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POLICE SCIENCE

INTERRELATEDNESS OF LAW ENFORCEMENT PROGRAMS: A FUNDAMENTAL DIMENSION*

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Contemporary law enforcement is caught in a number of dilemmas magnifying the frustrations of policemen and their leaders. The key point of this paper is that these dilemmas can be traced to the interrelatedness of law enforcement programs.

Although the primary police purpose is to deal with criminals in action, the bulk of daily transactions are related to secondary purposes of crime prevention and a wide variety of regulatory functions not concerned directly with criminals. The manifest level of crime prevention involves the deterrent effect of regular patrol and of relative certainty of apprehension. This level is consistent with the primary purpose. The latent level moves outside law enforcement to promote law observance through educational campaigns and cooperation with other community agencies in programs designed to forestall development of criminal careers. The regulatory functions include directions of automobile traffic, enforcement of sanitation and licensing regulations, control of crowds, action against obscene literature, civilian defense, and disaster duty. The secondary functions make the policeman the representative of government in matters not directly involving clear-cut criminality.

The primary purpose depends largely on suppression and control measures which lend themselves to the conception of offenders as an enemy. But the bulk of the patrolman's time is spent at tasks such as settling disputes, finding missing children, and helping drunks. These tasks involve the officer in social behavioral and political problems which do not lend themselves to direct sup-

pressive measures. Here he is pressed toward the therapeutic and preventive ideologies. The tasks of greatest quantitative importance involve the officer in problems for which he is inadequately equipped to deal and which involves the police agency in ideological conflicts.

PROPOSAL: LIMIT FUNCTIONS OF POLICE

The frustrations in periods of community crisis have caused some police executives to call for limitation of police work to dealing with "real" crime, rather than enforcing all laws. One author advances arguments:¹

"The tendency to heap all law enforcement on the police as a matter of course is something that should be checked. For one thing, it is a waste of highly-trained man-power when man-power is short. You do not need a man trained in unarmed combat for keeping order in the classroom. Summons can be served by men who would not be quite up to making arrests. But the more important thing is that the police are continually being brought into disagreement and conflict with fundamentally law-abiding members of the public on whose cooperation they must rely in the fight against real crime. Offenses against the social discipline should be dealt with in the same way as offenses against professional or industrial discipline—by tribunals with powers to fine or suspend or disqualify. It is oppressive to bear down on the offender with the whole weight of the criminal law, to hale him before what he thinks of a 'police court' and to threaten him with imprisonment. The threat of imprisonment, although statistically very remote for social offenses, may seem a grim

* Address at Law Enforcement Training Institute May 25, 1968, sponsored by Memphis State University, Memphis, Tennessee, under a grant from Title I of Higher Education Act of 1965, Department of Health, Education and Welfare.

¹ PATRICK ARTHUR DEVLIN, *The Police in a Changing Society*, 57 JOURNAL OF CRIMINAL LAW, CRIMINOLOGY, AND POLICE SCIENCE, 124, July 1966.

and terrifying thing when it is hanging over a man's head for weeks and months; and the police as the agents of law enforcement are taken to personify the sense of oppression that it brings."

This conception implies a "cops and robbers" model of law enforcement in that the officer is viewed as the champion of the "respectable people" against a small segment of the population comprising the "real" criminals. This model is conducive of a "barracks" mentality in that policemen are expected to retreat to a specialized sphere of community life with minimum involvement with citizens to whom the police have the obligation to protect against crime. This conception is in keeping with the semi-military model characterizing police organization: sharply defined hierarchy, a chain of command, and demands for a strong sense of obedience. Skolnick² points out that this concept of martial order induces an attachment to social uniformity and routine and a somewhat rigid conception of order. In periods of community crisis, these views tend the police toward arbitrary invocation of authority to achieve what they perceive to be the aims of substantive criminal law.

This emphasis colors the policeman's relationships with others with the qualities of the adversary role in which he confronts the criminal in action. Banton³ has cited reasons for rejecting the adversary conception. The number and character of police contacts with members of the public are skewed toward humanitarian and service functions. Rather than law enforcement per se, the policeman's activities are guided more by popular morality than by the letter of the law as indicated by the tendency to ignore some violations and to pursue others with special enthusiasm. Furthermore, law enforcement is granted a moral authority by the public beyond the policeman's legal authority by virtue of a general belief that he symbolizes civic virtue.

