GAUGING THE EFFECTIVENESS OF THE POLICE AT WORK

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Preface

The purpose of this paper is to explore the state of knowledge concerning the effectiveness of the police in problematic situations. The effort was stimulated by the interest of the National Institute of Justice and made possible through grant #81-IJ-CX-0082 to the Police Foundation. The paper has two parts. In the first, the intellectual issues involved in devising an appropriate test of effectiveness are discussed. In the second, the state of knowledge of the subject is reviewed and suggestions made for a research agenda. Six projects are suggested that the authors believe are called for if the major issues in the area are to be resolved. The projects address different aspects of a research agenda and cannot be considered, except in two cases, substitutes for one another. At the same time, the authors believe that the sixth project gets at the essence of the effectiveness issue in a particularly useful way, indeed in a manner that will inform policy-making vitally. The research strategy for each project is outlined, with the crucial design choices justified.

The grant from the National Institute of Justice allowed the authors an opportunity to immerse themselves in the work of patrol officers and to assess the problematic nature of that work. With the generous cooperation of the Quincy, Mass., and Denver, Colorado, police departments, Professors Bittner and Bayley, respectively, met with panels of police officers over several months discussing with them the tactical problems of patrol encounters. The authors then devised an instrument for recording observations of tactical encounters in the field. Through extensive field-observations Professors Bayley and Bittner, assisted by graduate research assistants, tested what their police informants had said against the reality of street encounters.

~~Although~~ The grant from the National Institute of Justice was awarded ~~solely to explore~~ TO PROVIDE AN OPPORTUNITY TO the problems in studying police effectiveness in problematic situations and to set forth a research agenda, as this paper does. However, the experience with the police in Quincy and Denver was sufficiently rich and extensive so as to prompt the authors to do more than exploratory analysis. First, they have completed a paper entitled "Learning the Skills of Policing" that has been submitted to a journal for publication. Second, they were able to field-test the instrument for observing tactical encounters. See Appendix A. Third, on the basis of observations made by a team of graduate research assistants in Denver, data has been collected on the tactics employed by police randomly observed in 93 domestic disputes and 153 proactive traffic-stops. Two papers will be written based on that work. One will analyze the range and frequency of tactical responses of patrol officers. The paper will be presented to the "Symposium on Discretion in Law Enforcement" to be held at Duke University in early 1984. Papers from the symposium will be published as a book. The other paper will examine the determinants of police tactical responses in domestic disputes, comparing results with the analysis done by Donald Black in THE MANNERS AND CUSTOMS OF THE POLICE (New York: Academic Press, 1980), Chapter 5. Both papers will be completed by the spring of 1983.

It has become commonplace in writing about the police to remark that their work involves making difficult choices. Police work is discretionary.. Police officers and the public believe these choices are fateful, significantly impacting the lives of individuals. If this is true, then responsibility in policing consists in being able to choose means that effectively achieve worthwhile objectives. Officers must be able to determine a connection between action and outcome. At the moment, officers appear to be guided more by lore, that is, by what the police community assumes works, than by any scientifically demonstrated knowledge.[1] The purpose of this essay is to explore how knowledge can be developed that might enhance police effectiveness. Several knotty issues involved in this process will be discussed and specific research projects will be proposed.

Our focus of concern is on the effectiveness of individual police officers, not of whole departments or units within them. A great deal of informative research has been carried out on the utility of police in general as well as on the effectiveness of particular strategies.[2] This has been called evaluation research. Our interest is the same, namely, a determination of what works, but the unit of analysis is different. We are concerned with the tactics of individual officers rather than the strategies of organizations. What should individual police officers do in specific situations in order to be effective?

Although this kind of question can be asked with respect to officers in all lines of work, we will examine only patrol personnel. Patrol work involves a substantial majority of all police personnel, it accounts for most police contacts with the public, and it initiates the mobilization of police resources.

The Question of Appropriate Criteria

In order to judge whether police officers are being effective, it is necessary to establish a standard. Effective with respect to what? What goals should police officers try to achieve -- to enforce the law, prevent crime, maintain order, protect lives and property, administer justice, serve the public, be fair and equitable? Objectives are easy to enumerate but are often contradictory. Moreover, there are different opinions about appropriate goals within the police as well as among the public. Police supervisors want visible activity, like making arrests, and at the same time avoidance of scandals; politicians want dramatic reductions in crime but sympathetic understanding of particular circumstances that may mitigate the culpability of particular constituents; individual citizens want instantaneous response and wrap-around protection without curtailing freedom; and groups of citizens want everything from lenient enforcement of traffic laws to closing of all adult cinemas, to strict maintenance of noise control, to ending street interrogations of minorities, to jailing of all wife-beaters. There are as many views of appropriate goals as there are viewers. As McIver and Parks have said, ". . . the choice of effectiveness operationalization is based on perspective. Politics in the very general sense underlies choice of indicators."[3]

The first step in providing tested insights about enhancing effectiveness is to fix upon a set of criteria that are manageably short, relevant, important, and practical. Although research has just begun, the criteria already used are a diverse lot: number of arrests and convictions,

accident reports made and traffic citations issued, court appearances, and measures of patrol activity such as proportion of time "out of service", and numbers of contacts; promotions, awards, reprimands, substantiated complaints, and firearms removal; ratings of work by supervisors and peers concerning job knowledge, dependability, initiative, relations with others, and quality of paperwork; behavior of officers observed in encounters and reactions of civilians; evaluations by citizens of what police did and how they acted; and evidence of the equity, fairness, and propriety of police actions.[4]

The key issue in sorting out appropriate criteria would seem to be time-perspective. Should officers be judged by what occurs during an encounter or by what happens subsequently? Officers argue strongly that they should only be judged by what happens during the encounter. Unlike doctors, social workers, and educators, patrol officers do not "work" with individuals in an on-going way. Generally, they deal with individuals once and never see them again. If they do meet them again, as in "call-backs" to domestic disputes, the encounter is accidental, determined by the dispatcher or chance contact on patrol. Moreover, contacts are usually brief, rarely extending beyond a few minutes. Therefore, officers argue, they shouldn't be held accountable for achieving objectives that lie beyond the contact. Too many other factors attenuate the effect of their action. In this view, appropriate goals involve such objectives as establishing control, immediately protecting lives and property, and tending the injured, but not preventing future crimes or violence and not correcting social problems, like marital discord or racial discrimination.

