends on a social group's relative position on the social ladder. "In other words, as people or groups gain status, their access to law increases and, in turn their involvement in retaliation decreases" (Jacques 2010, 188). Because of this,

marginalized groups may be more likely than more highly-positioned, wealthier groups to resort to violence, or what Black describes as “self-help,” to settle disputes.

In turn, lower status or less “respectable” groups such as drug offenders are subject to additional social control by the law, even though they cannot use the law to their benefit. The perceived threat by higher-status members of drug dealers and buyers may allow higher-status members to use their social positions to apply strict penalties to drug offending. This would further increase the isolation of drug offenders from legal remedies, leading their problem-solving solutions to be centered around violence (Black 1976).

Gang drug-dealing organizations, operating in an extra-legal paradigm, are exemplary of the self-help concept. Gangs typically have a set space where they carry out leisure and “business-related” activity which essentially serves as a node or base within their routine activities (Tita, Cohen, and Engberg 2005). Drug selling and shots fired calls to the police appear to concentrate within and near such areas, which may be suggestive of conflict between rival gangs or at least between the gang in question and the community (Tita and Ridgeway 2007). Other research has shown that corners that are a part of gang drug selling territory are associated with about two times higher counts of violent crime events than corners that are not a part of gang set space (Taniguchi, Ratcliffe, and Taylor 2011). Furthermore, corners where multiple gangs have sold or those under dispute experience violent crime counts almost three times higher than non-gang corners.

Additional environmental features are significant for systemic drug violence. Goldstein (1985) argues that the nature of drug market areas is such that they provide a substantial number of robbery targets. Fixed-site drug distribution and use locations such as crack houses and shooting galleries present opportunities for robbery victimization (Brownstein, Spunt, Crimmins, and Langley 1995). The following quote from a drug robber respondent interviewed by Brownstein and colleagues illustrates this point:

I had noticed one of the guys that had been standing behind the scale went for his pocket, and I was always told, “Never allow anybody to move after the specific orders were given.” So when he went to go, I pistol-whipped him. When I pistol-whipped him, the bullet hit the next guy. . . . Actually, the one I took his life, it wasn’t called for. The bullet wasn’t meant for him. The bullet wasn’t meant for either of them. It was to show [that] when orders are given, don’t do nothing but what you are supposed to do. (490)

A significant aspect of drug market violence overlooked by Goldstein (1985) is that which may take place between the community and buyers and/or dealers. Law abiding residents living in drug market areas may become violent against users and dealers if they feel the criminal justice system is ineffective in addressing the problem. Such vigilante justice, however, places law-abiding residents at risk of bodily harm, as well as sanctioning by the criminal justice system (Brownstein et al. 1995). To a lesser extent, residents may also become verbally hostile and condemn drug dealing in their communities, but even this has the potential to lead to violent confrontations if a dealer sees the area as profitable (St. Jean 2007).

Although the above provides examples of systemic forms of violence, it is important to remember that such violence is situated within the ecological shifts of urban settings. In other words, urban drug markets are in part a reflection of an inner city devoid of employment opportunities and institutions that facilitate them. Again, urban race and class segregation is determinative in terms of access to upward mobility (Briggs 2005). When segregation takes place in the form of income and race, not only are African Americans isolated to a few select communities, but the outcomes of African Americans in terms of poverty, joblessness, education, and inequality are also disproportionately focused in such neighborhoods, making them subject to random economic shifts (such as the loss of low-skill jobs) (Massey and Denton 1993). Much criminological research has shown that opportunity structures such as access to poverty (or lack thereof), education, and employment are strong predictors of deviant behavior (Hipp 2007; McCord and Ratcliffe 2007; Uggen 2000). Peterson and Krivo's (2010) study of over 9,000 neighborhoods grouped by race across 91 cities is particularly telling. Not only are communities of color likely to be subject to conditions of disadvantage; they are more likely than their white counterparts to demonstrate multiple forms of disadvantage. Fifty-six percent of African American neighborhoods and 51 percent of Latino neighborhoods demonstrated at least four distinct forms of extreme disadvantage, compared to 1 percent of white neighborhoods.