The "cops and robbers" conception also assumes falsely that sharp delimitation of function will free law enforcement from the dilemma of being compelled to frame policies while overtly denying that police executives have the obligation to assume policy-making responsibility. The President's

Crime Commission⁴ cites the general approach of "unarticulated improvisation" requiring neither the police nor the community to face squarely the issue of determining clear guidelines for dealing with crime and potential crime situations.

Remington⁵ argues that police should play a major role in fashioning and implementing a proper law enforcement policy for their community. Police resources inevitably fall short of the requirements for full enforcement of the law. Even if resources were adequate, literal interpretation of the laws would require arrests of offenders not intended as targets by the framers of the laws. Enforcement itself would strain the moral consensus the laws are intended to nurture. Since the court is in a position only to review the legality of a police action after it is taken rather than at the time of the action, the police inevitably must make some decision if law enforcement is to occur. Even the failure to take action is a decision.

The "cops and robbers" model has the appeal of offering means of freeing law enforcement from situations pregnant with possibilities for political involvements. The identification of law enforcement with local government in the United States has subjected it to the adverse consequences of the spoils system. Efforts of "respectable" citizens to avoid the consequences of regulatory violations have contributed to the corruption of law enforcement. Professionalization has been impeded by appointments as political rewards, uncertain job tenure, undermining of personnel standards, preservation of the myth that specialized competence is not necessary for law enforcement, and erosion of ethics.

These consequences of partisan politics, however, do not justify the belief that the police agency can ignore the importance of developing and maintaining relationships with the political structure of which it is a part as an agency of government. As a public administrator, the police executive must be skillful in maintaining relationships within the community power structure whereby the resource needs of his agency are made known to decision-makers, resource allocations obtained, and police

² JEROME H. SKOLNICK, *JUSTICE WITHOUT TRIAL*, New York: John Wiley & Sons, Inc., 1967, p. 11.

³ MICHAEL BANTON, *Social Integration and Police Authority* in NELSON A. WATSON (ed.), *POLICE AND THE CHANGING COMMUNITY: SELECTED READINGS*, Washington, D.C.: International Association of Chiefs of Police, 1965, pp. 30-31.

⁴ The President's Commission on Law Enforcement and Administration of Justice, *TASK FORCE REPORT: THE POLICE*, Washington, D.C.: U.S. Government Printing Office, 1967, pp. 16-27.

⁵ FRANK J. REMINGTON, *The Role of Police in a Democratic Society*, 56 *JOURNAL OF CRIMINAL LAW CRIMINOLOGY AND POLICE SCIENCE*, 361-362, September 1965.

problems communicated in a style conducive to obtaining community support. In terms of this responsible version of political skill, the limitation of law enforcement to "real" crime will have little effect toward reducing the difficulties encountered by the executive.

INTERRELATEDNESS OF LAW ENFORCEMENT

We argue that the limitation of police responsibility to dealing with "real" crime ignores the fundamental fact that law enforcement operates within a larger social sphere requiring coordination of police actions with the working of the other social institutions of the community.

As a term "interrelatedness" can refer to a reciprocity, correlation, or mutuality of conditions for action. In this sense, the term focuses attention on the fact that enforcement of the law solely against "real" criminals would not free the police of the etiological factors in the community creating conditions favorable to general unrest and disorder. The term can also refer to the desirability of coordination of the actions taken by various otherwise autonomous groups having responsibility to deal with these conditions. Limitation of police responsibility to the clearly criminal segment of the population might reduce the volume of coordinated actions, but it would not eliminate the qualitative aspects of the need for a coordination. The police responses to crime would continue to involve law enforcement with other institutions of the community.

The interrelatedness of law enforcement can be viewed from three perspectives:

1. The several programs of the particular police agency should form a cohesive whole. An increased variety of tasks has been given the police through the proliferation of laws and ordinances, extension of law enforcement into areas beyond strictly criminal behavior, and the rise of new kinds of retail establishments and other socioeconomic institutions which create new types of offenses or aggravate the volume of offenses. This greater variety of tasks has caused police agencies to develop a greater specialization among the units of which the agency is composed.