Surely it is unfair to expect the police to achieve objectives that lie beyond their control. The greater the time that has elapsed between police contact and stipulated goals, the less effective the police will be found to be. In terms of moral responsibility, the appropriate standards for assessing police effectiveness are situationally related. Police, therefore, should be considered more like paramedics rather than doctors -- their mandate being to control, stabilize, and refer. They cannot be expected to diagnose and treat in any profound sense. This conclusion can also be argued in terms of public policy. Police are not equipped to undertake long-term ameliorative treatment. In terms of the criminal justice system, doing so would usurp the functions of judges who are charged with determining the proper exactions of the law. More broadly, extending the time-perspective for judging police effectiveness would implicitly authorize the police to individuate in terms of perceived social consequences. Since police act under warrant of law, their capacity to treat authoritatively would be enormous.

The point is that there are important trade-offs in choosing the appropriate time-perspective for evaluating police actions. If it is coincidental with the duration of an encounter, responsibility of the police is maximized but the profundity of their accomplishment is reduced. If the time-perspective is extended beyond an encounter, accomplishments become more significant but police responsibility declines.

Despite the *a priori* element of unfairness in judging police effectiveness in terms of long-run perspectives, the police themselves do so all the time. Their actions are often explicitly shaped by forecasts of the future, even though they often publicly deny long-range responsibility. The logic

of deterrence encourages this. Police are keenly attentive to whether their actions prevent future crime and disorder. They lay these assessments against the probable costs of their actions to the citizens as well as to themselves. Police officers recognize, none better, that mechanical application of the law results in over-kill in terms of deterrence. An elderly carefully-dressed middle-class woman who has been humiliated to tears by being stopped for running a stop sign on a secondary street may not need a ticket to keep her from doing it again. People stopped for minor traffic offences may not need tickets to underscore the point that they shouldn't be driving without a license when they readily admit they were speeding to do an errand for their wives and left their wallets in their suit jackets. No useful purpose may be served by arresting two middle-aged men for causing a disturbance when they are both sheepishly repentant, admit they have had too much to drink, no damage has been done to others, and their wives jointly say the old fools have been friends for years. Or, finally, arresting an itinerant laborer for hitting his wife when she doesn't want a separation may jeopardize the family's income without offering any real protection to the wife.

The police are future-oriented to some extent. But they want to be so on their own terms. For example, they are frequently angered by women's groups that demand more effective protection for wives who are repeatedly battered. Police say they can't assume this obligation; all they can do is file charges for specific violent actions, hoping this will serve to deter.

At the same time, police themselves judge their effectiveness in domestic fights by whether there are any "call-backs". The time-frame usually doesn't extend beyond their own shift, but it certainly goes beyond the immediate encounter. Police departments and women's groups are not as far apart as it appears. Both hold responding officers accountable for future events. The difference has to do with the length of time over which police control is presumed to exist. One of the very few attempts to assess police tactical effectiveness concerns this very issue. Under a grant from the National Institute of Justice, the Police Foundation has been studying the relative frequency of subsequent assaults on spouses depending on whether the police arrested the assaulter, forced an eight-hour separation under threat of arrest, or advised and mediated. The project is being carried out in Minneapolis, Minnesota; results will be available in 1983.

Police decisions in encounters are also affected by another forecast, namely, whether the seriousness of an offence and the culpability of the offender justifies what enforcement of law is likely to exact.[5] Here the concern is with "natural justice" and it involves predicting the actions of the criminal justice system. Police feel justified in doing so because, as with deterrence, they accept justice as being one of the products of the criminal justice system. But justice is not a proper criterion for judging police effectiveness, though it seems strange to say so. The police can't be held responsible for sanctions of the criminal justice system, no matter how onorous or unfair they might be. Police are not given authority to decide whether the arrest of an offender would produce "just" punishment. Even though they repeatedly do so, they are not supposed to choose courses of tactical action according to their own assessment of the justice of

what the courts will do. This is different from discounting tactical actions on the basis of forecasts of deterrent effectiveness. In both situations, forecasting is involved -- and one might prefer the police did not do it -- but in the case of deterrence, evidence for effectiveness depends on future facts, while in the case of "justice", effectiveness becomes a wholly subjective evaluation.

Another set of criteria for assessing effectiveness, and involving both short- and long-run considerations, play an important role in the tactical decisions of police officers. These are estimations of the consequences of choice upon the officers themselves. Three projections are particularly important: (1) do the actions meet departmental expectations about performance? (2) do they avoid personal injury? and (3) do they minimize the chance that the public will threaten an officer's career by filing a complaint or a legal challenge? The impact of police decisions on these goals can be determined, if not immediately, then within a very short period of time after an encounter. Departmental expectations, in fact, are known in advance of action, though occasionally officers are surprised and feel they have been double-crossed. It is unrealistic to think that officers won't consider such criteria in judging the utility of their own actions. Surely, however, the effectiveness of police officers must involve considerations beyond the safeguarding of their own professional lives? Is a tactic useful if it does no more than fulfill departmental norms, avoid injury, and reduce the risk of complaint? From the point of view of police officers, it would be; from the point of view of the public, surely not. Police officers have been hired to accomplish public purposes not merely to protect themselves. Let's examine more closely each of these three police desiderata to see if they should be used in assessing tactical effectiveness.