Such conditions may undermine the ability of residents to regulate illicit drug sales (Bursik and Grasmick 1993; Bursik 1999). In turn, communities suffering from multiple forms of disadvantage may find it difficult to regulate crime through informal and formal mechanisms (Peterson and Krivo 2010). The question here is whether the highly raced and classed context of inner city neighborhoods conditions law enforcement responses to drug crime. Are the responses of law enforcement to drug markets conditioned by *who* versus *what* is being policed?

2.3 POLICING DRUG MARKETS: COMMUNITY RACE AND STATUS

The 1980s brought about substantial changes in the way the American criminal justice system dealt with drug abuse, through the Anti-Drug Abuse Acts of 1986 and 1988. Around the same time, media reports suggested that the pharmacological effects of crack were more dangerous than its powdered form (Baum 1996), and that middle-class whites were at risk of victimization by inner-city crack-addicted minorities (Brownstein 1991). Yet even prior to the 1980s, people of color have been used to exploit fears of illicit drugs. Examples include media articles depicting cocaine-addicted African Americans as resistant to bullets (Williams 1914) and sexually violating white women (Schatzman 1975), federal statutes exclusively prohibiting Chinese immigrants from smoking and

importing opium (Latimer and Goldberg 1981), and more recently criminal justice responses to the “crack baby” epidemic targeting minority women (Logan 1999).

Research clearly violates the above stereotypes. For example, findings by Saxe and colleagues (2001) indicate that African Americans and Latinos are more likely than their white counterparts to report witnessing drug sales in their neighborhoods. Yet, while residents of high-minority communities are more likely to witness drug sales, they are less likely to engage in drug use or become dependent than residents in low-minority communities.

In spite of competing and convincing evidence of the extent of minority drug use, one must consider the extent to which criminal justice actors and policymakers consciously or subconsciously internalize racist and classist stereotypes about drug crime. One would be naïve to assume that such individuals, who also live in a society highly structured by race, would be insulated from such ideologies (Bonilla-Silva 2001). In particular, research has indicated that the presence of physical racial cues associated with African Americans can lead to bias in the criminal justice system. Controlling for offense type and race, Florida defendants with Afrocentric facial features tended to receive lengthier sentences than those with fewer Afrocentric features (Blair, Judd, and Chapleau 2004). These findings suggest two things: 1) Some criminal justice actors, too, may associate criminal behavior with African Americans, and 2) deviant behavior by African Americans in the criminal justice system is more likely to be seen as a cultural, rather than individual failure (Muhammad 2010). Furthermore, findings demonstrate that overt racist policies are unnecessary for bias to occur in criminal justice decisions. Unchecked discretion throughout the criminal justice system leaves room for those in marginalized positions to be exploited without the need for racial justifications (Alexander 2012).

Turning specifically to law enforcement, federal funding programs such as the Edward Byrne Memorial State and Local Law Enforcement Assistance Program have proven particularly problematic in the targeting of racial minorities for drug offending. The program, established in 1988 and administered by the U.S. Department of Justice, provides funds for state and local criminal justice agencies in multiple focus areas. Among these areas is the establishment and operation of multi-jurisdictional drug task forces. From the program’s inception in 1989 to 1991, \$738.4 million has been allocated to such task forces (Dunworth, Haynes, and Saiger 1997). Yet, in spite of such lofty expenditures toward task forces, research suggests that task force member agencies are not necessarily more productive than non-member agencies (Novak, Hartman, Holsinger, and Turner 1999).

Egregious abuses of authority have occurred under drug task forces, through race-based arrest policies. Over a fifteen-year period residents of Hearne, TX have experienced drug sweeps targeted at the African American community. In a court petition noting the most recent sweep, complainants noted that the task force engaged in a number of warrantless searches, violating Fourth and Fourteenth Amendment rights. Further, the director of the task force based sweeps on information derived from a coerced burglary and drug offender with mental health issues. The informant

was instructed to purchase illicit drugs from a number of predetermined individuals and note that such purchases occurred within a school zone. He was also provided with drugs that were to be used to implicate the suspects. The informant was threatened such that if he failed to comply he would be sentenced to prison for at least 60 years with a cellmate that would repeatedly sexually violate him. In November of 2000 alone, 28 individuals were arrested in a single raid and held in jail for periods of up to 5 months. Lacking credible evidence, charges for the vast majority of individuals were subsequently dismissed (*Kelly v. Paschall*, 124 Fed. Appx. 259 [2005]).

