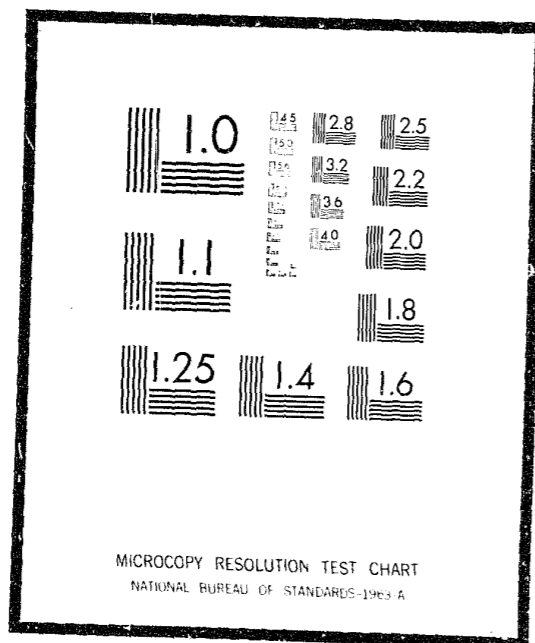


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THE URBAN VIGILANTE

by Gary T. Marx and Dane Archer

THE USE OF VIOLENCE to enforce law long has been considered the prerogative of the state. Although vigilante groups appeared in America from time to time—sometimes to protect property in frontier settlements, sometimes to terrorize minority social or racial groups—they usually have been short-lived, lasting only until the Government could assert its authority. Max Weber wrote that a salient characteristic of the modern state is its "monopolization of the legitimate uses of physical force within a given territory." Only with the greatest reluctance does the state permit an intrusion into this monopoly.

Anthony Imperiale, head of the predominantly Italian North Ward Citizen's Committee in Newark, New Jersey, just across the Hudson River from Manhattan, disagrees with this classic view that the relationship between power and authority is fixed, closed to improvisation. "Should a breakdown of law and order occur," he says, "we have an arsenal. If it comes to all-out war, and we have to kill some of the black and white animals, we'll kill 'em."

Deacons. Imperiale and his organization exemplify the resurgence of an old American tradition—the banding together of citizens to police their own com-

munities. Because they feel that the Government has been remiss in its duties, private defense groups like the Louisiana Deacons, the Jewish Defense League, the Watts Community Alert Patrol and the original Oakland Black Panthers may count on themselves rather than on the state to secure civil order.

Does the growth of these groups indicate a fundamental shift in social attitudes and behavior and a return to the frontier, or are they a temporary phenomenon destined to disappear soon? We have sought preliminary answers to this and a number of other questions by studying how these groups function as organizations, how they interact with the police, and how the public regards them.

Support. It was surprising to discover the extent to which citizens in general view citizen patrols positively. Well over half of the white and black population samples we surveyed in the Boston area reacted favorably to the idea of such groups. If this is equally true elsewhere, there is a vast reservoir of support for independent peace-keeping bodies that could lead to citizen mobilization throughout the country. It is possible that millions of Americans might invoke their Bill-of-Rights privilege to "keep and bear arms" and organize private paramilitary

Do-it-yourself law and order is in favor these days. "Millions of Americans might invoke their Bill-of-Rights privilege to 'keep and bear arms' and organize private paramilitary groups if crime seems to be out of control, or if protest and disorder increase, or if police operations appear ineffective or unnecessarily harsh."

groups if crime seems to be out of control, or if protest and disorder increase, or if police operations appear ineffective or unnecessarily harsh.

The effectiveness of such groups, and their ability to survive, depends greatly on how successfully they can be incorporated into existing political structures. We have studied 28 self-defense groups and found that they can be categorized according to their relationship with the police. Police were in regular communication with about two thirds of these groups—providing instruction and advice, and sometimes special credentials of identification. The police reported satisfaction with 43 percent of the groups: they said that only a quarter of the groups were themselves a source of trouble and that it would be better if they did not exist. The groups perform many of the same functions—they patrol their neighborhoods, cool imminent disorder, keep their communities under surveillance, and educate the public in matters of law enforcement. But their essential orientation to the police and civil authority differs.

