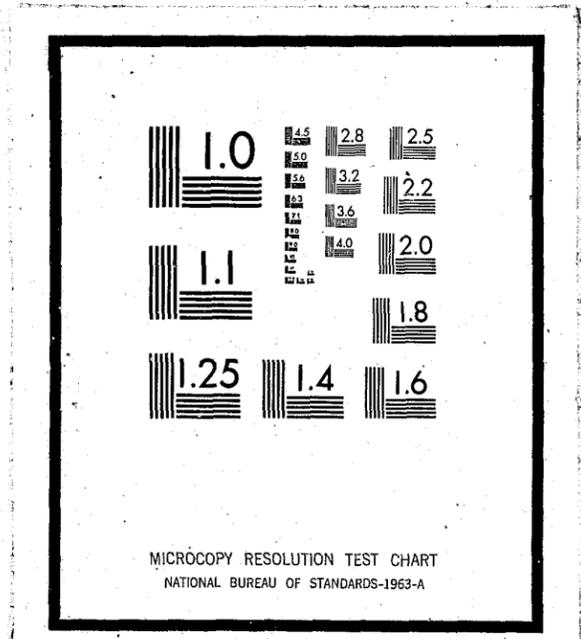


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ROUTINE POLICE ARREST PRACTICES: A COMMONWEAL PERSPECTIVE\*

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ROUTINE POLICE ARREST PRACTICES: A COMMONWEAL PERSPECTIVE

ABSTRACT

Employing a commonweal conception of police organizations, the central aim of the present study was to determine the extent to which routine police arrest practices suggest police abuse of the societally delegated privilege to exercise non-negotiable coercive force. Public drunkenness encounters occurring in a large midwestern city were analyzed and it was found that significantly higher rates of arrest were associated with offense conspicuousness, offender powerlessness, and offender disrespect. The major conclusion drawn is that the police abuse this societally delegated privilege. The implications of this conclusion for the commonweal conception of the police are discussed and additional research called for.

Modern police departments are generally viewed as commonweal organizations serving the public at large. Unlike mutual benefit organizations serving memberships, business concerns responsive to owners, or service organizations serving specific clientele, the police ostensibly serve and protect the interests of the public at large (Blau and Scott, 1962: 45-54).

One of the problems associated with all commonweal organizations is that of external democratic control. In democratic societies, the actions of commonweal organizations are to be monitored to insure that the ends being served are those intended. In the absence of effective monitoring and control, the possibility of organizational abuse (Remington and Rosenblum, 1960: 497) of societally delegated privileges emerges.

The police, however, pose unique monitoring and control problems in American society in that they have been granted the unique privilege to exercise non-negotiable coercive force (Bittner, 1970: 36-47). During a working shift police officers confront a variety of problems: barking dogs, automobile accidents, groups of juveniles, husband-wife disputes, noisy parties, and drunken citizens. In each of these situations forceful actions are taken by the police: owners are warned, traffic re-routed, juveniles dispersed, husbands sent, parties quieted, and infrequently, citizens arrested. What lends unity to the infinite variety of police actions, in short, is police exercise of a societally delegated privilege to exercise non-negotiable coercive force.

The specific problem this privilege poses for external democratic control is that its exercise is essentially unrestricted. With the exceptions of restrictions on the use of deadly force, the use of force for personal rather than public interests, and the requirement that force not be used maliciously, few legal boundaries surround police exercise of this privilege. This privilege is further unrestricted in the sense of not being subject to systematic examination by individuals and agencies outside the police. Citizens in many communities find the red tape and/or indifference which stand between them and the agencies responsible for dealing with complaints of police abuse of this privilege reason enough not to pursue their complaints (cf., Bayley and Mendelsohn, 1969: 129 ff.). Moreover, since the majority of police-citizen encounters do not end in arrest (Black, 1968), routine police actions are not subject to examination by the courts. Finally, even when arrest and arraignment occur, mass "trials" (cf., Milewski, 1971) and plea bargaining (cf., Sudnow, 1965) restrict the possibility of detailed court examination of police arrest practices.