A study of Seattle drug offenders found that while 79 percent of those arrested for crack cocaine dealing were African American, survey data indicated that only 47 percent of crack dealers were of the same race (Beckett, Nyrop, and Pfingst 2006). In addition, findings revealed that geographic targeting has implications for arrests rates by race. Researchers noted during observation that while hundreds of outdoor drug transactions occurred in the mostly white Capitol Hill neighborhood, arrests were uncommon. By comparison, the more racially diverse downtown drug market experienced 25 times the amount of drug arrests as Capitol Hill, even though drug transactions in downtown exceeded those in Capitol Hill by only 4 times. And, blacks represented 70 percent of downtown arrestees. Overt or not, tactical deployment decisions have clear implications for racial disproportionality and call into question whether deployment tactics are a response to a perceived racial threat (for more on racial threat hypothesis see Kane (2003) and Kane, Gustafson, and Bruell (forthcoming)).

Another perceptively biased law enforcement tactic is that of asset forfeiture. The Comprehensive Drug Abuse Prevention and Control Act of 1970 allows federal law enforcement agencies to seize property and proceeds associated with or derived from drug transactions (Office of the Inspector General 2012). Seizures are derived from joint federal, state, and/or local efforts, and profits may be divided on a 20 percent (federal), 80 percent (state and/or local) scale (Alexander 2012). Since most seizures occur without criminal proceedings (because the property, not the person is deemed guilty), defendants are left to seek and pay for their own legal assistance (Alexander 2012). Such an approach has a disparate impact on low-income individuals, rather than the wealthy drug kingpins who are the law's intended targets. Disinterest in addressing the class-based issues of asset forfeiture may be attributed to the reliance of law enforcement departments on the proceeds. In a survey of 383 large police departments, Worrall (2001, 179)) found that 46 percent of law enforcement executives agree with the statement that "[c]ivil forfeiture is necessary as a budgetary supplement." At the very least, forfeiture calls into question issues of fairness among defendants, and ethics in policing.

As a result, one must consider the extent to which prior contact with the justice system may undermine perceptions of law enforcement in minority communities. Militarized tactics, such as the Los Angeles Police Department's use of a battering ram vehicle to tear through the walls of suspected drug houses in the 1980s, called into question not only issues of safety and constitutionality but of the department's broader image (Hager

1986). Indeed research has shown that negative contact with law enforcement officers in minority and poor neighborhoods may undermine police legitimacy (Gau and Brunson 2009); and such police legitimacy has implications for neighborhood crime rates (Kane 2005). Perceptions of minority officers by urban minority residents appear to be situated in an ecological framework (Brunson and Gau forthcoming). That is, the quality and nature of policing is conditioned, in part, by chronic underfunding and macro-level economic shifts. Additional research has shown that residents of disadvantaged neighborhoods tend to be more cynical about and dissatisfied with law enforcement than residents of wealthier neighborhoods (Sampson and Bartusch 1998).

Residents of some disadvantaged communities feel that reporting rogue officers may do more harm than good (Venkatesh 2008), which may also explain why many Fourth Amendment search violations are unnoticed by the courts (Gould and Mastrofski 2004). In a study of a medium-sized American city, Gould and Mastrofski (2004) found that 30 percent of police searches were in violation of the Constitution. And the odds of an unconstitutional search occurring increased substantially when an officer was motivated to find drugs, even though unconstitutional searches were no more likely than constitutional ones to reveal illicit drugs. In New York, stops and searches for illicit drugs and weapons occur largely at the expense of the city's African American and Hispanic neighborhoods, in spite of producing no real crime reduction benefit (Fagan, Geller, Davies, and West 2010).