Blame. Because the emergence of all of the groups stemmed from a feeling that law and order were being maintained inadequately, their mere existence con-

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“The cooperation which has existed between the KKK and some Southern police is well known.”

stitutes an indictment of the police. However, some of the groups do not blame the police for the decline in public order; they attribute it instead to such external factors as manpower shortages, overly permissive courts, and the rampant spread of “the criminal element.” These groups accordingly think of themselves as ancillary to the police, working to supplement and help them. Other defense groups consider the police arrogant, corrupt and prejudiced. There is an adversarial relationship with the police, whom they regard as a principal disruptive element against which the community must be defended.

A group's supplemental or adversarial character does not automatically determine how the police will relate to it. While it seems logical that police should be most favorably disposed to pro-police groups, this is not necessarily true.

Amateurs. Supplemental groups encouraged by the police, as in Cleveland and in the borough of Queens in New York City, have little independent power since their activities are closely supervised by local authorities. These groups often become police auxiliaries, or a special type of municipal police like housing-project patrols, and they tend to be the most stable, best manned, and well financed.

Police often oppose supplemental groups of the type we found in Seattle and Boston largely because of the professional's dislike of sharing his authority and prestige with an amateur, even nominally. Similarly, the police often are apprehensive that the groups will make damaging tactical mistakes and abuse their power. In declining to accept the help of a citizen group mobilized to deal with a demonstration against the Vietnam war, the Seattle police chief declared that he had no desire to end up fighting two mobs instead of one. In other instances supplemental groups may form a symbiotic relationship with police—doing dirty work that the latter are prevented

from doing and in return, receiving at least tacit police support. In one instance, members of a patrol group kidnapped a murder suspect who earlier had been released for insufficient evidence. Through their own means the patrol obtained a confession, and then turned him over to police again. The cooperation which has existed between the KKK and some Southern police is well known.

Adversarial groups encouraged by the police, as in Baton Rouge and Tampa,

A Typology of Groups

		Police Response is to:	
		encourage or not interfere	oppose or suppress
Self-Defense Group: adversarial supplemental	Type I Cleveland Queens	Type II Seattle Boston	
	Type III Baton Rouge Tampa	Type IV Oakland Minneapolis	

usually are born during moments of intense disorder. To soothe tempers and quell a riot the police sometimes are asked to withdraw from an area. Groups are organized to fill the temporary vacuum—they function as buffers between institutional authorities and the rebellious community. After disorder subsides, and the money that city officials hastily allocated to support “cooling” operations dries up, these groups usually encounter hostility from the police and often collapse.

Adversarial groups opposed by the police, as in Oakland and Minneapolis, observe and sometimes thwart police operations in their community. Their idea is to serve as a countervailing force to potential police abuse or neglect. They seek to guard the guards through observation, filming or taping their activities, or through actual physical intervention. They emerge among minority and counterculture groups, whose life-styles or atti-

tudes are different; they see the police as oppressors rather than defenders. They strive to oversee their community and avert crime without relying on a criminal justice system that they believe is ineffective, racially biased, and repressive. In some places they personally try to expel narcotics peddlers, thieves and prostitutes. Ghetto patrols frequently appeal to disorderly youths with “come on, we don't want the cops in here.” A Baton Rouge group's overall purpose is “looking after the people”—and they define “the people” humanistically, as the victims as well as the perpetrators of crimes.

Threat. Police understandably dislike such adversarial groups and sometimes they harass them, as was the case with the Oakland Black Panthers and the Louisiana Deacons. The police consider them a direct threat since they often carry weapons, use violence to establish authority, and resist any kind of official supervision.

A group is better able to maintain itself as a viable organization, if it has the approval of the community it presumes to represent; a strong, charismatic leader able to bridge the gap between the community and official authorities; and a relatively stable source of funds that allows it to establish routine operations. The longest-lived groups tend to be supplemental ones that are subject to varying degrees of regulation by officials and the absence of harassment but that are able, in return, to draw financial help and legitimacy from local government.

Respect. Community leaders often withhold the support that adversarial groups so critically need if they are to present themselves as viable alternatives to the established authority. Rather than see an auxiliary self-defense force develop, these leaders generally call for an increased police presence to combat crime. For example, the Boston NAACP opposed a proposal to create a police-controlled community patrol; the organization argued that the black com-

munity needed the same quality of police services that wealthy areas enjoyed—not an amateur substitute. In Boston, and probably in most other places, it seems unlikely that we will see the emergence of a clear community mandate for autonomous self-defense groups to replace the regular police. The police retain more residual respect, perhaps because to a greater degree than citizen groups they are accountable for their actions and their power is somewhat circumscribed by statutes and courts. On the other hand, there is a certain fear that less easily controlled civilian groups might readily exceed the limits of justifiable power and abuse their positions of responsibility. The legitimacy of civilian-defense groups—whose members are thought of as neighbors and friends before they are considered to be agents of the law—is often open to question.

