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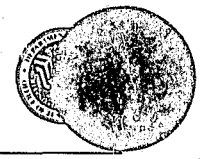
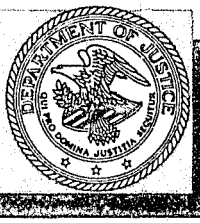


Perspectives on Policing



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Police Accountability and Community Policing

By George L. Kelling, Robert Wasserman, and Hubert Williams

The accountability of individual police officers is a fundamental issue for police executives. This is fitting: police officers are the public officials society has authorized, even obliged, to use force. Ensuring that police officers use that warrant equitably, legally, and economically on behalf of citizens is at the core of police administration. The enduring concern of police executives to ensure accountability in American policing is a reflection of their professional commitment.

Not only is it fitting that a police executive give high priority to ensuring the accountability of police officers, it is essential to surviving as the leader of a police department. Police chiefs continually worry about abuse of authority: brutality; misuse of force, especially deadly force; over-enforcement of the law; bribery; manufacture of evidence in the name of efficiency or success; failure to apply the law because of personal interests; and discrimination against particular individuals or groups. These issues are grist for the mill of persistent and influential watchdog groups concerned about impartial enforcement under the law—the media, civil rights groups, and lawyers. Rising crime or fear of crime may be problematic for police administrators, but rarely does either threaten their survival. Scandals associated with abuse of authority, however, do jeopardize organizational stability and continuity of leadership.

As a consequence, it is not surprising that police leaders have developed organizational mechanisms of control that seek to ensure police accountability to both the law and the policies and procedures of police departments. This paper reviews the ways police administrators try to control the accountability of individual police officers and examines the relationship between accountability procedures and community policing.

This is one in a series of reports originally developed with some of the leading figures in American policing during their periodic meetings at Harvard University's John F. Kennedy School of Government. The reports are published so that Americans interested in the improvement and the future of policing can share in the information and perspectives that were part of extensive debates at the School's Executive Session on Policing.

The police chiefs, mayors, scholars, and others invited to the meetings have focused on the use and promise of such strategies as community-based and problem-oriented policing. The testing and adoption of these strategies by some police agencies signal important changes in the way American policing now does business. What these changes mean for the welfare of citizens and the fulfillment of the police mission in the next decades has been at the heart of the Kennedy School meetings and this series of papers.

We hope that through these publications police officials and other policymakers who affect the course of policing will debate and challenge their beliefs just as those of us in the Executive Session have done.

The Executive Session on Policing has been developed and administered by the Kennedy School's Program in Criminal Justice Policy and Management and funded by the National Institute of Justice and private sources that include the Charles Stewart Mott and Guggenheim Foundations.

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The paper's focus on accountability and community policing results from the concerns of many police executives and policymakers that certain characteristics of community policing threaten police officer accountability. These characteristics of community policing include organizational decentralization; increased intimacy between police officers and citizens and neighborhoods; receipt and interpretation of citizen demand for service by individual patrol officers; and development of patrol and policing tactics (problem solving, for example) by patrol officers at a neighborhood or community level. All of these characteristics require increased officer use of discretion and empowerment of patrol officers. Advocates of community policing who call for empowerment of officers should be extraordinarily scrupulous about ensuring that officers are held accountable for their actions.

Police organizations, like all organizations, rely on distinctive structural forms and management processes to maintain accountability. Characteristically, their structures are centralized with functionally defined bureaus, and their management processes emphasize preservice training and elaborate command and control mechanisms. In many respects, police organizations have typified the classical command and control organization that emphasizes top-level decisionmaking: flow of orders from executives down to line personnel, flow of information up from line personnel to executives, layers of dense supervision, unity of command, elaborate rules and regulations, elimination of discretion, and simplification of work tasks.

"... command and control systems ... resolved many of the inherent tensions of policing ..."

Command and control management has met two sets of needs in American policing. First, command and control systems have strengthened the ability of police to respond to civil disturbances, riots, labor disputes, and other problems for which coordinating large numbers of police was required.

Second, command and control systems have resolved many of the inherent tensions of policing—tensions, for example, between constraints imposed on police by law and the opportunities for effectiveness provided by their warrant to use force. There are other tensions as well—tensions between efficient processing of offenders and protection of their constitutional guarantees; between conflicting definitions of morality in communities and neighborhoods; between competing political interests.