Even when urban minority residents are knowledgeable and concerned about drug crimes in their neighborhoods, structural factors and social ties may make them reluctant to involve the police. Research in a poor Chicago neighborhood indicates that residents agree that even though drug dealing is a problem, they are empathetic with drug dealers due to the lack of legitimate job opportunities available (St. Jean 2007). Additionally, it is important to remember that the social networks of drug offenders and law-abiding residents are inextricably linked, and in turn, drug offenders are able to draw social capital from both groups (Browning, Feinberg, and Dietz 2004). For example, residents have been reluctant to report illicit drug dealing due to social ties with relatives of drug offenders (St. Jean 2007); or because gang drug organizations, while contributing to crime, also serve as a protective element and are civically engaged (Pattillo 1998; Venkatesh 2008).

2.4 DISCUSSION AND CONCLUSIONS

The above reveals that a myriad of historical, social, and policy issues have shaped drug crime interdiction in urban communities. Structural changes have left inner cities without legitimate opportunities for a low-skill workforce. Consistent flight from such communities has drained them of investment and has redistributed wealth to suburban areas. In turn, access to neighborhoods providing greater opportunities for upward mobility has historically been conditioned by race. Further undermining opportunities

for inner city community enhancement was the arrival of crack, and the ensuing war on drugs. In light of the historically racialized and classist approach to drugs in American society, poor minorities, while clearly not the most likely to engage in drug use, appear to be unfairly targeted by drug enforcement.

In spite of the inherently legalistic approach to illicit drug use and dealing, there have been a number of approaches that have attempted to involve community stakeholders, representing a step in the right direction. Among these include the pulling levers strategy, which identifies problem drug offenders and attempts to provide them with access to services in lieu of strict law enforcement (Corsaro, Brunson, and McGarrell 2010). The Nashville approach included a multi-stage strategy involving multiple stakeholders. Law enforcement identified and met with known offenders to communicate a message of strict enforcement if offenders choose to continue deviant behavior. Most importantly, each individual was met with a series of supports to assist with prosocial behavior including, but not limited to, job training skills and treatment. Evaluations indicated significant reductions in drug crime in the target community. The pulling levers approach has also proven a viable strategy in High Point, NC (Hunt, Sumner, Scholten, and Frabutt 2008) as well as Boston (Braga, Kennedy, Waring, and Piehl 2001).

Other policing strategies have involved landlords, which stand in a unique position to regulate illicit drug activities occurring on their properties. An evaluation on the role of place managers in reducing crime and disorder and increasing civil behavior on one hundred street blocks randomly assigned to Oakland, California's Beat Health Program or typical patrol yielded positive results (Mazerolle, Kadleck, and Roehl 1998). Stakeholders of the experimental group were more likely to report decreases in the number of males selling drugs over time, and increased signs of civil behavior. Even written communication from law enforcement to landlords of nuisance properties has proven effective in reducing drug crime (Eck and Wartell 1998).

Considering what appears to be differential treatment of drug crime in poor and minority neighborhoods, researchers and policymakers must continue to question how policing can avoid exacerbating dire conditions in urban low-income minority communities. The above approaches represent a step in the right direction, but a number of additional perspectives merit consideration as well. First, we must call into question the inherent fairness of asset forfeiture programs. The fundamental ideas of justice and fairness are questioned when indigent individuals are unable to seek justice because of their socioeconomic status. Furthermore, law enforcement agency funding should not be dependent upon the seizure of private property, as such policies have the potential to invite corruption. Second, stop and frisk policies should be aborted. Research demonstrates not only that they are racially biased, but they are also an inefficient approach to crime reduction (Fagan et al. 2010). Third, there is ample reason to reconsider the use of aggressive arrest policies of low-level non-violent drug offenders in urban communities. The removal of drug dealers may create a vacuum effect, whereby more violence is created by new dealers competing for newly available turf (Resignato 2000). Also drug arrest sets in motion a number

of subsequent biased justice approaches at later stages of the criminal justice system (Belenko, Fagan, and Chin 1991) and may exclude individuals from housing, education, and voting opportunities, thus perpetuating poor social outcomes (Alexander 2012). Finally, it is important that more socially oriented responses to social problems be developed. Drug offending is not a social issue that will subside due to drug laws' enforcement. Policies must address the social conditions that indicate why offenders engage in drug dealing in the first place, as well as the treatment of addicted individuals.