The position of the police in American society therefore emerges as logically contradictory: on the one hand the police are a commonweal organization ostensibly subject to external democratic control while on the other they have been granted an essentially unrestricted privilege to exercise non-negotiable coercive force. The threat which this privilege poses for external democratic control is clear if not necessarily automatic. We can, for example, imagine a society in which the pressures

which promote isolation of the police (Clark, 1965) are such that the police act in ways which the general public would have them act were it to exercise its right (Bittner, 1973) to external democratic control.

The central aim of the present study is to determine the extent to which routine police arrest practices suggest abuse of the societally delegated privilege to exercise non-negotiable coercive force. A secondary aim is to assess the adequacy of the commonweal conception of the police. Specifically, the focus of the present study is on the factors which influence the dispositional decisions made by police officers in their encounters with public drunkenness offenders. Public drunkenness was selected for analysis because it is the single most frequent offense for which citizens are annually arrested (U. S. Department of Justice, 1969: 110-111). Public drunkenness is a problem regularly encountered by the police and it is suggested that examination of the factors which relate to the exercise of police arrest discretion in this circumstance allows partial determination of the extent to which the police routinely operate outside the rule of law (Skolnick, 1966).

#### METHOD<sup>1</sup>

During the fifteen months beginning in June of 1970 a quantitative participant-as-observer study of police-citizen encounters was undertaken in "Midwest City." Midwest City had a 1970 population of over one-half million and is located in a SMA of over two million. A group

of seven observers trained in the use of an interaction code (Sykes, 1973) travelled with the police on a random time sample basis. Without prior notice observers appeared at a precinct station with directions to ride on a randomly selected patrol car for a full shift. Which car they were to ride on was not known to the police in advance.

Among the factors coded were: whether it was a police or citizen initiated contact; the nature of the problem; the location of the encounter; and a wide variety of interaction and action codes pertaining to politeness and impoliteness, the giving and compliance with orders, displays of temper and violence, and the outcome of the encounter. Demographic data on citizen participants were also coded including: sex, age, race, and class status.

The data were recorded by observers using portable electronic field encoding equipment (Sykes, 1969). The final data base consists of 2,835 potential police-citizen contacts. When such contacts involved police-citizen interaction they were defined as encounters (n=1,978). To isolate public drunkenness offenses, encounters selected for analysis in this study met the following three criteria: 1) an alleged offender was present; 2) the alleged offender was drunk; and 3) the problem which gave rise to the encounter was not a felony or moving traffic violation. Of the 1,978 encounters, 195 or approximately 10% met these three criteria.

The data therefore consists of 195 non-felony arrest discretionary encounters wherein the major issue confronting the police officer is the drunkenness of the offender. The logic employed in the analysis of

the data is that of Rosenberg (1968) and the manner of data presentation that of Black (1971). The dependent variable is percent of encounters ending in arrest and a (Z) score difference of proportions test is used to determine initially the presence or absence of statistically significant differences (cf., Blalock, 1960: 176ff.).

#### RESULTS

The police are lenient in their encounters with drunkenness offenders. Of the 195 encounters which could have ended in arrest only 31% did. It appears that the police are aware of the stigmatizing effects of formal action (Piliavin and Briar, 1964; Bittner, 1967b) and are reluctant to employ arrest in the majority of these encounters. Moreover, the courts and jails already crowded with drunkenness offenders (cf., Milewski, 1971; Spradley, 1970; Wiseman, 1970) exert pressure on the police to hold down drunkenness arrests.

A basic initial observation, then, is that it is not the criminal offense of public drunkenness which leads to the arrest of drunkenness offenders. The police are aware of large numbers of eligible offenders and select only a minority for formal processing. In the sections which follow attention is given the factors which relate to this selection.