Departmental norms should definitely not be used to evaluate tactical effectiveness, even though officers themselves will do so. The point of research into effectiveness is to determine whether the objectives departments are achieving through the aggregate actions of officers are valuable. To use departmental norms as criteria begs the question by substituting police values for public ones. Tactical decisions are not effective because police departments say they are. They are effective because they achieve objectives people outside the police -- public as well as researchers -- consider valuable. The only reason one might want to collect information on whether the tactics of patrol officers meet departmental expectations is in order to determine if a department is being managed effectively. If departmental norms and criteria indicating social accomplishment are discrepant, then a police department is reinforcing the wrong lessons. In such a situation, meeting departmental norms is not desirable from the point of view of social effectiveness. And officers are faced with the cruel dilemma of having to choose between the public interest and their own. Allowing departmental norms to be criteria for judging tactical effectiveness obscures this crucial point. [redacted]. People who investigate tactical effectiveness must insist on distinguishing what officers are achieving from what departments want them to achieve.

Avoidance of personal injury, however, is not a matter of strictly personal or departmental interest. Death and injury cost the public money in terms of medical treatment, pensions, loss of skills, and replacement expenses. More importantly, injury to officers is closely related to the

success they have in discharging their central obligation, namely, to reduce violence and maintain order. Personal injury to officers can be thought of as an empirical indicator of the absence of control. When officers base tactical decisions of the objective of avoiding injury to themselves, they are, usually, acting in aid of the public interest. Sometimes, of course, officers are expected to risk themselves deliberately; this is an obligation of the profession. But these heroic occasions excepted, injury to officers is a relevant indicator of whether the choices officers make accomplish the larger objective of maintaining order. It is proximate, not entirely coincidental, to an appropriate criteria. To exclude it would be more than naive, it would complicate the recognition of order maintained.

Public complaints or legal actions against officers are, like personal injury, consequences of tactical decision. [redacted]. The problem with using public threats to careers as a criterion of effectiveness is that it is idiosyncratic. Effectiveness would become whatever individual members of the public want, and there is no guarantee that they want the same thing. Just as the test of effectiveness cannot be determined by police departments, so it cannot be measured by disaggregate responses of the public. Satisfying the public in encounters may make policing easier and protect the organization from political attack, but it is not an appropriate criterion for judging tactical effectiveness. Police can be effective even though citizens become furious. Just as they may be ineffective even though the

Public is satisfied. Subjective reaction to the police by citizens, indicated by complaints and suits against, should not be used as a criterion for testing tactical effectiveness. Complaints and suits become appropriate criteria only if, first, they are valid, that is, accurately reflecting what occurred, and, second, they are a reaction to the failure of the police to achieve a public objective. In short, they would have to be both true and objectively related to a worthwhile objective. Using indications of disaggregate public reaction to measure tactical effectiveness begs the question, as it did in connection with departmental norms, namely, what should the police be trying to achieve in problematic situations of different sorts? This decision cannot be left to the whims of individual citizens.

In summary, we propose that the following principles should guide the choice of criteria by which to judge the effectiveness of tactical choices made by patrol officers. First: the primary criteria should be those that are encapsulated in encounters or at least follow very closely thereafter. Police should generally not be held responsible for consequences they cannot immediately control. The key tests of effectiveness, therefore, are establishing control, protecting life and property, and avoiding injury to themselves.

Second: effectiveness criteria lying beyond the encounter should be considered in only two circumstances -- when the police themselves use them or when public policy directs them to do so. If the police act out of consideration for future effects, it is not only appropriate but necessary to provide them with information that helps them to make these choices intelligently. Since they are trying to be effective in terms of future events, it is proper to judge whether they are. If the police do not make decisions according to considerations transcending the immediate encounter,

then it is not appropriate to judge them by such criteria unless they have been expressly directed so to act. It may be naive for the public to require the police to try to achieve long-run objectives, because police control weakens through time, but if the public does, it is appropriate to test for success. However, fairness to the police obliges the public to stipulate these long-run goals explicitly; police effectiveness should not be evaluated according to a hidden agenda.

Third: evaluations made by departments of the performance of patrol officers should not be used for judging tactical effectiveness, even though officers will inevitably be affected by them. The criteria departments use for promoting, rewarding, and punishing have no more weight morally than those of any other group of citizens. Effectiveness research must test whether what officers do impact public objectives. Departmental norms and regulations are not ends in themselves; they are for the achievement of public purposes.

Fourth: the criteria for judging the effectiveness of individual officers in problematic encounters must exclude normative appraisals of their tactical choices. Although it is desirable certainly for police to be fair, unprejudiced, nonabusive, sympathetic, and legal, these qualities are not consequences that flow from what they do. Evaluations intrinsic to actions are different from evaluations of consequences of actions. In whatever police officers choose to accomplish, they should strive to be above moral reproach. But they are not more effective when they act legally or fairly, they are simply legal and fair. Indeed, sometimes being illegal and unfair can accomplish worthwhile public objectives. Moral judgments about the intrinsic quality of a tactic are part of the description of the tactic itself and are not appraisals of the consequences of the tactic. Unless this point is

firmly grasped, the study of tactical effectiveness will become confused because a judgment about what a tactic is becomes part of a judgment about what a tactic does. Being sympathetic, straightforward, even-handed, honest, and polite are part of the description of tactics. And the public should never stop asking about whether police are performing to these standards. Tactics exhibiting these qualities are worthwhile in themselves. But what they accomplish is another matter. In short, criteria for judging the rectitude of tactics should not be considered as effectiveness goals.