Command and control systems have appeared to resolve these tensions by (1) instituting rules that prescribe the behavior of officers; (2) creating dense patterns of command and supervision to enforce these rules; (3) establishing the principle of unity of command to eliminate ambiguity in the chain of authority; and (4) routinizing the job of police officers by defining it as law enforcement.

This strategy has its successes. These successes include reduced political control of officers; reduced corruption; improvement in qualifications and training of police officers; constraints on police officer use of force, especially deadly force; production of more equitable police service; and arguably, enhancement of the tenure of police chiefs. Additionally, command and control management has improved the capacity of police to respond to riots and other disturbances that require coordinated group responses.

But there are strains in this strategy as well. As logically appealing as the command and control organization seems, many aspects of police work are not compatible with classical command and control organizations. First, patrol work is not amenable to attempts to simplify or routinize it. The types and multiplicity of problems with which police deal preclude the simplification or routinization of patrol work.[1] The metaphor of the assembly line, basic to classical management theories, has proved to be inapplicable to the realities of patrol. Second, police officers, unlike assembly-line workers or military troops, do not work under the direct scrutiny of supervisors. Even when sergeants are in the field, the unpredictable timing and location of police activities thwart ordinary supervision of performance. Consequently, although serious attempts have been made to eliminate or structure discretion, it has remained an integral and pervasive feature of police work,[2] especially at the level of patrol officer.

This strain between the realities of police work and the command and control systems of departments creates problems for administrators. First, the mechanisms of command and control are elaborate and expensive to maintain; layers of command, extensive training, and the maintenance of multitudinous rules and procedures obligate time, personnel, and money. Second, the discontinuities between organizational prescriptions and work realities are not lost on police officers. The results? At least two: (1) considerable role strain on officers who are portrayed as professionals on one hand but treated as recalcitrant semi-skilled workers on the other and (2) the rise of the union movement, which, at times, fosters acrid labor-management relationships.

Further, there are additional, more subtle costs to police departments. First, use of individual discretion has been driven underground; creativity and productive adaptations go unrecognized and unrewarded. Second, police departments often fail to tap the potential abilities of their officers. An ethos of "stay out of trouble," which has developed in many departments, stifles officers who are otherwise resourceful and abets officers who "perch" in their positions. Finally, a

police culture has developed that maintains values that are alien to both police departments and communities. This police culture is characterized by suspiciousness, perceptions of great danger, isolation from citizens, and internal solidarity (the "blue curtain").

"An ethos of 'stay out of trouble'... stifles officers who are otherwise resourceful..."

Managing police culture

Are there alternatives to command and control for managing police culture and improving accountability?

It is generally acknowledged that a primary determinant of police officer behavior is the culture within which officers find themselves. This is true not only in policing, but also in most other types of organizations. Good management is often described as the management of organizational culture.[3]

The tendency in policing, however, is to emphasize the importance of the formal elements of the organization and ignore the informal elements (organizational myths, heroes and villains, informal patterns of communication, the norms and mores of the organization, etc.). The point, however, is not whether culture is influenced, but who influences it. To the extent that management has not worked to shape police culture, other forces have.

Often, management's attempt to manage culture through command and control merely fosters suspicion, isolation, insularity, demeaning perception of citizens, grumpiness, the "blue curtain," and cynicism.[4] The result is an attitude on the part of police officers that says: "Management, leave me alone—let me do my work." In the worst of circumstances, police culture implies: "I am being paid for being a police officer. Beyond staying out of trouble, if you want me to do anything, bring me in on overtime."

The traditional approach has been to work against culture through the use of command and control. That workers do not like work and have little to contribute to its substance or conduct are basic tenets of classical organizational theory. Alternate managerial approaches recognize the importance of informal leadership and peer influences, assume that workers do care about the substance of their work, and strive to use informal leadership and peer influences on behalf of the mission of the organization. We believe that successful management of culture is achieved in three ways:

- Leadership through values.
- Accountability to the community.
- Administrative mechanisms of control.