Policing research and policy must continue to examine drug offending through the lenses of race and class. As the consequences of inner-city drug crime are (in part) attributed to structural shifts, and as policing has historically taken on punitive approaches to drug interdiction in racially defined geographies, failing to recognize the significance of race and class leaves us with an incomplete understanding of causes and solutions. None of this is to suggest that policing should not have a role in drug interdiction, but that the viability of economically depressed and minority communities depend on a re-conceptualization of the nature of drug enforcement.

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CHAPTER 3

THE POLITICS OF POLICING

JOHN L. WORRALL

POLICING is as political as any government function—and not necessarily in a pejorative sense. The word “political” can be defined, simply, as “pertaining to, or incidental to, the exercise of the functions vested in those charged with the conduct of government” (Black 1990, 1158). Though “political” often connotes dysfunction, favoritism, and influence, it can also be regarded as an essential element of government. If politics is *incidental* to the functioning of government, then there can be no politics without government. And if politics *pertains* to government, then government and politics are basically the same thing. The same extends to policing. Being a government function, it cannot be—and perhaps should not be—divorced from politics.

What, then, is meant by the “politics of policing?” At the risk of simplification, it is the extent to which the policing function is connected with the multitude of actors involved in the conduct of government. Such actors are found, foremost, in the three main branches of government. Yet insofar as American government is a representative democracy, the activities of those outside the halls of government—concerned citizens, marginalized groups, civic leaders, and others—are also considered political.

From the organization of the first formal department up to the present day, law enforcement has both been shaped by and influenced the American political landscape. Perhaps the simplest example is its position in the executive branch; policing is political because it executes laws enacted by legislatures and interpreted by courts. More controversially, policing is political not just because it occupies a governmental post but because, through dramaturgy, the police posture and perform for the public they serve (e.g., Manning 2001). Image promotion and maintenance are essential for gaining public support, appearing effective, and maintaining self-protection.

Politics and policing have gone hand in hand for more than one hundred years. In the early days of American law enforcement, the “shady” side of politics was realized. Executive political influence was subsequently used to improve policing through professionalism, but that movement backfired to some degree. Pressures for reform

soon hailed from *outside* police departments. Disenchanted groups and civic leaders called for fair treatment and improved relations. This movement never completely let up. By the 1970s, the police were besieged on all sides by political pressures from within government and beyond. This trend continued through the 1980s and into the 1990s.

The politics of policing throughout the 1990s and into the twenty-first century have taken a decidedly federal turn. In other words, the federal government, more than local governments, has made the largest imprint on the direction of law enforcement in the United States. Traditional crimes persist and uniquely local problems continue to rear their heads, but terrorism, community policing, and a concern with evidence-based justice have set local agencies on something of a predictable course.

These observations, which are developed more fully in the sections that follow, highlight a number of key points:

- The relationship of politics to policing can be both beneficial and harmful.
- The “shady” side of politics in policing manifests when selfish interests, rather than the common good, are pursued.
- Political influence in policing is a moving target, moving from a local focus in the early days to, more recently, a federal focus.
- As time goes on, the police are confronted with an increasing number of (often conflicting) demands, while being forced to operate with fewer and fewer resources.

This essay begins in Section 3.1 with an examination of the role of politics in policing, including the sources and consequences of political influence. Section 3.2 presents a historical look at the role of politics in policing, organized into four eras: policing in the political era, early reform efforts, the limitations of professionalism, and politics of policing during a time of crisis running through the 1960s and 1970s. In Section 3.3 attention turns to the period from the 1980s to the present, including the era of war on crime, the community-policing era, and the modern era. Section 3.4 speculates about future directions for policing.