#### A. INITIATOR

A-1. Most drunkenness encounters arise through citizen rather than police initiative. The police are primarily a reactive social control agency dependent upon citizens for basic organizational inputs (Reiss,

1971: 64). Row A of Table 1 shows that the vast majority of these drunkenness encounters (143 or 73%) arose through citizen rather than police initiative. An implication of this finding is that involvement in the criminal justice system for the offense of public drunkenness is primarily a result of lay rather than professional labeling (Mechanic, 1962). In the absence of citizen inputs the police would be aware of significantly fewer public drunkenness offenses.

(Table 1 about here)

A-2. When the police do initiate an encounter with a drunkenness offender the probability of arrest is significantly greater. Despite police dependence upon citizen inputs, uniformed patrol officers are expected to devote their non-call time to proactive cruising. Row A of Table 1 shows that when this proactive policing results in contact with a drunkenness offender the probability of arrest is significantly greater: 42% of police initiated encounters ended in arrest as compared to 27% of citizen initiated ( $Z=2.00, p<.05$ ).<sup>2</sup> This higher rate of arrest appears to reflect the greater conspicuousness of offenses discovered by the police. Uniformed patrol officers are legally constrained from routine proactive policing of closed private places and consensually constrained from proactive observation of closed public places. As a consequence, the offenses patrol officers proactively discover are the most conspicuous: offenders on sidewalks, streets, alleys, parks, and doorways.

## B. LOCATION

The police are sensitive to the locations of the encounters in which they are involved. Bittner (1967a), for example, has suggested that police practices in skidrow areas reflect the relative isolation of these areas: the police are freer to develop and employ peace keeping techniques apart from legal mandates. Petersen (1971) reported that downtown drunkenness offenders were arrested more frequently because of the effort involved in taking offenders home. Black (1968), finally, reported that the type of place to which the police are called allows prediction of the type of problem which gave rise to the call.

B-1. Drunkenness offenders encountered in downtown locations are arrested significantly more frequently than offenders in other locations.

Row B-1 of Table 1 shows that encounters occurring in downtown locations ended significantly more frequently in arrest than encounters located elsewhere (43% versus 27%,  $Z=2.17$ ,  $p<.05$ ).<sup>3</sup> In part, the higher rate of arrest reflects the greater effort involved in returning downtown offenders home. A neglected dimension, however, would appear to be the greater conspicuousness of downtown offenses. Many urban areas confront the problem of maintaining viable center city areas and public drunkenness offenders pose esthetic, if not criminal, problems. As Chambliss (1966) pointed out in the context of vagrancy laws, it appears that public drunkenness laws are also employed to clear downtown streets of unsightly citizens.

B-2. Drunkenness offenders encountered in closed public places are arrested significantly more frequently than offenders in other types of places. Row B-2 of Table 1 shows that encounters occurring in closed public places such as libraries and bus depots ended in arrest significantly more frequently than encounters occurring in open public places such as sidewalks (71% versus 31%,  $Z=3.42$ ,  $p<.01$ ) or closed private places such as apartments (71% versus 23%,  $Z=3.42$ ,  $p<.01$ ).<sup>4</sup> Here again, the dimension of offenses conspicuousness would appear to play a determining role. Encounters occurring on sidewalks or private residences are, respectively, likely to have large unfocussed audiences or small focussed audiences. Encounters in closed, public places, in contrast, are likely to have large focussed audiences consisting, for example, of customers and a proprietor. In this latter instance, the offense is likely to be significantly more conspicuous.

## C. COMPLAINANTS

C-1. The presence of complainants is not one of the conditions relating to police arrest of drunkenness offenders. A number of recent studies have suggested the importance of citizen complaints insofar as police actions are concerned. Black and Reiss (1970: 70), for example, attributed the higher rate of arrest of Afro-American juveniles to the presence of citizen complainants who successfully lobby for arrest. Black (1970: 738ff.) similarly reported that the police are sensitive to citizen preferences regarding the writing of a formal report of a criminal incident. Row C-1 of Table 1 shows, however, that 27% of the encounters

with a complainant present ended in arrest as compared to 34% with no complainant present ( $Z=1.91, p>.05$ ).