Leadership through values

All organizations have values. They are implicit in every action of organizational incumbents. When explicit, statements of values attempt to set forth the beliefs of an organization, the standards that are to be maintained by its members, and the broader mission expected to be achieved through their activities. Most often, values operate at several levels of individual and organizational awareness. At times, workers make decisions by considering and selecting from alternatives—well aware of their value implications. At other times, workers make decisions without conscious recourse to their value dimensions. Often the values that undergird routine decisions and practices are so deeply ingrained as to make them automatic.[5]

Values, even those we consider positive, can conflict. For example, loyalty to peers can conflict with the maintenance of high standards of professional practice. When police officers decide to close their eyes to the incompetence or corruption of colleagues and draw the "blue curtain" around them, they choose the value of loyalty to peers over other values, such as quality service to the community. In many police departments, other values, some explicit and others implicit, can be identified that shape and drive police performance: "stay out of trouble," "we are the finest," "machismo," "serve and protect," and many others.

"Often the values that undergird routine decisions . . . are so deeply ingrained as to make them automatic."

The responsibility of police managers is to (1) identify values that flow from the law and the Constitution, that represent the highest norms of the profession, and that are consistent with the ideals of communities and neighborhoods, and (2) enunciate them persuasively and unambiguously.

How are a department's values properly enunciated? First, many departments make their values explicit through the development of concise value statements. Such practices are not new in policing: O.W. Wilson developed visionary value statements both in Wichita and Chicago; the Los Angeles Police Department's statement of values had its origins in the administration of Chief Ed Davis. More recently, such statements have been developed in departments in Houston, Texas; Madison, Wisconsin; Dayton, Ohio; and many others.

Second, statements of policy, on issues such as use of deadly force for example, are derived from departmental values and inform and guide police officers and citizens—

whether the department maintains a clear-cut value statement or not—about values of the department. Equally important, the absence of policy statements in crucial areas such as use of deadly force expresses values and creates policy as well through administrative inaction.[6] In turn, procedures (methods of performance that direct action in distinct situations) and rules (specific prohibitions or requirements stated to prevent deviance) are derived from value-based policies.[7]

Without rejecting all procedures and rules, the primary focus in value-based administration and leadership is not on prohibitions constraining officers but rather on encouraging police officers to weigh their actions constantly in light of departmental values. This switch in emphasis from rule conformity alone to quality action and outcome empowers officers to select appropriate courses of action from within a range of options rather than in the rote fashion too often prescribed by advocates of command and control. Leadership by values addresses the issue of accountability by attempting to link the nature of police work (application of discretionary judgments to a wide range of problems) with mechanisms of control that emphasize professional self-regulation rather than mere obligatory accommodation to rules.

Accountability to the community

Two familiar forms of police accountability to communities are community relations units and civilian review boards. Community relations units are supposed to carry the message of police departments to communities but have proven to be insufficiently responsive to community definitions of problems and solutions. In the few places where they exist, civilian review boards focus primarily on the performance of individual police officers, particularly on mistakes and incompetence.

The difference between the role of citizens in community policing and in civilian review boards is that civilian review boards concentrate on perceived or real abuses while community policing focuses on the substantive issues of problems, crime, and quality of life in neighborhoods. Citizens bring to the relationship their sense of community, knowledge about the problems in their neighborhoods, their own capacities to solve problems, and the potential to support or authorize police action. Police bring to communities concerns not only for their welfare but for the constitutional rights and the welfare of all individuals and the community-at-large—thus countervailing the tendencies of neighborhood residents to be overly parochial or opposed to the legitimate interests of strangers or particular subgroups.

To us, accountability to the community means something different. It implies a new relationship to the community in which police departments establish an understanding with communities. This can take several forms. One form is for the community to be brought into policy-setting procedures—a practice pioneered during the 1960's by Chief Robert Igleburger of Dayton, Ohio. A second form of new relationship to the community, but not necessarily exclusive of the first, is for both police and citizens to nominate the problems with which police and citizens will deal, the tactics that each will use to address those problems, and the outcomes that are desired.

The understanding between police and community, more or less explicit, establishes a mutual accountability. It provides measures against which each can evaluate the other. This understanding does not abrogate police officers' responsibility for their professional knowledge, skills, or values. Likewise, it does not free citizens from their responsibility for their own safety. To use a medical analogy, it makes physician and patient accountable to each other.