The proliferation of duties and associated tasks has challenged the managerial skill of the local police executive to an unprecedented degree, especially when the department gains a large volume of employees. One of the fundamental managerial problems is to preserve cohesion of organization as

the number of employees increases. A common strategy is to group employees into subdivisions according to specialized functions. Concentration on particular tasks permits standardization of behavior and the recruiting and training of personnel for better performance of those tasks.

However, the introduction of such strategies in itself requires managerial skill in avoiding new kinds of problems which emerge. To illustrate the rise of new challenges to managerial skills, we note that misuse of specialization endangers the sense of mutual interdependence which binds the employees into a common effort when all are "jacks-of-all-trades" working together in face-to-face relationships. When extreme specialization separates categories of employees from one another in physical space, the employee can lose awareness that his work is a part of the total system of tasks performed in the department. A sense of purposelessness may undermine morale. The various sections of the organization may feud with one another because employees direct their loyalty to their particular subunit rather than to the department as a whole.

Although some departments have responded well to the new managerial problems, the President's Crime Commission reports evidence of generally prevalent deficiencies in police organization, management, and operations. Many departments lack qualified leadership. Many departments are not organized in accordance with well-established principles of modern business management. Many departments resist change, fail to determine shortcomings of existing practice and procedures through research and analysis, and are reluctant to experiment with alternative methods of solving problems. Many departments lack trained personnel in such fields as research and planning, law, business administration, and computer analysis. Many departments fail to deploy and utilize personnel efficiently. Many departments have not adequately applied technological advances that would be beneficial to law enforcement.⁶

2. Our political traditions have created a large number of local governments and have identified law enforcement to a great degree with this fragmentation of government in the face of the increasingly national character of crime and police problems associated with this trend. Local political boundaries do not confine the criminal syndicates

⁶ *Op. cit.*, pp. 42-44.

and other forms of crime in an age of high population mobility and rapid transportation. The fragmentation of crime control agencies has been a major obstacle to coordination on a metropolitan, regional, or national scale.

The need for coordination and consolidation of service among the 40,000 law enforcement agencies has been reiterated until it appears to be trite. But repetition has not eroded the need. The President's Crime Commission reports:⁷

"A fundamental problem confronting law enforcement today is that fragmented crime repression efforts resulting from the large number of uncoordinated local governments and law enforcement agencies. It is not uncommon to find police units working at cross purposes in trying to solve the same or similar crimes. Although law enforcement officials speak of close cooperation among agencies, the reference often simply means a lack of conflict. There is, in fact, little cooperation on other than an informal basis, not a very effective means of meeting current needs."

The fragmentation is pertinent to our central topic because excessively small operations disproportionately raise the expenses of administrative and staff services and obstructs the carrying out of tasks related to integrating police work with other community institutions. Regardless of the scale of the operation, a minimum number of employees is necessary to man round-the-clock services. The higher per capita costs of maintaining minimum staff is a serious obstacle to the development of central staff services which are essential to effective law enforcement. Such services include records, identifications, communications, custody of prisoners, and criminalistic laboratory.

The President's Crime Commission contends that certain services lend themselves especially to coordination and consolidation of programs by several existing agencies: records, communications, crime laboratory, recruitment and training of personnel, and detention. Because direct contact with the public is involved, there is less agreement on the consolidation of criminal investigation, vice and delinquency control, and other field services.⁸

3. Law enforcement is but one phase of the overall social control system of the community. Police work has ultimate significance because it contributes to the social order of the community and the

well-being of its citizens. Consequently, police activities are part of the social control system of the community encompassed within a structure of government, family, school, business enterprise, and social service agencies. This framework of social institutions affords the normal network and psychological consensus which transforms a collection of individuals into a community.

LAW ENFORCEMENT AND COMMUNITY ORDER

Although law enforcement tends to operate as though it were a distinctive program, the agency actually is a part of a blend of social elements we call the "community." The ultimate purpose of criminal law and law enforcement is to lend support to the network of social institutions which maintain order and regularity in the human relationships within the community. Each social institution consists of a number of culturally defined behavior patterns, closely related to each other, which are transmitted through the generations to afford a set of expectations whereby the behavior of individuals is made consistent with the particular social purposes served by the particular institution.