Although the data are not directly comparable, this was the obverse of what was expected and additional analysis was undertaken to determine whether the relationship was distorted. Of the possible distorting variables initiator appeared most logical since in police initiated encounters complainants are rarely present. The relationship between complainant presence and arrest was therefore elaborated upon controlling for initiator. It was found that 27% of citizen initiated encounters with a complainant present ended in arrest as compared to 28% with no complainant. It would appear that in drunkenness encounters exercise of police arrest discretion is not related to the presence or absence of citizen complainants.

#### D. OFFENDER DEMOGRAPHIC CHARACTERISTICS

D-1. The sex of the drunkenness offender is not one of the conditions relating to the exercise of police arrest discretion. A number of previous studies (cf., Goldman, 1963) have indicated that female offenders are infrequently involved in the criminal justice system via police arrest. The explanation has been that women commit fewer legally sanctionable acts and when they do, the police are reluctant to arrest women. The data in Row D-1 of Table 1 provide some support for both propositions showing that drunkenness offenders are infrequently women and when they are, arrest is not likely. Thus, the police arrested 34% of male offenders as compared to 20% of female offenders. The difference,

however, is not statistically significant ( $Z=1.10, p>.05$ ).

D-2. Age is not one of the conditions relating to the exercise of police arrest discretion. Row D-2 of Table 1 shows that arrest of drunkenness offenders occurs more frequently when the offender is over twenty-five years of age. The difference, however, is not statistically significant: 24% of encounters wherein the offender was under the age of twenty-five ended in arrest as compared to 37% of over twenty-five encounters ( $Z=1.83, p>.05$ ).

D-3. The police discriminate against Indian American drunkenness offenders on the basis of race. The question of whether the police discriminate against certain citizens on the basis of race has repeatedly been addressed by students of the police. Piliavin and Briar (1964), for example, reported that Afro-American juveniles were arrested more frequently than White American juveniles and argued that police surveillance tactics resulting in greater encounter hostility accounted for this difference. Black and Reiss (1970: 70) attributed the higher rates of arrest of Afro-American juveniles to the presence of complainants who successfully lobby for arrest. Wilson (1968) suggested that the higher rate of arrest of Afro-American juveniles in "Eastern City" was due to an absence of police professionalism. The essential interpretation, then, seems to be that while minority arrest is more frequent, it is for reasons other than racial prejudice. As is clear, however, the reference is to Afro-American citizens.

Row D-3 of Table 1 shows that Indian American drunkenness offenders were arrested significantly more frequently than White American drunkenness offenders (53% versus 26%,  $Z=3.08$ ,  $p<.01$ ) and more frequently, but not significantly so, than Afro-American offenders (53% versus 33%,  $Z=1.21$ ,  $p>.05$ ). Afro-American offenders were not arrested significantly more frequently than White American offenders (33% versus 26%,  $Z=.54$ ,  $p>.05$ ).<sup>5</sup> It appears that one of the conditions on the relationship between race and arrest is the specific racial identity of the offender. That is: while no evidence of racial discrimination against Afro-American citizens exists, evidence of racial discrimination against Indian American citizens does.

D-4. The police discriminate against declassified drunkenness offenders on the basis of class status. As with race, class status has previously been identified as one of the conditions relating to the exercise of police arrest discretion (cf., Petersen, 1971; Quinney, 1970; Skolnick, 1966; Silver, 1967; Spradley, 1970; Werthman and Piliavin, 1967). The assertion has been that powerless citizens are arrested more frequently by the police than the relatively powerful. Row D-4 of Table 1 shows that for the offense of public drunkenness arrest is significantly reserved for declassified citizens such as chronic drunkenness offenders and others on the fringes of the dominant culture. Thus, 52% of declassified offenders were arrested by the police as compared to 25% of blue collar offenders ( $Z=3.32$ ,  $p<.01$ ) and 20% of white collar offenders ( $Z=2.15$ ,  $p<.05$ ). Blue collar offenders were not arrested significantly

more frequently than white collar offenders (25% versus 20%,  $Z=.42$ ,  $p>.05$ ).<sup>6</sup>