3.1 POLITICS IN POLICING

The police, perhaps more than any other government entity, function in a complex political environment. Sources of political influence range from citizens to interest groups, from professional associations to other departments, and from the media to other governmental actors. This array of sometimes competing interests makes law enforcement a difficult, sometimes contradictory, and above all else, political profession. Since this essay’s definition of “political” dwells on governmental function, the focus will be primarily on sources of political influence that are governmental in nature. Yet since

community sources are also important (Bass 2000), their influence will be touched on from time to time as the need arises.

3.1.1 Sources of Political Influence

Sources of (governmental) political influence in policing can be organized into two categories. One concerns the level at which such influence manifests. The other concerns the person or parties responsible.

America's system of cooperative federalism blurs some of the lines between levels of government. In theory, federal, state, and local governments perform distinct functions, as does law enforcement at each of those levels. In reality, those functions often overlap, are duplicative, and may even work against one another. Local government invariably has the greatest effect on local law enforcement, as most agencies are local in nature (Reaves 2010), but federal and state governments, through the power of the purse, also exert their share of power and control (more on this later).

Notwithstanding the varying degrees of political power across different levels of government, it is also important to consider the degree to which distinct government actors shape the politics of policing. We can organize these officials into their respective branches: executive, legislative, and judicial (Tunnell and Gaines 1996). Depending on the form of local government in a particular jurisdiction, the mayor, city council, or a combination of each is directly influential in policing, such as by choosing the chief (e.g., Mastroski 1988) or by making police resource decisions (e.g., Stucky 2005). Moving into the legislative arena, officials there typically dole out funds and enact laws that directly influence the form and function of everyday law enforcement. Finally, judicial influence is just as important, as courts serve as checks on policing activities (such as by releasing the wrongfully-arrested) and, at the appellate level and beyond, by issuing decisions that dictate what officers can and cannot do during the course of their daily affairs.

The executive, legislative, and judicial branches of government have made indelible imprints on policing throughout history. At the risk of simplification, a continuum ranging from pure self-interest to pure altruism helps explain this tradition. At the self-interested extreme, early police departments often served at the disposal of political machines whose foremost concerns were to remain in power (e.g., Walker 1998, 60). To some degree these traditions continue, though perhaps not as blatantly as they once did. At the altruistic extreme, some political initiatives have been undertaken with what seems, on the face, a genuine motivation to improve fairness and equal treatment. The results of these initiatives include the scores of U.S. Supreme Court cases dealing with the civil liberties of criminal suspects (e.g., *Tennessee v. Garner*, 471 U.S. 1 [1985]; *Miranda v. Arizona*, 386 U.S. 436 [1966]). The norm, though, is for most "politics" in policing to occupy something of a middle ground between the purely selfish and the purely altruistic. This notion is explained further in the sections that follow.

3.1.2 How Police Agencies Respond to Political Pressure

Two broad theoretical perspectives have been drawn on to explain a wide range of policing phenomena: structural contingency theory and institutional theory (King 2009). According to the former, law enforcement organizations interact with a rational environment that rewards effectiveness and efficiency: “Administrators exercise control over the organizational environment in which the police operate; they plan strategy in such a way that the environment changes or is modified in response to changes in the allocation of resources, personnel, and equipment” (Manning 1997, 184). Institutional theory *also* posits that organizations interact with an external environment, but it also claims that the environment is not rational and is instead characterized by myth, tradition, symbolism, and the like. In this view, organizations make changes “not as rational adaptations to their contingencies in the technical-instrumentalities mode, but by reference to normative suasion, imposition, legitimation requirements, myths, beliefs, thought-ways and such non-technical instrumental factors” (Donaldson 1995, 80). In short, both perspectives regard the environment as important, but they part ways when it comes to the mechanisms at work.

According to King (2009), both contingency and institutional perspectives fall short in terms of explaining law enforcement change over the long term. What is needed, he argues, is a life course perspective on police organizations, one that accounts for changes *over time*. This is in contrast to a so-called “life-cycle” approach, which claims that all entities pass through more or less similar stages (e.g., Kimberly 1980). Instead, a life course perspective claims that while key stages in organizational development exist, not all organizations pass through every stage, nor do they do so at the same times. As Whetten (1987, 337) observes, these “‘stages’ are simply clusters of issues or problems that social systems must resolve, and that the inherent nature of these problems suggest a roughly sequential ordering.” King (2009, 221) then applies this line of theorizing to police organizational development over time, calling attention to six stages that agencies may or may not encounter at varying points in time: organizational birth and death, early founding effects, growth, decline, and crisis.