Racists. The reluctance to give private groups the same kind of respect and deference that is accorded to the police may also be due to the kinds of persons who are attracted to citizen patrols and self-defense groups. One student of police affairs has characterized the persons who rally to the police standard in moments of crisis as “truculent, disorderly, intolerant, and downright vicious.” Defense groups attract persons of uncertain temperaments. Anthony Imperiale claims that racists are excluded from his group, and the Jewish Defense League of Boston required all prospective members to undergo psychiatric examination intended to identify and screen out sadists, but the thoroughness of these interviewing procedures is not overwhelming. Some adversarial groups willingly enlist anybody who will accept the organization's discipline. Large municipal police forces carefully scrutinize applicants for positions in their ranks and they reject many for psychological reasons, but this is much less possible for private defense groups that must recruit members actively. The public recognition and con-

“For many young, lower-status males, a group's symbols of authority provide a sense of respect and responsibility.”

fidence that patrols so eagerly solicit comes into jeopardy when persons who are psychologically unfit to police others obtain the power to do so. If overly aggressive patrol members alienate the community that they are expected to serve, their organizations can accumulate little credibility or legitimacy.

There are various reasons why persons join defense patrols. Some, certainly, respond to the problem of growing crime and what they perceive as declining public order. Others participate because they get paid for doing so. For many young, lower-status males, a group's symbols of authority—badges, uniforms and such—provide a sense of respect and responsibility ordinarily unavailable to them. Such intangible factors are important motivating influences. The desire for novelty and the opportunity to act out *machismo* fantasies also prompt persons to join defense leagues. But when the initial excitement subsides and the work becomes routine and boring, membership enthusiasm wanes and groups have difficulty staying together.

Survey. Public opinion and feelings play a vital role in determining whether civilian patrols become a permanent social fixture. To learn what citizens in the Boston area thought about defense groups, we conducted a survey in the spring of 1971, interviewing a representative sample of about 500 persons. Blacks were “over-sampled” to permit racial comparisons. We wanted to know whether persons had information about community patrols, how they felt about them, and whether they would be willing to join such groups. We also wanted to know whether we could correlate attitudes towards patrols with such demographic factors as age, race and education.

Most of our respondents had heard of a Boston community patrol group and supported the idea of such patrols extensively—55 percent of the whites and 69 percent of the blacks said they thought such groups were a good idea. One re-

spondent said: “I think neighbors have a better idea of what's going on in a neighborhood than the police.” Another respondent thought that community patrols, unlike the police, would be more interested in preventing crime than in simply capturing criminals. Respondents advocated patrols to help overburdened police and promote the welfare of their own communities.

Nuts. Respondents who opposed defense groups tended to associate them with vigilantism and unbridled power. A typical comment: “They're a bunch of maniacs with guns; nuts on the loose trying to do a policeman's job without a policeman's training.”

We constructed a “community crime patrol mobilization” index to rank persons according to how they thought about supplemental patrols and whether they wanted to learn more about a local patrol, expressed interest in joining one, or wanted to be members of a gun club. A promobilization response scored two, an indifferent response one, and a nonmobilization response zero. The higher the score on the index, the more willing the respondent was to be mobilized on behalf of a patrol.

Joiners. The desire for mobilization seems to be strongest among blacks, among the less educated, and among the young. Catholics most supported mobilization, then Protestants, and finally Jews. Respondents of Irish and Italian backgrounds ranked higher on the mobilization index than those of English and North European backgrounds. Men were much more likely than women to score high on all four questions. Black males expressed the greatest willingness to mobilize: 60 percent of them ranked in the highest portion of the index. As education and age increase, willingness to mobilize decreases. Fifty-four percent of the noncollege-educated under the age of 30 were willing, as were 61 percent of the noncollege blacks. By contrast, only 16 percent of college-educated whites over

Self-defense groups may be symbolic of broader tensions during periods of rapid change."

the age of 30 scored high on the index.