#### E. DISRESPECT

E-1. The probability of arrest increases as public drunkenness offenders are disrespectful in their interaction with the police. As numerous others have found (cf., Piliavin and Briar, 1964; Black and Reiss, 1970) the police are sensitive to the demeanor of the citizens with whom they interact and more frequently arrest those who evidence disrespect for the police. In this section the frequencies of displays of temper, violence, impoliteness and non-compliance are examined as they relate to the exercise of police arrest discretion. The data substantiate previous findings indicating that police selection of drunkenness offenders relates to the level of disrespect shown the police (see Table 2).

(Table 2 about here)

Row A of Table 2 shows that citizens who evidence "high" ( $X_i > \bar{X}$ ) levels of temper<sup>7</sup> in their interaction with the police are arrested more frequently than offenders with "low" ( $0 \leq X_i \leq \bar{X}$ ) levels of temper. The difference, however, is not statistically significant (42% versus 29%,  $Z=1.63$ ,  $p>.05$ ).

Row B of Table 2 shows that acts of potential or actual physical violence<sup>8</sup> by drunkenness offenders play so small a role in these encounters as to be nearly invisible. Thus, only seven encounters involved citizen violence and four ended in arrest while 31% of the violence free

encounters ended in arrest. The role of violence in police selection of drunkenness offenders, in short, is negligible.

Row C of Table 2 shows that citizens who are impolite<sup>9</sup> in their interaction with the police are arrested significantly more frequently than offenders who are less impolite. Thus, 44% of drunkenness offenders with high levels of impoliteness were arrested as compared to 26% of drunkenness offenders with low levels of impoliteness ( $Z=2.57$ ,  $p<.01$ ).

Row D of Table 2 shows that citizens who fail to comply with the orders given them by the police are arrested significantly more frequently than citizens who comply with those orders. The police arrested 44% of drunkenness offenders with high levels of non-compliance as compared to 28% with low levels of non-compliance ( $Z=2.00$ ,  $p<.05$ ).

The data in Table 2, in short, confirm the oft reported observation that police selection of citizens for formal processing by the criminal justice system relates to the level of disrespect shown the police. Drunkenness offenders who evidence disrespect by being impolite in their interaction with the police or by failing to comply with police orders are more likely to be arrested; offenders who evidence respect are arrested significantly less frequently.

At this point it becomes necessary to deviate from the procedure followed thus far of footnoting results of elaborative analyses. The reason is clear in light of the data just presented: it is possible that the higher rates of arrest of Indian American and declassified public drunkenness offenders are attributable to higher levels of

disrespect. Piliavin and Briar (1964) and Black (1970), as noted previously, found that the higher rates of arrest of Afro-American juveniles were a function of the higher levels of disrespect evidenced by these offenders. Elaborative analysis permits rejection of this rival explanation.

(Table 3 about here)

E-2. The higher rate of arrest of Indian American offenders is not attributable to the levels of disrespect shown the police. The data in Row A of Table 3 show that when level of disrespect is held constant, Indian American offenders are arrested more frequently than White American offenders. The small number of "Afro-American cases" precludes meaningful comparison. Thus:

- 1) 42% of Indian American offenders with low levels of impoliteness were arrested as compared to 20% of White American offenders with low levels of impoliteness;
- 2) 60% of Indian American offenders with high levels of impoliteness were arrested as compared to 41% of White American offenders with high levels of impoliteness;
- 3) 38% of Indian American offenders with low levels of non-compliance were arrested as compared to 24% of White American offenders with low levels of non-compliance; and
- 4) five of seven Indian American offenders with high levels of non-compliance were arrested as compared to 38% of White American offenders with high levels of non-compliance.