While relatively few law enforcement organizations disband or disappear, it is not difficult to agree that they all proceed to varying degrees through the other five stages. The birth of the modern police agency, for example, is itself an interesting avenue of inquiry; police departments burst on the scene at different times and for different reasons. Likewise, their formative years were quite distinct from their later years, as characterized by the so-called “political era” of policing. And every law enforcement agency has gone through varying periods of growth and decline. As city populations grew in the 1880s, so did their police departments. As budgets have become constrained in recent years, police departments have limited hiring and, in some rare cases, laid off officers in droves. Finally, police departments, like organizations in general, face varying degrees of crisis. It is thus useful to keep this framework in mind, as this essay begins with American law enforcement’s formative years and then discusses growth, decline,

and crisis over time—with a focus on the political impetus for change at each key turning point.

3.2 POLITICS IN EARLY POLICING

Policing has at all times been politicized, but at no point in history was the seedy underbelly of politics more apparent than in American law enforcement's early days. The period between approximately 1838 and the turn of the twentieth century provides plenty of ammunition to make the case that politics and policing go hand in hand. Of course, the year 1900 was not a magic turning point. Law enforcement remained political and, by some accounts, became even more politicized during throughout the 1900s—and even up to the present. This section of the essay offers a cursory overview of this progression.

3.2.1 Protecting Selfish Interests: 1838–1900

In response to riots, growing disorder, and violence in early American cities, modern law enforcement organizations were formed. Boston created in 1838 what is widely considered the first organized police department in America (Lane 1971). The department failed, though, to break with traditions; it basically placed existing law enforcement institutions (watches, constables) under a single umbrella. Slave patrols had developed some years earlier in the south, but Boston's eight-officer force arguably became the first to perform contemporary policing functions, such as preventive patrol (Walker 1998, 520). A number of other cities around the country promptly emulated the Boston approach.

It was at this early point in American history that officials were wary of politics in policing. People were still nervous about the prospect of overreaching government. There was concern over how to *pay* for organized police forces. Politicians also feared that, once created, police departments could be controlled by their rivals. Many stakeholders chose to rely on their own private security forces, which underscores the concern there was with making police work governmental. Public policing eventually took hold, however, once it was realized that not even the best private security apparatus could curb problems like civic disorder (Schneider 1980).

The London Metropolitan Police, formed in 1829, served as the primary model for American police departments. Yet greater democratization in the states gave rise to a unique brand of domestic law enforcement. Coupled with the right to vote, people had greater control over their local governments than was the case in London (Miller 1977). This, as Walker (1998, 54) observed, “quickly proved to be a mixed blessing for policing.” Citizens had considerable control over their police departments, but they often used the police to perform decidedly non-law enforcement functions—and political ones at that.

There was more concern with getting friends jobs and soliciting bribes than controlling or preventing crime. As August Vollmer noted, this was “an era of incivility, ignorance, brutality, and graft” (Vollmer and Schneider 1917, 877). The situation was made worse by the facts that police officers were not formally trained, enjoyed little in the way of job security (entire forces were occasionally fired in times of political upheaval), and were often left to their own devices with little supervision due to the lack of communication technology.

The role of politics in policing during the time was in some ways more bottom-up than top-down. This was made evident in von Hoffman’s (1992) portrayal of Boston police officer, Stillman S. Wakeman, whose diary revealed details about the “day in the life” of a policeman in 1895. Since his work was relatively unsupervised and because the police presence was spread very thin, Stillman acted more like a “roving local magistrate” than a police officer as we understand them today. His role was “defined as much from below as above” (322), meaning he did more to serve the interests of citizens in the community than his superiors. This observation was echoed in the remarks of another historian: “Policemen came to reflect the values of those members of the neighborhood with whom they had ongoing social contacts” (Haller 1976, 308). The “politics” of policing were thus more community-oriented in nature during this time than they were connected with government.