These principles should help in choosing the goals that should be used in judging the tactical effectiveness of patrol officers. They do not, of course, preclude diverse and possibly contradictory criteria being applied. Disagreement may arise between the police and the public, especially if the police operate in short-run time-frames and the public in long-run. They may arise as well within both communities. Senior officers may think the paramount goals of officers should be to avoid embarrassing the department; patrolmen may think they are to take control, even at the risk of unfavorable publicity. White female activists may want the immediate arrest of all wife-beaters even at the expen e of marriages, while Hispanic women may want mediation even at the risk of personal injury. As Michael Banton has argued, police are more likely to be out of moral synchronization with the public if they serve large, heterogeneous, structurally differentiated populations.[6] In such milieu, the potentiality for disputes about effectiveness goals is very great.

The degree of dispersion among goals can be tested through research, and there are important benefits in doing so. If there is a substantial disagreement within a community, accurate information about opinions

would allow the police, if they chose, to adapt tactics to local standards of worthwhile accomplishment. On the other hand, police might decide to work with others to shift pockets of public opinion in the direction of conformity to more consensual norms. If substantial disagreement was not found, officers could perform with renewed confidence, no longer feeling odd-men-out or part of an "army of occupation." If rifts in opinion about appropriate goals show up only within the police, police managers can take steps to legitimate supervisory standards throughout the force or make supervisory standards more adaptable to operational imperatives.

This leads us to suggest a research project. Several others will be outlined as well in the course of this paper. In each case, the purpose of the project will be discussed, a research design briefly sketched with special attention to key methodological problems, and relevant previous research explored.

RESEARCH PROJECT ONE: A Study of Community Consensus on Police Objectives in Problematic Situations.

1. Design: secenarios of characteristic situations police are called upon to handle will be presented to respondents from the police and the public to determine what goals they consider appropriate.

(a) Unit of analysis: officers within police departments and the populations served. Since the information collected would be informative only for local managerial decisions, no attempt need be made to contrive a national sample.

(b) Sample: a random sample of police personnel and populace would be optimal. Alternatively, a stratified random sample might be used in order to assure coverage of critical sub-communities and rank levels within the police at less cost than the nonstratified sample.

(c) Survey instrument: the most difficult part of the project will be the construction of scenarios representing situations frequently encountered by patrol officers which, at the same time, contain situational variables that respondents might consider relevant to choosing appropriate goals, e.g., race and class of participants, nature of offence, and presence of weapons. Choice of scenarios would be made on the basis of analyses already available of the nature of police mobilizations [redacted] and discussions with officers and selected members of the public about features of situations that help to order goals.

2. Precedents in research: John P. Clark presented six hypothetical situations to police and public in three Illinois cities in order to determine views about tactical responses and objectives.[7] Similarly, four criminal situations were presented to members of the public in Rome, New York City, Tel Aviv and Cologne. Respondents were asked their preferences about the police response, not about goals to be achieved.[8] Both studies can be used in the construction of a survey instrument, but neither was systematic nor exhaustive.

The Evaluation of Tactical Effectiveness

In order to determine what works in the sense of achieving appropriate goals, police tactics in particular kinds of situations need to be described and observed. Then they must be tested for association with the achievement of stipulated goals. Unfortunately, very little is known about the range of tactical responses used by the police, elementary though this may seem.[9] Until this has been done for situations most frequently encountered by

patrol officers, the problematicalness of police work remains an open question. That police choose is clear, especially with respect to deciding to act at all, but it is not clear that many situations present an extensive array of tactical alternatives. Being problematic, it should be noted, is not the same as being difficult. Disarming a person with a knife is difficult, but the necessity for forceful action is usually not an issue. Some situations are relatively cut-and-dried, such as robberies in progress, fleeing felons, people with epileptic seizures, and stone-drunk "Winos". Others are fraught with decision, such as domestic fights and disturbances by gangs of teenagers. In our work with groups of experienced patrol officers in seminar settings in two communities, we found that the situations deemed most problematic were domestic disputes, proactive traffic stops, and loitering teenagers. These impressions are confirmed by surveys previously carried out in Denver, Colorado, and Battle Creek, Michigan.[10] The now extensive literature on patrol operations tends, too, to select domestic disputes to demonstrate the complexity of police work.[11] Maybe, however, the problematicalness of patrol work has been exaggerated. Police officers, after all, have a vested interest in portraying their work as demanding. But academic researchers may have been so bemused by the issue of discretion and the discovery that police are not robots, that they have overlooked the many times patrol officers confront situations that do not involve meaningful choice. Constraints may stem from department rules, situational exigencies, and requirements for legal action.

Empirical evidence to resolve this point is fragmentary and inconclusive. Most of the studies of police mobilizations only describe the nature of encounters, ignoring the complexity of choices presented. Categorizing

encounters in terms of law enforcement, order-maintenance, and service, for example, tells nothing about what responding officers might reasonably do. Law-enforcement situations are not inherently more problematic than service situations or order-maintenance ones more so than law-enforcement. Tactical complexity cannot be inferred from a description of situation type; it needs to be determined by observation of what police both might and actually do in situations of various types. When very disaggregate schemes for estimating the nature of police work are done, domestic disputes, by all odds the most problematic situation in the opinion of police officers, appear to occur fairly rarely. In a study of 26,000 calls for service in three metropolitan areas, Eric Scott found that domestic conflict accounted for only 2.7%.[12] Until the proportion of patrol work that is truly problematic has been established, we do not know whether effectiveness requires highly skilled operatives or could be accomplished equally well by meter-maids.[13]

RESEARCH PROJECT TWO: The Problematicalness of Patrol Mobilizations.

1. Design: trained researchers will observe patrol officers in the field, cataloguing the actions undertaken in different types of situations.

(a) Unit of analysis: patrol officers in large urban police departments where the variety of mobilizations would be great. Since departments might have policies that limit choice in particular situations, cities should be chosen that are relatively relaxed in tactical direction.

(b) Types of situations: observers should catalogue responses in all kinds of situations, though the instrument used for recording information should be framed so as to be particularly sensitive to those that occur most often. Since observers must be present throughout a shift, no saving in cost would be produced by limiting attention to particular sorts of mobilizations.