E-3. The higher rate of arrest of declassified offenders is not attributable to the levels of disrespect shown the police. The data in Row B of Table 3 show that when level of disrespect is held constant, declassified offenders are arrested more frequently than blue collar offenders. The small number of "white collar cases" precludes meaningful comparison. Thus:

- 1) 41% of declassified offenders with low levels of impoliteness were arrested as compared to 21% of blue collar offenders with low levels of impoliteness;
- 2) 71% of declassified offenders with high levels of impoliteness were arrested as compared to 38% of blue collar offenders with high levels of impoliteness;
- 3) 48% of declassified offenders with low levels of non-compliance were arrested as compared to 23% of blue collar offenders with low levels of non-compliance; and
- 4) 64% of declassified offenders with high levels of non-compliance were arrested as compared to 39% of blue collar offenders with high levels of non-compliance.

These data, then, support the earlier specifications of the relationships between class status, race, and the exercise of police arrest discretion. That is: within the limits of this elaborative analysis it appears that the police discriminate against declassified and Indian American public drunkenness offenders.

## DISCUSSION

The central aim of the present study has been to determine the extent to which the police abuse the societally delegated privilege to exercise coercive force. The specific focus was on the factors which relate to police arrest of public drunkenness offenders and it appears that two comments are in order. First, if we look at these findings as a whole, it appears that three factors relate most directly to police selection of certain drunkenness offenders for formal processing by the criminal justice system: 1) offense conspicuousness; 2) offender powerlessness; and 3) offender disrespect.

The data provide three indicators of the importance of offense conspicuousness. If the police, given their limited resources, happen upon an offense, arrest is more likely than if a citizen reports an offense to the police. Further, downtown offenders and those encountered in closed, public places were also arrested more frequently. In drunkenness encounters, then, one of the factors which determines whether or not an offender will be treated formally is the conspicuousness of the offense. Offenders who confine their drunkenness to locations and places not easily observed by the police and/or other citizens are not likely to be arrested--even though involved in an encounter with the police. Offenders, on the other hand, who are encountered by the police in conspicuous locations stand a significantly greater chance of being arrested.

The role of offender powerlessness is suggested by two of these

findings: 1) the higher rate of arrest of Indian American offenders; and 2) the higher rate of arrest of declassified offenders. Until very recently Indian Americans have been among the least powerful of American minority groups (cf., Marden and Meyer, 1962: 326ff.). Declassified citizens constitute an equally powerless minority within the dominant American culture (cf., Spradley, 1970). Why, then, do the police discriminate against certain citizens on the basis of their perceptions of powerlessness?

Arrest decisions must be made quickly by police officers and in the absence, therefore, of careful evaluation of the fragmentary information immediately available. Moreover, the decision to arrest generally evokes vocal and, occasionally, physical opposition by the citizen being arrested. As a consequence, the possibility of making a "mistake" (Chambliss and Liell, 1966) by arresting someone who will make a scene, draw attention to the officer via a false arrest suit, or draw attention to the department via community publicity of the arrest looms large in the mind of many police officers. To protect themselves against potential mistakes, police officers classify arrests along a continuum from safe to risky. An arrest is considered safe if the offense is minor and the offender is not likely to have the resources to cause the arrest to be a mistake. Stated simply: it appears that Indian American and declassified public drunkenness offenders are arrested significantly more frequently because the probability of making a mistake is significantly less.

The role of offender disrespect, finally, has been documented in numerous other studies and it was hardly surprising, therefore, that the probability of arrest for the offense of public drunkenness also increases as an offender is disrespectful towards the police. Despite the frequency of this finding, it is necessary to remind ourselves that it is not illegal or criminal to be disrespectful to the police. Police officials have recognized this in theory if not in fact: "The officer must remember that there is no law against making a policeman angry and that he cannot charge a man with making him angry." (Wilson 1963: 117). As this and numerous other studies make clear, however, citizens are routinely arrested for the offense of being disrespectful.