Each of the social institutions has its place and function in a network of social standards binding individual conduct so that ideally each person behaves predictably in a manner consistent with achievement of order in group life. The institutions of family, church, and school press the individual toward acceptance of the social standards as the raw material for his conscience in policing his own behavior. Various economic institutions requiring conformity to social rules regulating the manner in which the individual gains personal advantages through cooperation with other persons.

As a social institution, the police agency can be defined as a network of social norms which the policeman applies to his "clients" and which, in turn, are applied to him so that his work is consistent with maintenance of the community's social order.

As a social institution, modern law enforcement has emerged as a series of responses to the urban social unrest which arose with the industrial revolution. Pre-industrial communities relied on the formal controls of family, church, and neighborhood, supplemented by loosely organized constables and sheriffs. Rising disorder brought the first organized metropolitan police to cities of the United States in the middle 1800's.

⁷ *Ibid*, p. 68.

⁸ *Ibid*, pp. 71-73.

The characteristics of law enforcement as a social institution include:

1. The identification of policemen as specialists charged with enforcement of enacted law, thereby implying that they have freed the average citizen of obligations held earlier in history to participate actively in maintaining law and order.

2. The creation of a police bureaucracy in a semi-military model so that a relatively small body of disciplined policemen can deal with a larger population of criminal or disorderly individuals. The bureaucratic characteristic favors the development among policemen of a sense of loyalty to the police organization *per se*, rather than primarily to the total community which the organization serves. The conception of a police career also encourages the policeman to identify his self-interest with those of the organization. This tendency is further strengthened by the semi-military model which tends to impose behavioral standards on the policeman which cause him to be different than the average citizen. Both the bureaucratic and semi-military characteristics tend to impose behavioral expectations which separate him psychologically from the community he serves.

3. Although suppression of crime is defined as the primary function of law enforcement, the daily activities of the patrolman involves him in other functions, related to humanitarian and social service and to regulation of behaviors not associated with strictly criminal acts.

Contemporary law enforcement is affected by conflicting role demands in that he is defined particularly as an opponent of active criminals whereas the bulk of his activities make him a manager of human relationships similar to a social worker. However, this problem is not unique to law enforcement because social institutions usually have more than one function.

4. In providing for an array of related needs of the community, the police department must depend on, and cooperate with, other social institutions. In other words, the work of the police is interrelated with the total social fabric of the community. Law enforcement can not be regarded as a discrete entity.

5. The development of law enforcement is tied intimately with the increased demand for law and order associated with the high standards of daily decorum expected in a tightly woven political and economic system characteristic of American society. The increased necessity for public order now

is in conflict with the rising discontent of the underprivileged and more prevalent demands for reform of familiar institutional arrangements. The police are caught in the pincers because they are credited in the popular mind with a capacity to control the unrest which is associated with the institutional crisis characteristic of communities generally.⁹

6. The interdependence of institutions may cause the imperfection of one to spread to another. The functions of law enforcement make the police agency particularly vulnerable to stress in its relationships with other social institutions.

The primary function of the police emphasizes the guardian-of-society role wherein the state's authority is used legitimately to protect citizens against criminals. This function thrusts the police into interdependent relationships with the courts in the administration of the overall system of criminal justice. Under a division of labor the police primarily enforce the law and maintain order within society whereas the judiciary determines the outcome of the police actions. This separation of powers is pregnant with conflict as indicated by the issues of admissibility of evidence, techniques of interrogation, the status of confession, and the use of force. Through their control of case outcome, the courts determine the ultimate consequence of an arrest.¹⁰ Therefore, the "success" of police work is determined by decision-makers not subject predictably to the influence of the police agency. The situation is pregnant with possibilities of tension between the police and courts. Critics of the courts charge that police are being handcuffed. Critics of the police contend court control is required to prevent police lawlessness. While the debate rages, the failure to establish effective policies leaves an institutional vacuum.

The police officer is cast as a humanitarian when he performs duties as a public servant in finding lost children, recovering drowned bodies, referring individuals for emergency services, mediating family disputes, providing ambulance service, and so on.

The involvement of police in such services is

⁹ See ALLAN SILVER, *The Demand for Order in Civil Society: A Review of Some Themes in the History of Urban Crime, Police, and Riot*, in DAVID J. BORDUA (ed.), *THE POLICE: SIX SOCIOLOGICAL ESSAYS*, New York: John Wiley & Sons, Inc., 1967, pp. 20-21.