Tammany Hall, the Democratic Party machine that played a major role in New York City government during the mid-1800s, offers perhaps the best example of the role politics played in early American policing. As was common, election to political office was paid back with promises of employment. Various positions within government, including police departments, were used to repay supporters. The newly-appointed officers, intent on keeping their jobs, thus focused more on keeping their “bosses” in power. There are many accounts of police officers being assigned to polling stations, influencing the vote. They were also involved, with the likes of then-Tammany Hall leader, William M. “Boss” Tweed, in a wide range of corrupt and illegal activities. Some rogue officers profited handsomely from criminal activity. Others used an “iron fist” to control their beats.

If the politics of policing in the early to mid-1800s were characterized by corruption and incompetence, then the tide shifted as the twentieth century drew near. In 1892, Reverend Charles Parkhurst, a prominent religious figure in New York City, described the mayor and his aides as “a lying, perjuring, rum-soaked, and libidinous lot of polluted harpies” (Parkhurst 1970, 5). He was also upset with the police department and used his church as a forum to begin crusading for reform in all aspects of city governance. He and other like-minded reformers galvanized a movement that culminated in 1895 with the appointment of Theodore Roosevelt, who later became a U.S. president, as commissioner of the city’s police department.

Once Roosevelt took charge, he forced corrupt officers out of the police department, conducted unannounced inspections, and launched disciplinary proceedings against wayward officers. He resigned in 1897, claiming that the police department had been successfully reformed. In reality, little had changed, but his actions set in motion

a chain of events that led to reforms in a number of other police departments around the country. Most such reforms were aimed at transferring control over police departments from local politicians to commissions appointed by state governors or legislators. Unfortunately, this, too, did little to improve policing. As Walker (1998, 65) observed, “commission members had no new ideas about how to manage police departments. They were just as partisan as the mayors and city council members they replaced.” Real and substantial improvements were not realized until 1900 and beyond.

In summary, policing between 1838 and 1900 was “political” in every unsavory sense of the term. Law enforcement agencies served at the pleasure of local politicians who, through their own selfish interests, acted in a corrupt fashion, largely indifferent to crime. Ironically, democracy in America was partly responsible for this chain of events. Whereas government in London was nominally democratic, control over its police force was more centralized, thus helping it maintain a greater measure of control. The centralized and admittedly more “democratic” London police model was all but abandoned in early American police departments, breeding the problems just reviewed. Lane (1992, 18) has called this the “central paradox” of modern policing.

Though America’s governmental structure has not changed markedly over the years, control over the police became more centralized between the nineteenth century and the present. This is evident in the police professionalism movement and subsequent reforms, to which we now turn.

3.2.2 Signs of Reform: The Early 1900s

Police reforms gained steam in the early 1900s, in concert with other public sector reforms aimed at divorcing politics from administration (e.g., Wilson 1887). A number failed miserably; others were institutionalized and successful. The Philadelphia experience serves as an example of the former. A new mayor, Rudolph Blankenburg, was elected in 1912, in response to frustrations with a corrupt political machine that dominated city politics for years before. He appointed a new police chief, James Robinson, who revised the department’s patrol manual, reorganized patrol, ordered new uniforms, implemented exercise programs, emphasize military drills, and the like. But the Blankenburg administration was soon swept out of office, a new chief was appointed, and by most accounts the department returned to its old ways (Walker 1998, 133). Other cities, such as Milwaukee, Chicago, New York City, experienced similar failures.

One lasting reform was the creation of the International Association of Chiefs of Police (IACP). Initially formed as the National Police Chief’s Union in 1893, the organization eventually grew and matured in the early twentieth century. Annual meetings offered a forum for law enforcement leaders to debate law enforcement strategy, social policy, and issues of political influence in policing.

At his address to the IACP in 1919, August Vollmer, the first police chief in Berkeley, California, argued that policing should be professionalized and focused on improving society. He further claimed that the police had “far greater obligations than the mere