(c) Schedule for recording observations: attention will be given to the development of an encounter over time. The tactical alternatives open to an officer vary during an encounter. On the basis of field-observation in Denver, Colorado, during 1982, we think quite distinct sets of action are taken at contact, processing, and exit.[14] Contact refers to what officers initially do; exit deals with what they do as they disengage; and processing is a residual stage when officers settle into an encounter and try to figure out what their exiting action will be. We have developed a draft instrument for recording tactical responses in disturbances and proactive traffic stops. It has been field-tested. A copy is attached as Appendix A.

2. Precedents in research: the most elaborate observation ever done of police actions, sensitive to the evolutionary nature of encounters, was done under the direction of Richard E. Sykes in Minneapolis, Minnesota, during the 1970's.[15] Re-analysis of that data might go a long way to resolving the issue of the problematicalness of patrol work, provided it is amenable to tactical categorization. Don Black recently re-analyzed data on patrol mobilization, focusing exclusively on domestic disputes, collected by the President's Commission on Law Enforcement and the Administration of Justice in 1966.[16] His four categories of action were penal, therapeutic, compensatory, and conciliatory. These are descriptions of exit actions, to use our terminology. They are not adequate for describing all the tactics attempted by officers. Our impression is that Black's data cannot be used to show the full complexity of mobilizations. Other studies of the nature of police mobilization suffer from the same defect. They use very simplified categories for description, in particular the ubiquitous law enforcement, order-maintenance, and service.

If research does establish that situations presenting genuine choices in tactics confront patrol officers reasonably often, attention can then be given to determining which tactics are more effective. Obviously, such studies should try to discover patterns of association between particular tactics and specific goals in situations of the same kind. Research can be done on any kind of problematic situation. Because we think domestic disputes and proactive traffic stops as the most problematic, we will present outlines of research work on these situations. See below under RESEARCH PROJECT FOUR and RESEARCH PROJECT FIVE. However, we want to urge that priority in research be given to a problem that cross-cuts many patrol mobilizations, namely, order-maintenance.

The central problem for the police in almost any situation is the maintenance of order. The need to defuse actual or potential violence is what makes domestic disputes so problematic. But this imperative is by no means limited to them. It applies to a larger category of encounters, namely, disturbances. These are situations where a quarrel becomes public, that is, cannot be contained through private ministration. By definition, quarrels become disturbances whenever the police arrive.[17] The numbers of people involved may vary considerably as does the degree of intimacy among disputants. But the common obligation for the police is to reestablish order. Being able to do so is the street skill most valued by patrol officers; not to be able to do so arouses their greatest anxiety. Here the lore of policing is especially rich, officers having a vast fund of stories about gambits that can be used to reassert control. The legendary patrolmen are the ones who can defuse violent situations simply by talking. Policemen would be more grateful for tested conclusions about how to be effective in these situations than in any other.

In situations where violence is actual or threatened, police and public are likely to agree on the priority of goals to be achieved. The need to restore order is felt keenly by all people involved, with the exception of those rare occasions when violence is deliberately committed for criminal or political ends. Even here, the nonparticipating public will probably accept the need to restore order.

Problems of order-maintenance confront police departments as a whole as well as individual officers. "Order-maintenance" has become a phrase to conjure with in police studies. Strategic order-maintenance should be distinguished from tactical. Strategic choices involve where and how to use departmental, or community, resources to preserve peace and safety in public places. James Q. Wilson and George Kelling have recently made some provocative suggestions about this.[18] In the summer of 1982, the National Institute of Justice inaugurated an ambitious program for helping police departments choose effective strategies of order-maintenance.[19] There is a symmetry, then, between the research recommended here into tactics patrol officers should use in restoring order and the growing interest in departmental strategies of order-maintenance.

RESEARCH PROJECT THREE: Tactical Effectiveness in Order-Maintenance Situations.

If patterns of association can be discovered between specific tactics and success in restoring order in similar kinds of situations, police decision-making will be made considerably more rational. At the same time, there are interesting implications for policing if such associations are not found. There would be two possibilities. First, tactical choices are not as consequential as expected because the police are so authority-laden and

overawing in weaponry. Apart from extremes of over- or under-reaction, it doesn't really matter what they do. Second, the circumstances that affect success are so numerous that tactical choices cannot be made rationally. As the police say, every situation is unique. Paradoxically, then, tactical inefficacy could arise from both the powerfulness and the weakness of situational circumstances in relation to the police.

1. Design: officers will be observed handling a large number of situations in which violence occurs or is likely to occur, so that analysis can search for association between tactics utilized and achievement of effective control.

(a) Unit of analysis: patrol officers in any large police department where order-maintenance problems are relatively frequent and officers are not obliged to handle them in particular ways.

(b) Description of tactics: we have developed a list of tactical choices confronting officers at contact, processing, and exit for any kind of disturbance. The schedule is attached as Appendix B. McIver and Parks have proposed a list of 45 categories.[20] These two sets substantially overlap, and both have been field-tested. So problems of adequate description of tactical alternatives have largely been solved already. At the same time, some further elaboration of categories is needed. No attempts have been made to describe the types of verbal ploys officers use to divert attention of disputants. Police officers believe the "gift of gab" can be critically important in defusing violence. It remains to be seen whether such gambits are amenable to classification.

(c) Appropriate goals: the choice of appropriate goals by which to judge effectiveness is quite straightforward. They are the re-establishment of order, the prevention of violence, and the avoidance of injury to police

officers. The only tricky operationalization involves the concepts of order/disorder and violence/nonviolence. While it is easy enough to stipulate indicators of violence/nonviolence, it is very difficult to determine the potential for violence. Order-maintenance involves both controlling, stopping, and containing violence but also defusing, palliating, and deflecting potential violence. McIver and Parks solved the problem by having observers score whether participants became more calm or more angry during the encounter. This does not get directly at the issue of control. We propose that observers make their own judgments about the potential for violence, an evaluation which is no more subjective than McIver-Parks' assessment of emotionality. Observers could also record what the officers said about the potential for violence after the encounter. There would thus be two sets of impressions about how dicey any confrontation was.