> *"... understanding between police and community ... establishes a mutual accountability."*

Administrative mechanisms of control

The list of administrative mechanisms of control that are available to managers is conventional: education, training, rewards, discipline, peer influence, direction, supervision, recognition, and career opportunities. Use of, and emphases on, these mechanisms varies across occupations. Police in the past, using classical organizational principles, have emphasized direction, supervision, discipline, and preservice training. (This does not mean that other mechanisms were not used as well. The primary mechanisms, however, were those we identified.) These mechanisms can be adapted by police to improve accountability, just as they have been adapted by many other professional and private sector organizations. In the section that follows we shall briefly discuss the adaptation of control mechanisms to contemporary policing: supervision, training, program auditing, discipline, reward, and peer control.

Supervision

Supervision of police is essential to improving the quality of police services. Typically, police administration portrays supervisors as directors who oversee workers who perform specific activities laid out in advance by management. Given the conditions of police activity, however—officers work alone, events occur in locations and at times that make them unavailable for direct oversight, the problems citizens present to police require novel solutions—different forms of supervision are required. These forms of supervision are more akin to coaching than directing. They include teaching, reviewing, considering alternatives, training, and other similar techniques.

A special function of supervisors is to empower officers. By empower we mean providing officers with the authority to use their knowledge, skill, and values to identify problems and work toward their solution. Empowerment of officers is the opposite of encouraging them to "stay out of trouble" or "not bother" their sergeants. Confronted with ambiguous problems not responsive to standard solutions, police officers can be empowered by sergeants to search for creative solutions to problems rather than respond in some rote fashion. Organizational policies should be sufficiently pliable to accommodate the breadth of discretion that officers will be expected to exercise under this arrangement.

It is our contention that as departments shift away from the authoritarian model of policing to a more flexible community-oriented approach, a reexamination of the structure of the bureaucracy will be essential to the efficient performance of the officer on the beat as well as the effectiveness of the department's operations.

We recognize that the complexity of this issue mandates far more thought and consideration than can be given in this paper. Departments cannot expect to eliminate an entire structure one day and begin with a new one the next. But they must begin to address the question of whether or not the existing rank structure and its functioning lend themselves to the type of police performance required to meet the needs and expectations of the communities served by the department.

This is particularly true in cities with a diverse ethnic and cultural mix. In these jurisdictions, the varying interests and demands of neighborhoods necessitate flexibility at the point of contact through which the department provides the services. This means that patrol officers need greater discretion and flexibility and less rigid adherence to monolithic rules and procedures. Thus, it might be possible to eliminate some of the tiers of authority within the bureaucracy while at the same time being more cost effective.

We should begin with the establishment of a career track for patrol officers that would provide incentives for meeting specialized goals. Many of these goals could be the result of an accord between neighborhoods and department representatives in which the line officer is an active participant, provided with sufficient authority to draw upon required departmental resources to achieve objectives. This requires more functional supervision than direct line authority over the officer. Therefore, it would be possible under this configuration to reduce the number of sergeants and increase the opportunities for advancement within the patrol officers' line. Thus, promotions based upon abstract examinations could be replaced by a more practical system of performance measures that link community needs with departmental objectives.

Training

Police recruit training is organizationally based, preservice training that emphasizes law, rules and procedures, and officer discipline.[8] This is consistent with the thrust of earlier reform to enhance the lawfulness and eliminate the discretion of police officers. It can be argued that this training serves its purpose very well, at least as far as it goes. It does emphasize important values: adherence to law and discipline.

The difficulty with training that concentrates primarily on law and discipline is that it fails to take into account the workaday circumstances of police officer activity: dealing with unpredictable events, most often when alone and without available supervision. Knowledge of law in such circumstances is important, but insufficient. More often than not it tells officers what they cannot do rather than what they can or should do. Military discipline is almost irrelevant under conditions in which a police officer confronts a situation alone, diagnoses it, selects one set of responses from a range of alternatives, and develops followup plans.

