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Law Enforcement in a Time of Community Policing

A Summary of a Study by Stephen D. Mastrofski, Michigan State University, et al.

Many community policing reformers encourage officers to seek alternatives to arrest that may be more effective or efficient for solving the problem at hand. Studies over the past two decades have shown that police leniency with minor crimes and disorders is quite common, but community policing encourages even more officer discretion in order to achieve long-term problem reduction. As police discretion increases, so too does the risk that officers will be swayed by "extralegal" considerations—factors outside the law, such as the suspect's race, sex, age, and demeanor.

A study of the Richmond, Virginia, Police Department provides some insight into patterns of discretion in the use of arrest. Richmond was implementing community policing throughout its patrol division. Researchers accompanied officers on their beats to observe their encounters with suspects, including which suspects were arrested and which were not; they also noted characteristics of the circumstances and citizens that might influence officers' decisions.

The findings show that in Richmond, arrest was relatively rare for suspects routinely encountered by patrol officers. Only 1 in 10 suspects was subjected to warrantless arrest. The pattern of arrests for the entire sample of observed officers showed that legal, not extralegal, considerations most influenced officers' decisions. Officers with positive attitudes about community policing were much less likely than those with a negative perspective to arrest the suspects they encountered. Positive officers were also less likely to be influenced by legal considerations, but extralegal factors had no more influence on them than on negative officers. Thus, concern that officers' adoption of a community policing perspective would produce extralegal discrimination in arrests was not supported in this study.

Richmond's approach

At the time of this study, the Richmond Bureau of Police was in the third year of a 5-year plan to implement community policing. The department had decentralized decisionmaking to its three precinct commanders, made permanent beat assignments, conducted a brief officer training program, and created small units within each precinct that focused on foot patrol, crime prevention, and problem solving. The department also participated in a citywide effort to coordinate municipal services to neighborhoods and stressed that hiring and promotion would be based on community policing motivation and skill.

In the spring and summer of 1992, researchers spent almost 1,300 hours observing police officers on routine shifts; they noted encounters involving 120 officers and 1,630 citizens. Some criminal misdeed was suspected in encounters between 101 officers and 451 citizens. An "encounter" was a communication between officers and citizens that lasted over 1 minute or an officer-citizen incident involving more than three verbal exchanges or significant physical contact.

Police officers were asked their opinion on whether community policing was a good or bad approach for Richmond. Fifty percent were positive about community policing, and the remaining opinions were evenly split between negative and mixed.

Legal factors. Legal factors include those set forth explicitly in written law for making an arrest, as well as strategic considerations such as victim preference for legal action, seriousness of offense, and strength of evidence. Study observers sorted each case into one of three mutually exclusive categories: serious offenses, including violence against persons and various forms of theft; drug violations; and "other" offenses, including minor disorders, property crimes, trespassing, and public drunkenness. In cases of multiple offenses, only the most serious was counted. These three categories reflect officers' suspicions of the nature of the offense. They are unrelated to the strength of the evidence, which was determined by adding up evidentiary considerations for court prosecution. Observers also noted if a victim

present at the scene asked the police to arrest the suspect.

Extralegal factors. Extralegal influences on arrest include characteristics of victims (including race, wealth, and social status) and suspects (including race, wealth, age, gender, and reputation with the officer); the degree of resistance shown by suspects to officer authority; and officers' attitudes toward community policing.

An emphasis on legal considerations

Analyses indicated that Richmond officers were guided primarily by legal considerations, which accounted for nearly 70 percent of the statistical model's capacity to explain the decision to arrest an offender. Evidence strength represented 58 percent of that proportion. Extralegal variables played a much smaller role in the arrest decision, although some factors had significant effects:

■ Females were less likely than males to be arrested.

■ Juveniles were more likely than adults to be arrested.

■ Active resistance to officer authority yielded a five-fold increase in the odds of arrest.

■ Each change in the degree of a suspect's drunkenness more than doubled the odds of arrest.

Officers who were favorable to community policing made fewer arrests than other officers. The half of Richmond's officers who were positively oriented to community policing accounted for 259 encounters and arrested 5 percent of their suspects. The other half (evenly divided between those with a negative orientation or mixed opinion) accounted for 192 encounters and arrested 17 percent of their suspects. Extralegal considerations appeared to sway neither group more than the other, and

only 1 of 17 variables—suspect's poverty—showed a significantly different impact on arrest for the two groups. Although these encounters involved a "suspected criminal misdeed," in many instances officers found little evidentiary basis for arrest after interviewing the suspect and victim (if present). Officers used a variety of nonarrest dispositions with these suspects, including warnings and referrals to other agencies.

Replicating the study

Only replication of the study can show how widely applicable these results are. Richmond was moving toward community policing, with some changes only planned or partly implemented. However, its status as a "work in progress" is characteristic of most departments around the Nation and may, therefore, be instructive to agencies in transition.

As more agencies turn to community policing, researchers are presented with the opportunity to track changing law enforcement styles over time and gauge the effects on behavior in different communities and organizations. A replication is under way in two other cities and should add to the understanding of community policing's impact.

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