2. Precedents in research: only one study has rigorously attempted to assess the impact of various police tactics on situational outcomes. That is the work of John P. McIver and Roger B. Parks sponsored by the National Institute of Justice.[21] Using data obtained through observing nine hundred tours of duty in police forces in greater metropolitan St. Louis, Rochester, and Tampa-St. Petersburg, they searched for patterns of association between forty-five tactical responses, on the one hand, and three measures of police effectiveness, on the other, in four types of situations. The criteria for judging effectiveness were changes in emotionality of citizens, changes in their demeanor toward the police, and their satisfaction with officers' actions. The four situations were property crimes, domestic fights, disturbances, and non-domestic interpersonal conflict. Briefly, they discovered that forty-five indicators of police action accounted for 40-65%

of the variance in the three indicators of effectiveness when only one officer was involved and for 20-35% of the variance when two officers were involved.[22]

The McIver-Parks research is a model for the study of tactical efficacy. Although very close to what we propose, it has three important shortcomings. First, the categorization of police action was not sensitive to differences in tactics at different stages of encounters -- contact, processing, and exit. Second, the categories did not include verbal ploys and non-physical gambits. Third, the effectiveness measures do not directly reflect whether control was established or violence defused. Emotionality could rise, participants could become more disrespectful of the police, and citizens could be extremely dissatisfied with the police, but nonetheless police actions could have effectively contained or prevented violence. The McIver-Parks research, while the very best that exists, does not address the issue of order-maintenance in clear terms of control Possibly their data, as well as that from other extensive observation studies, could be reanalyzed with this in mind.

The design suggested here is quasi-experimental, as most are in this field. It is possible, however, to test effectiveness, whatever the situation -- order-maintenance, domestic dispute, traffic stops, experimentally. This would require similar situations randomly selected to be handled in alternative ways. This approach has been followed in the Police Foundation's "Spouse Assault Project" in Minneapolis, which began in 1981. Though experimental designs are to be preferred in principle to quasi-experimental ones, they raise complex ethical issues and are difficult to implement. We have not, therefore, outlined experimental designs, although they do constitute a research option.

RESEARCH PROJECT FOUR: Police Effectiveness in Domestic Disputes.

1. Design: the project would observe the tactics employed by police officers in domestic disputes and explore their effect upon the achievement of both short- and long-term objectives.

(a) Unit of analysis: patrol encounters in any police department.

(b) Topical focus: domestic disputes are defined as quarrels between people living together, regardless of where they occur, that require police intervention.

(c) Tactics for study: we have developed an instrument for recording tactics used in domestic disputes at the three stages of contact, processing, and exit. Initial analysis of field-observations made in Denver during 1982 indicates that the categories are exhaustive and reliable. The schedule needs to be expanded to include categories of verbal ploys and gambits used by officers to defuse violence.

(d) Goals for judging effectiveness: establishment of control, injury to the police, "call-backs", and criminal acts, especially violence, between the disputants during the ensuing year.

2. Precedents in research: the only test of the effectiveness of patrol officers in domestic disputes has been done by McIver and Parks. In addition to needing to elaborate tactics to include verbal gambits, their research does not measure effectiveness according to criteria that we believe are central to police and public thinking, namely, control of violence. Their measures also exclude events that occur after the encounter has been terminated, such as call-backs and future injury. Don Black's analysis of domestic disputes, using the 1966-67 data from the President's Commission on Law Enforcement and the Administration of Justice, does not focus on procedural tactics at all. It explains exit actions, described as penal, therapeutic, conciliatory, and compensatory, according to the characteristics of the civilian participants.[23] Mark W. Haist and Robert Daniel studied one hundred and seven domestic disturbances in Kansas City in the early 1970's. Like Black, they were interested in explaining the tactics that comprise exit decisions as well as citizen satisfactions. They did not try to determine the effectiveness of various tactics.[24] Finally, Raymond Parnas

documented the discretionary nature of policing in domestic disputes based on field-work in Chicago during the mid-1960's. A fine and comprehensive tour of the issue, his work is not an empirical test of tactical effectiveness.[25] We cite Parnas' article as a reminder that the problem of police effectiveness in domestic disputes has been admired for a long time. It is past time to put up or shut up.

We have already referred to the project of the Police Foundation, sponsored by the National Institute of Justice, to determine whether arrest, separation, or advice and mediation have differential effects on post-encounter spouse assaults. This is exactly the kind of work we are calling for, only it is more limited than what we are proposing. It investigates the impact of three exit actions on spouse safety. It does not address the issue of tactical control.

RESEARCH PROJECT FIVE: Tactical Effectiveness in Traffic Stops.

Our work with experienced patrol officers indicates that they consider the traffic stops very problematic. Field-observation in Denver confirms this tactical complexity. Moreover, traffic stops may be dangerous, though not nearly so much as officers believe. FBI statistics do show that traffic stops and pursuit rank third among situations in which danger is encountered relative to the total number of traffic stops is unknown. One suspects, in fact, that it is probably very low. Nonetheless, because of their frequency, complexity, and possible dangerousness, traffic stops appear to be an important subject for effectiveness research.

1. Design: determine whether an association exists between police tactics, observed in the field, and both short- and long-range indicators of effectiveness.

(a) Unit of analysis: patrol officers in any police jurisdiction where they are not discouraged by departmental policy from making traffic stops. Since departmental policies with respect to traffic stops vary

substantially, preliminary reconnaissance should determine their proportion among all patrol contacts before resources are invested in the study of a particular department.

(b) Topical focus: traffic stops are when police officers interdict the movement of a vehicle utilizing alleged infractions of the traffic code as justification.