Patrol mobilization is more likely to be successful in lower-income groups than in higher ones. Lower-class persons are more likely to regard the organization of patrols and gun clubs as sensible ways to confront crime, urban disorder, and police neglect or abuse. On the other hand, middle-class persons are more likely to choose less direct physical involvement and to rely more on traditional political action; instead of forming defense patrols, they would hold public meetings and pressure officials to respond to their problems or put up money for private security guards.

Feelings. Not everybody who scored high on the mobilization index had the same opinion of the police and of the problem of law enforcement. As was apparent in the character of the defense groups themselves, some persons supported patrols because such groups could help the police, while others valued patrols as a means of controlling the police. Knowing only how a person scores on the mobilization index does not tell us much about his feelings toward the criminal justice system.

To get a more refined sense of public opinion, we studied responses toward adversarial groups alone. A larger percentage of blacks (70 percent) than whites (55 percent) supported "groups that try to check up on the police by observing their operations." The better educated and the young tended to be most in favor of these police-surveillance groups. Respondents who favored adversarial groups were highly critical of the police. They accused the police of treating citizens differently according to their race and income. They were least likely to agree that more "law and order" was needed. On the contrary, they felt that the police were discourteous, brutal and ineffective against crime. Respondents who opposed any form of citizen patrol were most enthusiastic in support of police behavior and practices, and least likely to report ex-

periences, of police discourtesy or misconduct. Those who favored supplemental patrols but opposed adversarial groups also tended to be highly supportive of the police. The persons who favored both types of citizen patrols were disappointed with police action against crime, but they remained unwilling to turn the entire police function over to citizen patrols.

Ties. Citizens can involve themselves in the police process through means other than defense patrols. One general approach to urban problems argues for greater citizen participation in matters of policy. A popular argument is that centralized bureaucracies—with their maze of regulations and their strong police-employee associations—have increased the isolation between police and citizens. Earlier reforms tried to take the police out of politics by making them more autonomous. But, according to some observers, these reforms have gone too far and ties between local police and city neighborhoods must be strengthened.

About half of both samples thought that citizens should have a role in judging cases of alleged police brutality or misconduct. Sixty-nine percent of the white respondents and 88 percent of the black ones also felt that the public merited a say on which laws are to be enforced in a locality and which are not to be enforced. Using these responses and those pertaining to adversarial patrols, we developed an index of support for citizen involvement in the law-enforcement process. One out of three blacks scored very high on this index, but only one in six whites did. The way a person perceives police operations bears heavily on his willingness to participate in law-enforcement activities. Those who urge greater citizen involvement tend to reproach the police for treating whites better than blacks, for treating the rich better than they treat the poor, for abusing citizens with unnecessary force, and for being generally ineffective against crime.

Another approach to law-and-order issues is to increase the power of the police rather than the power of the people. Approximately 40 percent of the white respondents—especially those with only grammar-school education and those over 40 years old—felt that the police deserved to have such added powers as the right to examine houses without warrants, tap telephones, and stop and search suspects on the street. Black respondents, college-educated respondents and the under-30 generally resisted these proposals. More than 40 percent of all these latter groups thought that the people deserved more power to police themselves.

Although self-defense groups have no official rights beyond those of ordinary citizens to make arrests or to carry weapons, and although they often lack decisive mandates from the communities they want to represent, our work indicates that there is considerable latent support for private, noninstitutionalized peace-keeping forces. Their ambiguous position within the legal framework obviously hampers their operations, since the powers of citizen arrest are too ill-defined and insubstantial to legitimate the kinds of work many would like to do. As police apply pressure to limit the scope of their activity, many groups abandon patrols for more traditional political action.

Kids. More adversarial groups retain their militant cast; however, they may seek legitimacy through involvement in more traditional community-welfare activities such as tutoring programs, free health clinics and meals for children, and community-oriented businesses. This may help their image in the eyes of an uncertain community and can give the organization new life and purpose.