The second point follows from the observation on the relationship between offender disrespect and arrest: all of the above factors are clearly non-legal in nature. As compared to legal seriousness or questions of evidence, for example, nowhere are offense conspicuousness, offender powerlessness, or offender disrespect recognized as legal grounds for arrest. These and other (cf., Black, 1970; Black and Reiss, 1970; Goldman, 1963; Petersen, 1971; Piliavin and Briar, 1964; Skolnick, 1966; Spradley, 1970; Wilson, 1968) findings document the extent to which the police routinely operate outside the rule of the law. In a society ostensibly committed to "equal justice under the law" it has been demonstrated that police arrest of public drunkenness offenders reflects the influence of non-legal factors. From the perspective of the police as a commonweal organization, the conclusion which of necessity

must be drawn is that the police are currently abusing the privilege delegated by society to exercise non-negotiable coercive force.

A secondary aim, however, has been to assess the adequacy of the commonweal conception of the police. It appears that these findings contain at least two implications insofar as this issue is concerned. First, assuming the adequacy of the commonweal view, these findings imply that societal monitoring and control of the police is less than effective. As noted previously, the actions of commonweal organizations are monitored to insure that societal ends are being served. In the presence of evidence that intended ends are not being served, control is initiated such that routine practices reflect intended ends. These data indicate that society has failed in its right of mastery over its police (Bittner, 1973: 223).

A second implication directly concerns the adequacy of the commonweal conception of the police. An alternative conception of the police suggests that from their inception the police were an agent of the power elite intended to protect and serve the interests of but a small segment of society (cf., Lane, 1961; Silver, 1966). Recent sociological writing has extended this interpretation to contemporary police organizations (Liazos, 1972; Quinney, 1970; Thio, 1972). With data such as these, however, it is not possible to assess the validity of alternative conceptions and it is clear, therefore, that additional research is in order. Knowledge of routine police practices has rapidly accumulated

and it is now necessary to concentrate attention on the implications of these practices for the organizational position and role of the police in democratic society. This paper represents a tentative step in that direction.

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Table 1: Percent of Police-Citizen Encounters Ending in Arrest According to Selected Conditions of the Encounter.

CONDITION	NUMBER	PERCENT ENDING IN ARREST
A.		
INITIATOR		
Police	52	42
Citizen	143	27
B.		
LOCATION		
1. Area of the City		
Downtown	54	43
Non-downtown	141	27
2. Place		
Open, Public	127	31
Closed, Public	14	71
Private	51	23
C.		
COMPLAINANT CONFIGURATION		
Complainant	73	27
No Complainant	122	34
D.		
DEMOGRAPHIC CHARACTERISTICS		
1. Sex of Offender(s) <sup>a</sup>		
Male	160	34
Female	15	20
2. Age of Offender(s) <sup>a</sup>		
< 25	66	24
≥ 25	123	37
3. Race of Offender(s) <sup>a</sup>		
White American	141	26
Afro-American	12	33
Indian American	32	53
4. Class Status of Offender(s) <sup>a</sup>		
White Collar	15	20
Blue Collar	132	25
Declassified	44	52
TOTALS	195	31

<sup>a</sup>Encounters were excluded in this analysis if the offenders present displayed mixed demographic characteristics (i.e., male and female (n=20), mixed racial characteristics (n=10), mixed class characteristics (n=4), or mixed age characteristics (n=6).

Table 2: Percent of Encounters Ending in Arrest According to Indicators and Level of Disrespect.