(c) Tactics for study: we have developed an instrument for recording the tactics used by patrol officers at contact, processing, and exit. Based on discussions with experienced patrol officers, we have identified ten different actions at contact, seven during processing, and ten at exit. A schedule of these is included as Appendix C. Initial analysis of field-observations from Denver indicate that the categories are exhaustive and reliable. We recommend again, however, that categories for describing verbal tactics be developed.

(d) Goals for judging effectiveness: one reason traffic stops are problematic is that they are often made for reasons having nothing to do with traffic violations, such as to investigate suspected criminal activity or as a tool for order-maintenance in the strategic sense. Patrol personnel, expecially, bring this wider set of objectives to traffic stops. Whether traffic stops uncover evidence of criminal activity is not a matter that falls within the purview of effectiveness research about tactics. No critical tactical decisions are involved in the successful uncovery of criminal involvement. Officers need only be reasonably alert. Departments should, however, undertake research to determine whether stops should be made for this reason at all. Is the strategy of making traffic stops

effective in crime-fighting? Order-maintenance, on the other hand, is both a tactical and strategic matter. What officers choose to do during traffic stops can, in principle, affect whether the people interdicted engage in disorder later on.

Therefore, the following indicators should be used in judging tactical effectiveness: maintenance of control during the encounter, avoidance of injury to officers, conviction for traffic offences during the ensuing year, and conviction for public-order offences during the ensuing year by drivers or passengers.

2. Precedents in research: we have not yet searched the literature on the deterrent effect of traffic enforcement. We have been told that some research has been done in California relating the exit tactics of issuing a citation versus "lecture and release" to subsequent moving-violations.[27] We are reasonably certain no research has been done on tactical effectiveness in terms of maintaining control during the encounter, on injury to officers, and long-range order-maintenance.

An Alternative Approach

If a substantial proportion of the encounters patrol officers have is in fact tactically problematic, then determining efficacy is an urgent matter for police research. The projects proposed here adopt the approach of pinpointing frequently occurring situations and searching for a relationship between tactical choices and the achievement of stipulated goals. There may be another way altogether to skin this cat, one that achieves the same intellectual purposes but yields important additional dividends. The idea is to begin by trying to identify patrol officers who are considered

particularly skilled in the tactics they use. If there is a reasonable consensus among their colleagues, both peers and supervisors, research would then examine whether these appraisals are confirmed by objective evidence, meaning in terms of the goals previously discussed for measuring effectiveness in different kinds of situations. Finally, if "good cops" are found to be truly effective, research would determine whether they were using similar or different tactics in the same situations.

The advantages of this approach are the following: first, by beginning with collegial perceptions of people who are especially skilled, effectiveness as accomplishment of public purposes can now be seen in relation to effectiveness as career-development and career-protection. Specifically, the opinions of colleagues have a crucial effect on the tactical choices officers make. Rather than overlooking career-related criteria of effectiveness, this approach incorporates them in an intellectually respectable way.

Second, the project will discover whether there is agreement or disagreement across rank strata about effective police work. It measures the degree of dissonance patrol officers may perceive about what constitutes "good" police work.

Third, determining whether "good cops" are also effective cops is critical to responsible police management.[28] Does the police sub-culture reinforce useful lessons about effective behavior through the appraisals it makes? This tests the subversive hypothesis that being regarded as skilled involves nothing more than appearances, especially the display of a particular sort of presence. Just as a good bed-side manner is important for doctors, so appearances may be important for the judgments police form about one another regardless of actual accomplishments.

Fourth, the project would identify, as the others do, what tactics are useful in different situations.

Fifth, the research will show whether being effective is a generalizable skill in the sense that an officer good in one situation could also be expected to be good in others.

In summary, the major advantage of this approach to effectiveness research is that it attaches the results to a relevant management context, that is, to processes of institutional learning that profoundly influence whether findings about tactical efficacy can be implemented.

RESEARCH PROJECT SIX: The Effectiveness of "Good Cops".

1. Design: the project will ask police at various rank levels to name colleagues that they consider especially skilled in patrol work. The project will then determine whether the identified officers are actually more effective in terms of appropriate objectives. Finally, an assessment will be made of the degree of dispersion in tactics chosen by "good cops", both subjectively and objectively, in similar situations.

(a) Unit of analysis: officers in any large police department that allows considerable tactical initiative to its patrol officers.

(b) Identifying "good cops": this information will come from written testimony of officers at all rank levels. While officers have been asked to enumerate qualities of a "good cop", they have never, to our knowledge, been asked to name names. Confidentiality would be essential. Making it credible might prove difficult. The feasibility of this aspect of the research should be subjected to pre-testing. Even if confidentiality could be made credible, officers might perceive that their own career interests would not be served by selecting others as being particularly skilled.

This could be tested as well. If these methodological problems prove insurmountable, another approach is possible. Because officers discuss colleagues continually, even in the presence of observers, observers could be used to discover if there is consensus on "good cops" within particular shifts and units.[27] Our preliminary field-work in Denver suggests that this is feasible.

(c) Testing for effectiveness: once "good cops" in the sense of officers perceived to be skilled have been pinpointed, the methods employed in the other projects will be used to determine, first, objective effectiveness and, second, the tactics "good cops" employ.

(d) Sample: the tactics of both "good cops" and ordinary cops will be studied to protect against the possibility that what "good cops" do is not distinctively different. A random sample of all patrol personnel will be used. A problem may, however, arise. In order to test the effectiveness of the "good cop" sub-sample, principles of statistical significance require observing the same number of encounters of each type as for the "ordinary cop" sample. Since the sub-sample is smaller, it may be necessary to observe the "good cops" longer in order to generate sufficient encounters so that analysis of tactical effectiveness can be undertaken. While the number of observations of "good cops" and "ordinary cops" would be the same, individuals in the sub-sample of "good cops" would be observed more often. Such attention might be noticed by others, thereby leading to inferences within the department about who the "good cops" are. This threatens the promise of confidentiality. Furthermore, the "good cops" themselves will almost certainly notice the special attention. Might this affect their behavior? The point can be argued both ways: it might make them more concerned about the outcomes or it might innoculate them against self-

consciousness. The point can be tested, but that is not the business of this effort. We will proceed on the assumption, shared with other observation studies, that the presence of observers will not distort reality.