¹⁰ See ALBERT J. REISS, JR. AND DAVID J. BORDUA, *Environment and Organization: A Perspective on the Police*, in Bordua, *Ibid*, pp. 32-34.

attributable in large measure to the failure of other community agencies to provide around-the-clock service for an entire city.¹¹ The social service agencies tend to favor building-centered programs wherein clients are expected to present themselves voluntarily and ready to conform to agency-defined expectations. Since the police are organized to perform tasks on the street, the patrolman is more likely to contact the "hard-to-reach" individual who theoretically qualifies as a client for social service agencies. The police are drawn into an institutional vacuum because they deal with the problems of the poor and ignorant which other agencies are not anxious to serve. In urban ghettos the flight of "respectable" people to the suburbs and the erosion of social institutions have left the police the major representative of middle-class values among a population of socially and economically under-privileged people. This pattern is consistent with the tradition of assigning the police those tasks disgusting to others.

The police are handicapped in serving these needs because of the lack of an effective functional division of labor among the social service agencies for specialized emergency services. The lack of an integrated system forces the police to provide services, although the social service agencies do not regard their work as legitimate.

The realities of administration compel the police executive to accommodate police activities to expectations of the community. First, police services are dependent on financial support obtained through taxes. Ultimately, relations with the public will affect the level of support obtained. More immediately, other agencies of government will influence the relative priority granted the police department in competition among agencies for the available revenues. The attitudes of community leaders, including those in government, will affect the allocation of resources to law enforcement.

Second, police are dependent on the public for information concerning crime and criminals, for taking precautions against becoming victims of criminals, for assistance of policemen by observers of a crime incident, and for participation in crime prevention. For each of these forms of dependence, the effectiveness of law enforcement is influenced by the public's willingness to tolerate offenses and the public's identification of its own interests with

those of law enforcement. The police agency holds a monopoly over legitimate coercion in the community—legitimate because the use of this power is consistent with community standards and accepted by the major share of citizens as binding on their behavior. Ultimately, effective use of coercion depends on the standards which the mores will support as proper. Resistance is generated when these standards are exceeded. Resistance breeds more coercion to initiate a further cycle. Eventually police power will be deprived of the legitimacy which justifies it. There are limits on the use of coercion because the loss of legitimacy will alienate the police from the community the agency is intended to serve.

Third, the incidence and patterns of crime reflect the structure of the particular community. Regions differ in the distributions of their populations according to various characteristics: age, sex, race, degree of urban versus rural residence, occupation, residential mobility, socio-economic status, and educational attainment. These demographic characteristics influence the likelihood of an individual becoming a criminal or being regarded as a criminal. These characteristics also affect the type of crime, the offender is likely to perpetrate and, less directly, the difficulty of apprehending and convicting the offender. The kinds and difficulties of law enforcement problems will differ according to the cultural and demographic characteristics of the community.

Fourth, law enforcement must rely substantially on attitudes in the community to stimulate law observance as a matter of conscience. A wide range of controls operate in the community as a consequence of the organization of group life. Through ridicule, ostracism, and similar devices, the deviant encounters resistances which deny him the goods, services, and attitudes he seeks from others to gratify his own needs. In fact, the laws are legislated and enforcement demanded when the community mores have failed to stimulate the desired level of conformity in areas of human interaction given high priority. Enforcement strategies based solely on coercion have major defects in that constant surveillance and alertness by a disproportionately large number of officers is required.

POLICE AND PUBLIC RELATIONS IN A CHANGING COMMUNITY

There is general agreement that public relations is an important aspect of law enforcement. There

¹¹ ELAINE CUMMINGS, IAN CUMMINGS, AND LAURA EDELL, *Policeman as Philosopher, Guide and Friend*, 12 *SOCIAL PROBLEMS*, 276-86, Winter, 1965.

is less agreement on the level of importance compared with other aspects of law enforcement and the exact meaning of "public relations." The term has been interpreted to be advertising the police agency or a state of law and order as the product of the agency's activities. Improving the "police image" is sought through presenting current practices as right and proper under the assumption that once the public is "informed," the police problems will vanish. In effect, the public is told: "These are the laws, and this is the job we have to do. Help us do our job as *we see it*." Here public relations tactics are intended to preserve the status quo for the police department while the other parties involved in controversy are to do all the changing in attitudes and behavior. The communication process is not viewed as reciprocal or as a means of dealing with the underlying causes of the problems. This interpretation has colored "public relations" with ballyhoo, press agency, propaganda, and whitewashing.