For routine circumstances, officers require basic knowledge about the kinds of events they encounter, skills that are applicable in such encounters, and values that inspire and constrain officers in their practice.[9] Moreover, the knowledge, skills, and values that are required to shape officer discretion in the handling of events must be internalized into the professional self of each officer. This can come about only through prolonged socialization that emphasizes discretionary application of a range of skills to a variety of real-world circumstances. Yet, academy training is notoriously deficient in the provision of such training.

There are models from other disciplines for the acquisition of such knowledge, skills, and values: engineering, education, and others. They offer possibilities for police leaders for the future.

"... managers will have to be ever vigilant."

Audit mechanisms

No matter how good the training, how instrumental management has been in shaping the culture, and how positive supervision has been, the circumstances of police work will continue to allow for corruption, malfeasance, and incompetence. Policing is not unique in this respect, but stakes are higher when lethal governmental power is involved. There are reasons to believe that skillful administration will reduce such problems. Even so, managers will have to be ever vigilant.

One form of vigilance is auditing. An analogy is found in a financial audit of a business. It is conceded that a financial audit cannot be universal; indeed, attempts to audit everything may result in auditing nothing. Audits, instead, sample a representative number of transactions (events) from the relevant universe. There is nothing to prevent police from adopting similar schemes. An example: undercover decoy squads are often valuable anticrime units. They can be problematic, however. It is not uncommon for enthusiasm to become zealotry. Auditing a given sample of arrests by interviewing witnesses, defendants, and other interested parties is one way of maintaining control of such units. Another example is found in departments that routinely send postcards to a sample of "customers" to determine how satisfied they were with police service. Other departments routinely monitor samples of citizen complaints to determine whether they are being properly handled.

"We are concerned about quality over quantity."

Three additional points should be made about audits. Typically, audits tend to become inspections of production quantity rather than quality. We are concerned about quality over quantity. It is well known that the number of arrests is a measure subject to enormous manipulation if not carefully monitored to ensure that the arrests are legitimate, properly conducted, appropriate, and fair. If arrests are to be a measure of individual or unit effectiveness, the only systematic means of ensuring their quality is through careful auditing of each step of the process that led to the arrest.

Second, audits are a form of after-the-fact accountability. They are no substitute for other mechanisms of administrative control, like leadership, education, and training, that attempt to ensure quality performance in advance rather than discover mistakes after they occur.

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Finally, audits can be administered in a variety of ways. They can be carried out by high-level inspectors as well as by sergeants who are responsible for units. In some circumstances, they can be carried out by specially charged task forces comprised of officers of varying ranks, including patrol.

Discipline

Discipline will always be an important mechanism to ensure officer accountability: every organization, no matter how well managed, will have a small number of officers who perform irresponsibly or incompetently. Because the stakes are so high in policing, strong messages must be given to officers at all levels that incompetent performance—brutality and corruption, for example—is intolerable. We believe that if supervision and audits are well performed and documented, discipline can be exercised in ways that are both fair and perceived as fair.

One caveat, however. Line officers are understandably sensitive about how discipline is exercised in many departments. In a world in which staying out of trouble is a primary measure of officer adequacy, it should be no wonder that discipline is seen as arbitrary and unjust. Too often discipline follows the commission of mistakes, rather than officer incompetence or irresponsibility. Mistakes, incompetence, and irresponsibility are different issues. Mistakes, which are bound to occur in all work, should routinely evoke coaching, consideration of options, training, and other such control options. Incompetence and irresponsibility should result in discipline. Managers cannot have it both ways. They cannot ask officers to be risk-takers and then discipline them when occasional mistakes occur. Those who take risks on behalf of an organization—if they use methods and have goals that are within the values of that organization—and then make mistakes, need support and assistance, not discipline.

Rewards

Rewards continue to be powerful motivators for workers. Rewards can take the form of increased pay, job perks, promotion, special assignments, recognition, and other forms. Police agencies have used every conceivable form. The questions that arise in policing about rewards are not whether they are used fairly and appropriately. Questions about the fairness and propriety of police reward systems are based on the concern that only a small range of police officer activities is reflected in current measures of police performance. A good many areas—dispute resolution, crime prevention, problem solving, and order maintenance, for example—are rarely reflected in the data collected about officer performance. Given the importance of these activities in community policing, ways of evaluating the quality with which officers perform these functions and then linking these evaluative measures to rewards will have to be developed. A research project funded by the National Institute of Justice

now underway in Houston will attempt to develop performance measurement criteria consistent with the priorities of community policing.