INDICATOR & LEVEL <sup>a</sup> OF DISRESPECT	NUMBER	PERCENT ENDING IN ARREST
A.		
TEMPER		
Low	157	29
High	38	42
B.		
VIOLENCE		
Low	188	31
High	7	(4)
C.		
IMPOLITENESS		
Low	132	26
High	63	44
D.		
NON-COMPLIANCE		
Low	159	28
High	36	44

<sup>a</sup>Low =  $0 \leq X_i \leq \bar{X}$

High =  $X_i > \bar{X}$

Table 3: Percent of Encounters Ending in Arrest According to the Race and Class Status of the Offender, by Level of Disrespect

CONDITION	INDICATOR AND LEVEL <sup>a</sup> OF DISRESPECT			
	IMPOLITENESS		NON-COMPLIANCE	
	LOW	HIGH	LOW	HIGH
A.				
RACE				
White American	20 (99)	41 (41)	24 (114)	38 (26)
Afro-American	(3) (7)	(3) (5)	27 (11)	(1) (1)
Indian American	42 (19)	69 (13)	38 (15)	(5) (7)
B.				
CLASS STATUS				
White Collar	31 (13)	(0) (2)	28 (14)	(0) (1)
Blue Collar	21 (92)	38 (39)	23 (108)	39 (23)
Declassified	41 (27)	71 (17)	48 (33)	64 (11)

$$^a \text{Low} = 0 \leq X_i \leq \bar{X}$$

$$\text{High} = X_i > \bar{X}$$

FOOTNOTES

1. This description of the field method borrows, with some exceptions, from Richard E. Sykes and John P. Clark, "A Preliminary Theory of Low Visibility Enforcement Decisions by Police," Minneapolis: Minnesota Systems Research, Inc., 1973 (mimeo).
2. It was also found that police initiated encounters were "blocked" (Rosenberg, 1968: 26ff.) with encounters occurring in the downtown area of Midwest City. Since downtown encounters also ended significantly more frequently in arrest, I controlled for the effects of location. The result was that the relationship remained essentially unchanged: 50% of police-initiated downtown encounters ended in arrest as compared to 40% of citizen-initiated downtown encounters.
3. As previously noted, downtown location is blocked with police initiation. When initiator is controlled, however, location continues to exert an independent effect on arrest. It is clear, at the same time, that interactive or conjoint effects emerge: 1) 50% of police initiated downtown encounters ended in arrest as compared to 40% of citizen initiated downtown encounters; 2) 38% of police initiated non-downtown encounters ended in arrests compared to 24% of citizen initiated non-downtown encounters.
4. Detailed elaborative analysis revealed no evidence which leads me to conclude that the relationship is spurious.
5. Elaborating upon the significantly higher rate of arrest of Indian American drunkenness offenders it was found that Indian American encounters occurred more frequently in downtown locations, involved more complainants, and involved more declassified offenders. As a consequence additional analysis introducing appropriate controls was undertaken. The results were as follows: 1) when location was controlled, Indian American offenders continued to be arrested more frequently; 2) when complainant presence was controlled, Indian American offenders continued to be arrested more frequently; and 3) when class status was controlled, Indian American offenders were arrested more frequently. Within the limits of this analysis, it appears that the police discriminate against Indian American public drunkenness offenders.
6. Elaborating upon the significantly higher rate of arrest of declassified offenders it was found that declassified encounters occurred more frequently in downtown locations and more frequently involved Indian American offenders. As a consequence additional analysis introducing appropriate controls was undertaken. The results were as

follows: 1) when location was controlled, declassified encounters continued to end more frequently in arrest; 2) when race was controlled, declassified class status continued to exert an independent effect on arrest.

7. Temper was considered displayed whenever a citizen raised his/her voice above a normal conversational level, when anger or hostility was present in an actor's voice, and/or when a verbal statement contained a threat to normal freedom.
8. Potential or actual acts of physical violence included verbal threats of physical attack, efforts at territorial or physical restraint, fighting, making weapons ready for use, and/or the use of weapons.
9. A verbal statement was considered impolite if it deviated from polite middle-class interaction in the directions of aggressive non-compliance, embarrassment, heated argument, name calling, ridicule, and/or personal vituperation.

**END**