Frequently, the "ballyhoo" version of public relations reflects paternalism with the police cast in the role of the kindly father who "knows best" and certain groups cast as "wayward children" who have gotten out of line because they "don't know better." It is this underlying paternalistic theme which sometimes aggravates the hostility of minority groups to the bewilderment of well-intentioned policemen. Under paternalism the superior is expected to regulate the life of subordinates for them because he has the duty to do the thinking of which they, presumably are not capable. He must protect them against their own weaknesses through amiable, moral, and sentimental guidance.

Another conception of "public relations" is founded on the assumption that effective policing requires understanding of community problems from perspective of the several publics involved as well as from the department's point of view. Law enforcement affects these publics somehow; hence, they will react consciously or subconsciously to every move a department makes. Because the effects will be different, the reactions will be different.

The assumptions inherent in this conception resemble those of a contractual relationship. A contract is essentially an agreement between two or more individuals to behave in a certain way for a certain specified length of time.¹² The qualities of a

contract are germane to the second type of "public relations" in several ways.

The contract is impersonal in that its conditions are universally applied to all persons coming under its conditions. The principles of police relations with the public should be applicable to all categories of persons in the community.

A contract is rational in that it is formulated to give the most benefits at the least cost to the parties involved. The principles of the contract are determined through careful study of the conditions affecting all parties involved, rather than being the consequences solely of automatically accepted traditions. Public relations should be founded on intelligent assessment of the alternative ways of accommodating the interests of both the police and the other parties involved.

Similar to a contract, the assumption is that, although the police and the other parties have dissimilar or conflicting interests, there are sufficient like interests to make possible the choice of a form of accommodation which instigates cooperation.

The contractual relationship can be terminated. Public relations should recognize that current conditions can change, requiring continuous re-evaluation of department practices and the substitution of new policies for those made obsolete. The local government must keep up with the times in an age when matters vital to its future are determined frequently by forces outside the control of local leaders. As an arm of local government, the police department is subject to the forces for change in the community and those that are exerted from outside its political boundaries. In times of unusual social instability, the police executive is called on to "do something" when there are conflicting instructions from various segments of the community power structure. At such a time, a blind conformity to the old ways is an unreliable basis for maintaining effective relationships with the public.

POLICE: AN INSTITUTION IN TRANSITION

Law enforcement is soon involved in the social unrest resulting from the impact of change upon social institutions. Laws existing at the inception of unrest sometimes reflect the social codes created to maintain the old equilibrium now under attack. Overt expressions of unrest stem largely from the efforts of dissident groups attempting to gain influence in a community power structure probably

¹² KINGSLEY DAVIS, *HUMAN SOCIETY*, New York: Macmillan 1949, pp. 470-473.

largely in the hands of the old order. The policeman is placed in an especially difficult position when the leaders of the established power structure would use his power to resist the very accommodative process whereby a new equilibrium is to be reached. The use of police power in civil disturbances must find a delicate balance if such use is not to be a barrier against constructive reactions to the long-term changes underway in the community.

However, the dilemmas faced by the police executive stem from the interrelatedness of social institutions, all of which are undergoing a crisis. Because the ultimate significance of police work is its contribution to the social order, law enforcement is affected by any condition affecting the social order. The final solution of the dilemmas of the police awaits resolution of the institutional crises encountered by the community as a whole.

Because law enforcement is largely a local matter, the reform of inadequacies of local government

is a vital prerequisite. Because of the inherent linkages between law enforcement and the judiciary, the possibilities of revision of police procedures will depend on the outcome of changes in the procedures of courts. The place and function of police must be determined clearly with an integrated system of social service appropriate to the needs of the particular community. Because the adversary role characteristic of the contemporary policeman does not lend itself to social service functions, a new role is likely to emerge in the case manager model wherein the police agency provides emergency services and acts as a referral agent within a more specifically articulated system of social service agencies.

The enforcement of law must be implemented in a fashion which avoids placing excessive strain on the community as a social system because, after all, a major characteristic of law enforcement is its interrelatedness to every aspect of community life.