> *"Mistakes, incompetence, and irresponsibility are different issues."*

Two innovative ways of recognizing and rewarding officers, methods compatible with other elements of community policing, would be peer review of performance and performance contracts. Peer review of performance is discussed below. Performance contracts, a method of supervision in which a supervisor or colleagues negotiate a set of performance goals over a distinct period of time, are now being experimented with in Madison, Wisconsin. There, in an experiment in community policing and organizational decentralization, officers and their supervisors are negotiating personal performance contracts for the purpose of evaluating the performance of patrol officers.

Peer control

Peer control is an important means of achieving accountability. Although heavy reliance on peer control has been traditional in the professions of medicine, law, and science, it has not always ensured the desired quality of performance. However, when combined with other mechanisms of control, it will continue to be an important means of maintaining the standards of professional performance for police.

Despite the potential of peer review, police administrators have been reluctant to use methods of control that exploit opportunities for collegial or peer review. There have been exceptions to this generalization: the Peer Review Project in Kansas City during the mid-1970's (which focused on excessive use of force) and stress and alcohol-abuse programs in other departments. Other exceptions that come to mind are the Home Beat Officer program in the London Metropolitan Police, the Senior Lead Officer program in the Los Angeles Police Department, and the current experiment in decentralization in Madison where officers have elected their own lieutenants. For the most part, however, collegial review of basic police practice has been extremely limited.

Conclusion

The concern of this paper is not the reduction of police accountability but rather its increase and strengthening. In a sense, there is a paradox. Those mechanisms that have seemed most certain to ensure control (command and control systems) have created the illusion of control, but often little more than that. Other mechanisms of control recognize and promote the use of discretion by police officers. These mechanisms, such as auditing, rewards, and peer control, offer significant opportunities for increasing officer accountability.

From this brief discussion of managing police culture and accountability, it is clear that we do not believe that community policing threatens police accountability. Rather, the proper management of community policing adds additional opportunities for the maintenance of accountability in police organizations.

Notes

1. Mary Ann Wycoff, *The Role of Municipal Police: Research as Prelude to Changing It*, Washington, D.C., Police Foundation, 1982.

2. Herman Goldstein, *Policing a Free Society*, Cambridge, Massachusetts, Ballinger, 1977.

3. See, for example, Edgar H. Schein, *Organizational Culture and Leadership*, San Francisco, Jossey-Bass, 1985.

4. For a discussion of police culture see, for example, Peter K. Manning, *Police Work*, Cambridge, MIT Press, 1979.

5. For an extended discussion of values in police departments, see "Values in Policing" by Robert Wasserman in this same series.

6. See, for example, *City of Canton, Ohio v. Geraldine Harris, Willie G. Harris, Bernadette Harris*, Amicus Curiae Brief of the American Civil Liberties Union and ACLU of Ohio in Support of Respondents in the Supreme Court of the United States, October term, 1987.

7. The authors thank Los Angeles Chief of Police Daryl Gates for helping us think through the relationship between values, policies, procedures, and rules, although he is in no way responsible for our conclusions.

8. For a discussion of recruit training and socialization, see John Van Maanen, "Observations on the making of policemen," *Human Organization* 32, 4 (Winter 1973): 407–418.

9. An extreme example of the role of values is found in police use of deadly force. As important as rules and procedures may be, no set of rules about its use will ever be able to take into account all of the exigencies that occur in real-world situations. As a consequence, even in life-threatening circumstances, use of deadly force will always be discretionary, guided, at best, by values expressed through departmental policies.

The Executive Session on Policing, like other Executive Sessions at Harvard's Kennedy School of Government, is designed to encourage a new form of dialog between high-level practitioners and scholars, with a view to redefining and proposing solutions for substantive policy issues. Practitioners rather than academicians are given majority representation in the group. The meetings of the Session are conducted as loosely structured seminars or policy debates.

Since it began in 1985, the Executive Session on Policing has met seven times. During the 3-day meetings, the 31 members have energetically discussed the facts and values that have guided, and those that should guide, policing.

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The Executive Session on Policing

convenes the following distinguished panel of leaders in the field of policing:

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