(e) Goals for judging effectiveness: for the most part they will be maintaining control, defusing violence, deterring future criminality, and avoiding police injury.

2. Precedents in research: there are none.

Footnotes

1. Herman Golstein, "Improving Policing: A Problem-Oriented Approach", JOURNAL OF CRIME AND DELINQUENCY (April, 1979), p. 16; National Institute of Criminal Justice, "Criminal Justice Research Solicitation: Police Effectiveness as a Function of Individual Officer Activity" (1981).

2. These involve random motorized patrolling, foot patrolling, team policing, rapid response time, aggressive patrolling, one- vs. two-personal patrol cars, techniques of criminal investigation, and female police officers.

3. John P. McIver and Roger B. Parks, "Identification of Effective and Ineffective Police Actions" (Paper presented to the annual meeting of the Academy of Criminal Justice Sciences, March, 1982), p. 7.

4. McIver and Parks, pp. 5-6, 14; Mark W. Haist and Robert Daniel, "Draft of a Report on Structure and Process of Disturbance Transactions" (Unpublished draft, Police Foundation, January, 1975), p. 149; Gordon P. Whitaker, Stephen Mastrofski, Elinor Ostrom, Roger B. Parks, and Stephen L. Percy, "Measuring Police Agency Performance" (Bloomington, Indiana: Institute for Political Theory and Policy Analysis, 1980), chap. 9; Elinor Ostrom, Roger B. Parks, Stephen L. Percy, and Gordon P. Whitaker, "Evaluating Police Organization", PUBLIC PRODUCTIVITY (Winter, 1979).

5. Albert Reiss, Jr., THE POLICE AND THE PUBLIC (New Haven: Yale University Press, 1971), pp. 134-38.

6. Michael Banton, THE POLICEMAN IN THE COMMUNITY (New York: Basic Books, Inc., 1964), pp. 168-69.

7. John P. Clark, "Isolation of the Police -- A Comparison of the British and American Situations", in Richard L. Henshel and Robert A. Silverman (eds.), PERCEPTION IN CRIMINOLOGY (New York: Columbia University Press, 1975).

8. Criminal Education and Research Center, PERCEPTION OF POLICE POWER: A STUDY IN FOUR CITIES (New Jersey: Fred B. Rothman, Monograph Series, 1973).

9. Mary Ann Wycoff, Charles E. Susmilch, and Patricia Eisenbart, "Reconceptualizing the Police Role: An Examination of Theoretical Issues, Information Needs, Empirical Realities, and the Potential for Revision" (Unpublished draft, Police Foundation, November, 1980), chap. 5.

10. David H. Bayley and Harold Mendelsohn, MINORITIES AND THE POLICE (New York: The Free Press, 1969), p. 72; unpublished report to the Police Foundation, September, 1981.

11. Donald Black, THE MANNERS AND CUSTOMS OF THE POLICE (New York: Academic Press, 1980); Michael K. Brown, WORKING THE STREET (New York: Russell Sage Foundation, 1981); Peter K. Manning, POLICE WORK (Cambridge: MIT Press, 1977); William K. Muir, Jr., POLICE -- STREET CORNER POLITICIANS (Chicago: University of Chicago Press, 1977); Jonathan Rubinstein, CITY POLICE (New York: Farrar, Straus and Biroux, 1973); and Reiss, THE POLICE AND PUBLIC.

12. Eric J. Scott, "Calls for Service: Citizen Demand and Initial Response", (Bloomington, Indiana: Workshop in Political Theory and Policy Analysis, University of Indiana, 1980), pp. 28-30.

13. Research into processes of criminal investigation has suggested that the skills required are not particularly demanding either. Peter W. Greenwood and Joan Petersilia, "The Criminal Investigation Process", (Santa Monica, California: The Rand Corporation, 1975).

14. David H. Bayley and Egon Bittner, "The Craft of Policing" (Draft paper, November, 1981).

15. Richard E. Sykes and Edward E. Brent, "Policing: A Social Behaviorist Perspective" (Unpublished manuscript, 1980).

16. Black, MANNERS AND CUSTOMS, chap. 5.

17. Black, p. 119.

18. James Q. Wilson and George L. Kelling, "The Police and Neighborhood Safety", THE ATLANTIC (March, 1982), pp. 29-38.

19. National Institute of Justice, "Criminal Justice Research Solicitation: The Order Maintenance Function of Police Departments", 1982.

20. McIver and Parks.

21. McIver and Parks.

22. McIver and Parks, p. 29.

23. Black, chap. 5.

24. "Draft of a Report on Structure and Process of Disturbance Transactions".

25. Raymond Parnas, "The Police Response to the Domestic Disturbance", WISCONSIN LAW REVIEW (Fall, 1967), pp. 914-60.

26. U. S. Department of Justice, SOURCEBOOK ON CRIMINAL JUSTICE STATISTICS, 1981 (Washington, D. C.: USGPO, 1982), table 3.81, p. 326.

27. Captain, Traffic Division, Denver Police Department, June, 1982. Private communication.

28. Brown, WORKING THE STREET, pp. 111-15; F.A.J. Ianni and E. Reuss-Ianni, "Street Cops vs. Management Cops: The Two Cultures of Policing" (Paper prepared for the seminar on policing at Nijenrode, the Netherlands, December, 1980), pp. 24-28.

29. On the openly judgmental nature of the police work, see Bayley and Bittner, "Learning the Skills of Policing" (Draft manuscript, January 1983), pp. 24-26.