A major difficulty for a patrol group is to maintain its credibility as an independent force within the community. A large proportion of civilian-defense groups fails to develop sufficient internal cohesion to keep themselves going as organizations. Generally they can survive only by ac-

commodating to the official power structure. However, the accommodations that help a group stay in business can estrange it from its presumed constituents. A group that minimizes its aggressive posture or patrol activity may get on better with the police but at the same time cease to be trusted or respected by many in the community. An incident in a Kansas city illustrates how difficult it is for groups to enjoy official toleration without being exploited or subverted by the authorities. The police chief of this city cooperated in establishing a patrol and then tried, unsuccessfully, to get its leader to infiltrate the local Black-Panther organization. In another town the police asked patrol members to ride with them and point out troublemakers. When a group can preserve its independence from the authorities visibly, some members of the community will continue to relate to it simply as another kind of official police agency.

Survival. As was noted earlier, supplemental-type citizen patrols of the sort found in Cleveland and in the borough of Queens appear to be the most permanent, probably because they may pay their members and because they do not encounter continuing hostility from the police. Other types of groups tend suddenly to appear when a particularly critical event—civil disorder, an acute instance of police brutality, an especially horrible crime—galvanizes sentiment and prompts the formation of a patrol. When the crisis subsides, these groups subside. A positive ideology—one that affirms what the group supports as well as what it opposes—helps keep a group together.

Although there is far more access to weapons today than there was in the 1930s, there are fewer clashes between racial and ethnic groups. Civilian patrols seem to have a genuine self-defensive posture; thus far most have organized to ward off attacks from "invaders" rather than to take the initiative.

The provisional character of most civilian police groups, then, stems from prob-

Private patrols clearly raise the specter of fascistic organizations operating outside of ordinary political and legal channels."

lems of goal definition, recruitment and motivation, as well as difficulties in relating to police and the community presumably being served. Such problems make it unlikely that they will become permanent components of the law-enforcement system. But what difference do such groups make? No one has evaluated their effectiveness with any kind of systematic before-and-after data, such as reports of crime, civil disorders, complaints against police, citizen feelings of safety, attitudes toward the groups and police, and police and group abuses. A majority of the groups dissolve.

Nonevents. If there is little evidence that marked, regular police patrol cars prevent crime, there is even less that irregular, often unmarked, citizen police patrol cars can do so, though they occasionally relay information to police. However, visible guards patrolling on foot in a limited area—such as an old-people's home or a playground—have reduced vandalism and physical assaults. Escort services may help prevent crimes; but it is difficult to measure events that don't happen. Some civil disorders, aggravated by regular police, have cooled when police were withdrawn and community patrols attempted to maintain order, though in other cases such patrols have seemed to have no effect.

Some of the groups may increase citizen feelings of security and create pride as a community organizes to help itself. Citizens may appreciate the patrols for at least listening to them, and for trying to act on the complaints and fears of those who feel ignored and forgotten by city governments. Self-defense groups may also have an importance beyond themselves: they may be symbolic of broader tensions during periods of rapid change. For example, the issue of "law and order" can be a respectable euphemism for preventing a redistribution of power between competing groups. Conversely, armed patrols (or the threat of them) organized by minority groups may be a means of facil-

itating power shifts. However, the greatest contribution of the groups may ultimately be a catalytic one. The fact that citizens can mobilize to police themselves and challenge police sovereignty may well inspire law-enforcement officials to be more attentive to community relations and community needs. The threat that armed patrols may organize in low-income areas (whose residents feel that the police do not maintain public security adequately) could similarly prompt serious reconsideration of how institutionalized authority should be diffused and organized in places with heterogeneous racial, ethnic, and economic compositions. By showing their dissatisfaction with the status quo, citizen patrols may be able to negotiate with the police for better services.

Urgency. Private patrols clearly raise the specter of fascistic organizations operating according to their own rules, outside of ordinary political and legal channels. The antidemocratic trapping of armed-citizen bands is evident. But there must be a response to those who live in areas where crime rates are high and where police are felt to be ineffective and/or abusive. Citizen police groups are a tentative, stop-gap response. Self-policing would seem to hold the most promise in smaller, relatively homogeneous settings where the boundaries of a group are clear, such as at schools, protest demonstrations, and rock concerts; and where they primarily render aid and help maintain order, rather than enforce the law.

If authorities respond to the mood of public urgency with attacks on the social conditions conducive to crime and disorder, and with improvements in the quality and in the fairness of police service, citizen patrols probably will pass from the scene with their mission accomplished. But if authorities remain inflexible or unresponsive, or if they are unable to take meaningful action to remedy the problems of crime and police, then the potential for private violence will continue to grow.

END